

## Conversation Contents

In Utah, the fight for a Bears Ears monument heats up — High Country News

**Neil Kornze <nkornze@blm.gov>**

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**From:** Neil Kornze <nkornze@blm.gov>  
**Sent:** Sat Jul 09 2016 06:50:08 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Nikki Buffa <nicole\_buffa@ios.doi.gov>, liz\_pardue@ios.doi.gov  
**Subject:** In Utah, the fight for a Bears Ears monument heats up — High Country News

I missed this article back in May. Worth a read - good summary.

[In Utah, the fight for a Bears Ears monument heats up — High Country News](#)



## Conversation Contents

**Southern Utah Conservation Public Meeting - Saturday, July 16, 2016**

**Attachments:**

/47. Southern Utah Conservation Public Meeting - Saturday, July 16, 2016/1.1  
image.png

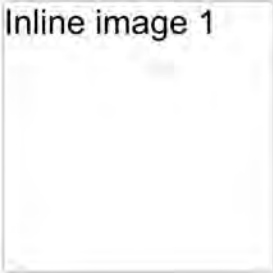
/47. Southern Utah Conservation Public Meeting - Saturday, July 16, 2016/1.2  
image.png

**"OS, Office of the Secretary" <officeofthesecretary@ios.doi.gov>**


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**From:** "OS, Office of the Secretary"  
<officeofthesecretary@ios.doi.gov>  
**Sent:** Fri Jul 08 2016 15:40:19 GMT-0600 (MDT)  
**To:** undisclosed-recipients;;  
**BCC:** Tommy\_Beaudreau@ios.doi.gov  
**Subject:** Southern Utah Conservation Public Meeting - Saturday,  
July 16, 2016  
**Attachments:** image.png image.png

Inline image 1



Inline image 2



### **Southern Utah Conservation Public Meeting**

Please join U.S. Secretary of the Interior Sally Jewell and U.S. Department of Agriculture Under Secretary Robert Bonnie for a public meeting regarding community visions for the management of Southern Utah's public lands, including Congressman Bishop and Chaffetz's Public Lands Initiative and the Bears Ears Inter-Tribal Coalition's proposal to designate a new national monument.

Members of the public are invited to attend and comment

**Saturday, July 16**

**1:00 pm - 4:00 pm**

*Bluff Community Center  
Corner of Third Street and Mulberry Avenue  
Bluff, UT*

Participating federal agency representatives include:

U.S. Secretary of the Interior Sally Jewell  
U.S. Department of Agriculture Under Secretary Robert Bonnie  
U.S. Forest Service Chief Tom Tidwell (invited)  
Bureau of Land Management Director Neil Kornze  
National Park Service Director Jonathan Jarvis  
Acting U.S. Assistant Secretary for Indian Affairs Larry Roberts

We hope you are able to join us and ask that you [RSVP](#) at your earliest convenience by clicking [HERE](#). This meeting is open to the public so please feel free to share this invitation with anyone you think would be interested.

For more information, please contact Megan Crandall: [mcrandal@blm.gov](mailto:mcrandal@blm.gov), 801-539-4118, or Lola Bird, [lbird@blm.gov](mailto:lbird@blm.gov), 801-539-4033.

Thank you!



# The Salt Lake Tribune

## Bears Ears book will be sent to members of Congress

By [THOMAS BURR](#) | The Salt Lake Tribune

First Published Jun 23 2016 02:45PM • Last Updated Jun 23 2016 07:35 pm

Washington • Twenty years ago, Terry Tempest Williams collaborated with several writers to push for protection of Utah's red rock country, publishing a book called "Testimony" that would be delivered to members of Congress in an effort to convince them of the need to act.

This week, conservationists revived the idea in hopes of securing protection for the Bears Ears region in southeastern Utah.

"Red Rock Testimony," a small tome with a cover carved to look like the iconic rounds that gave the Bears Ears area its name, includes short stories, poetry and testimonials on why the 1.9 million acres should be set aside. The book, like its older version, will be sent to members of Congress and has already been delivered to the Interior Department, the Bureau of Land Management and other federal offices.

But will it make a difference?

"We don't expect the most grumpy and vociferous members of Congress who are determined to take back the land from those of us who own the land from even reading this book to read these pieces of writing," said Stephen Trimble, an associate instructor at the University of Utah at a National Press Club news conference Thursday. "But we'll send it out there on its journey."

Trimble said the same question was asked in 1996 about the original book, but the point may not be to rally those opponents to preservation as it is to bolster those who support it.

"We do not expect that our beautiful book will convince [Sen.] Orrin Hatch and [Rep.] Rob Bishop to do anything different from what they already have planned to do," added Kirsten Allen of Torrey House Press, which published the book. "However, what we can do is provide support for the supporters of protecting southern Utah. What we can do is provide a little cover for those in the administration who want this national monument to go forward."

Those who want to preserve Bears Ears are calling on President Barack Obama to use his power under the 1906 Antiquities Act to name it a national monument, circumventing Congress, which has failed to act on protecting the region.

Bishop, working with Rep. Jason Chaffetz, has been promising to unveil legislation soon that would offer some protections for the area, though only a draft has so far been circulated. That effort, called the Public Lands Initiative, was touted as a cooperative effort between environmentalists, developers, local, state and federal officials, though several green groups and tribal leaders have said they no longer believe they will be represented in the final product.

The new book goes further.

"The PLI was a ruse," writes Charles Wilkinson, a law professor at the University of Colorado who drafted the language then-President Bill Clinton used to name the Grand Staircase-Escalante National Monument in Utah in 1996. "Although they never said it, the Utah [federal] delegation clearly believed that intensive resource development, especially mining, always trumps land protection. Tribal leaders knew they were not being truly listened to or respected."

[tburr@sltrib.com](mailto:tburr@sltrib.com)



**The Washington Post**

**A major Native American site is being looted. Will Obama risk armed confrontation to save it?**

[https://www.washingtonpost.com/politics/a-major-native-american-site-is-being-looted-will-obama-risk-armed-conflict-to-save-it/2016/06/05/bf2dfcfc-1dff-11e6-8c7b-6931e66333e7\\_story.html](https://www.washingtonpost.com/politics/a-major-native-american-site-is-being-looted-will-obama-risk-armed-conflict-to-save-it/2016/06/05/bf2dfcfc-1dff-11e6-8c7b-6931e66333e7_story.html)

By [Juliet Eilperin](#) June 5

RIM OF CEDAR MESA, Utah — For centuries, humans have used the red sandstone canyons here as a way to mark their existence.

First came archaic hunter-gatherers who worked in Glen Canyon Linear, a crude geometrical style dating back more than 3,500 years. Then about 2,000 years later, early ancestral Pueblo farmers of the Basketmaker period used more subtle lines to produce a man in headdress. A little more than 700 years ago came their descendants, who used the same kind of hard river stone to make drawings of bighorn sheep and a flute player in the ancient rock.

Now, President Obama is weighing whether and how he can leave his own permanent imprint on history by designating about 2 million acres of land, known as the Bears Ears, as a national monument.

And despite the uniformly acknowledged historical significance of the area, some people regard the conservation efforts by the White House as classic federal overreach. In the current-era conflict between Washington and rural Westerners, the idea of a Bears Ears national monument has produced warnings of a possible armed insurrection.

In a state where the federal government owns 65 percent of the land, many conservatives already resent existing restrictions because they bar development that could generate additional revenue. Out-of-state militias came to San Juan County two years ago, when Commissioner Phil Lyman helped lead an all-terrain-vehicle protest ride through a canyon the Bureau of Land Management had closed to motorized traffic in 2007. Lyman is appealing the 10-day jail sentence he received in connection with the protest, and he argues that his case shows how BLM officials place the priorities of environmentalists over those of local residents.

“I would hope that my fellow Utahans would not use violence, but there are some deeply held positions that cannot just be ignored,” Sen. Orrin G. Hatch, the veteran Republican lawmaker, said in an interview.

Cedar Mesa is one of the best preserved and most archeologically rich sites in the United States. The dry climate and rock overhangs have protected important artifacts for millennia, and there are tens of thousands of ancient objects and structures preserved, including ones in which the original wood beams in cliff dwellings remain intact. In a granary where the Pueblo people kept maize, a single dried cob lies on a dusty floor.

But some lawmakers have suggested that unilateral action by the president, under the 1906 Antiquities Act, could provoke the same sort of resistance that led to the 41-day armed takeover of the Malheur National Wildlife Refuge in Oregon earlier this year.



“There is a lot of conflict that has escalated into being on the precipice of violence that is unnecessary and unwarranted,” said Rep. Jason Chaffetz (R-Utah), who opposes the designation.

Obama has approached the designation of national monuments as a way to bolster the country’s defenses against climate change and as a way to make the national narrative more inclusive, in addition to his obligation to safeguard the country’s national treasures.

### **Looting incidents**

In the case of Bears Ears, there is no question that the area is imperiled by the kind of looting and pillaging that first inspired the Antiquities Act, as well as more modern threats, such as ATVs and motorbikes tearing through the desert terrain.

There have been six confirmed looting incidents in the past six months, and at least two dozen over the past five years. In one, a vandal used a rock saw to remove a petroglyph; in one this year someone dug up a pristine ceremonial chamber, or kiva, that had never been professionally excavated. Although the BLM has allocated \$400,000 over two years to stabilize 10 archeological sites and trained about 20 people to serve as volunteer “site stewards,” it employs just two law enforcement officers to patrol 1.8 million acres.

Without help from Washington, preservationists worry that the looting and destruction will continue. Word of the region’s treasures has spread from academics and archaeologists to “pot hunters” and other looters, said Don Simonis, the BLM’s archeologist for the area. “For years we’ve been reluctant to talk about it, but if we don’t talk about it, how else can we convince the powers that be that we need protection here, and get the resources we need to protect it?”

But in the Bears Ears region, named for the twin buttes that define the landscape, and surrounding San Juan County there are competing claims to the land and its history. The area has been home over the centuries to Native American tribes, Mormon settlers who reshaped the land in the late 1800s and the energy prospectors, ranchers and thrill-seekers drawn to it today.

All lay claim to pieces of the region’s past and all are determined to have a voice in its future.

On May 19, Utah Gov. Gary R. Herbert (R) signed a resolution, passed in a special session, specifically opposing a national monument. But even that measure stipulated that the legislature and governor were in favor of “protection and conservation of the Bears Ears area” if done in “a constitutionally sound, locally driven legislative approach.”

Chaffetz and House Natural Resources Committee Chairman Rob Bishop (R-Utah) have spent more than three years crafting a lands bill that affects seven counties in eastern Utah, spanning 18 million acres. The process involved extensive deliberations with a wide range of interests—more than 1,200 meetings and more than 120 different groups, according to staffers, as one of Bishop’s aides racked up more than 65,000 miles on his Nissan Versa traveling from one meeting to another.

### **Forces of opposition**

The lawmakers may introduce a bill this month, and earlier drafts set aside four times as much land for conservation as for development. But those proposals have drawn sharp criticism from



environmentalists and tribal leaders, in part because they give state and local officials greater say over managing federal lands and redefine what activities can take place in protected areas.

Scott Groene, executive director of the Southern Utah Wilderness Alliance, has dubbed the plan the “Plundered Lands Initiative.” He said it “gives away vast amounts of public land, sacrifices landscapes to energy development, rolls back existing protection and fails to protect the Bears Ears.”

And a coalition of tribal groups — including representatives from the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute and Pueblo of Zuni — abandoned what had been fitful negotiations with Utah Republicans in December, saying they were not given a proper voice in shaping the deal. Leaders of the tribes, some of which had warred against each other in the past, said they have found a common cause because of their spiritual and historical connection to the area.

“We put aside the sense of who came here first and who came here last,” said Carleton Bowekaty, a Pueblo of Zuni councilman. “We’re not confined by reservation lines. We’re not confined by state lines.”

A nonprofit Navajo group started pressing for federal protection six years ago, but tribal leaders say the state’s current members of Congress haven’t given them as much say as the late Sen. Robert Bennett (R-Utah), who started the talks. Kenneth Maryboy, who at the time served as one of San Juan County’s three commissioners, attended a listening session with the two lawmakers and members of the community where one rancher openly scoffed at the idea of recognizing tribal claims.

“The damn Indians don’t need another reservation,” Maryboy recalled the rancher saying.

One prominent Navajo backs the congressional approach. Rebecca Benally, a Democrat who defeated Maryboy and sits on the county commission, argues that the federal government cannot be trusted to properly manage a monument.

[\*\[Retelling the American narrative with national monument designations\]\*](#)

Feelings are so brittle here that one Utah conservationist, Black Diamond Equipment chief executive Peter Metcalf, remarked in an interview that it embodies William Faulkner’s famous phrase: “The past is never dead. It’s not even past.”

Lyman, a critic of both the national monument proposal and the lawmakers’ broader lands bill, lives in Blanding, the town his great-grandfather helped found a century ago. Walter C. Lyman and other Mormon pioneers came from southwestern Utah in the arduous, six-month Hole-in-the-Rock expedition and first established the town of Bluff, which abuts the proposed monument designation. After repeated flooding ruined the settlers’ crops, Lyman managed to bring water onto White Mesa, about 25 miles away, and most of the settlers relocated.

When Lyman discusses his disputes with federal officials, environmentalists and some Navajo activists, he cites historic markers such as the 1865 law Abraham Lincoln gave Utahans, granting the right-of-way to build roads, and a 1933 agreement county leaders forged with the Navajos that gave them 500,000 acres south of the San Juan River, which is now part of a reservation that spans multiple states.

“The whole purpose of it was to create certainty: This is yours and this is ours,” he said. “It was supposed to have settled this.”



At this point, Native Americans — mostly Navajos and some Utes — make up 46 percent of San Juan County's population. The county's unemployment rate is more than double the state average, and about a quarter of county residents receive food stamps and medical assistance.

And the fossil fuel and mineral extraction that once drove the local economy have dwindled: The last time a rig drilled a hole in the county was February 2014, according to the oil service company Baker Hughes.

### **Helpful or hazardous?**

Some argue that a monument designation could prove to be an economic asset to the region, in the same way tourism increased at Utah's Grand Staircase-Escalante National Monument after Bill Clinton designated it in 1996, as well as other sites that received similar presidential recognition.

Friends of Cedar Mesa Executive Director Josh Ewing, who has sought to broker a legislative compromise, noted that Utah's "Mighty Five" advertising blitz touts four national parks that were initially protected under the Antiquities Act.

Last week Herbert and Hatch held an event at one of those well-known sites, Natural Bridges National Monument, to reiterate their opposition to another presidential designation in the state.

"It's the sort of thing that will die down quickly," said Ewing, an avid rock climber who regularly scales the area's canyons and cliffs.

Still, Hatch was concerned enough that he warned Interior Secretary Sally Jewell in a private meeting in his office on March 8 that a repeat of what Clinton did 20 years ago could prompt an armed confrontation.

Obama was briefed on the conversation with Hatch, according to several individuals, and instructed his aides to continue exploring the possibility of designating a monument. Jewell plans to visit the area this summer, and no final decision has been made.

But Obama [pledged in November](#) that his administration would "review tribal proposals to permanently protect sacred lands for future generations." Those who have spoken to him about it, including presidential historian Douglas Brinkley, say Obama "keenly wants to do some things [recognizing] Native American culture," and the proposal meets that test.

Natural Resources Defense Council President Rhea Suh, who served as one of the Interior Department's top officials before switching jobs about 18 months ago, said that when it comes to such monuments, "You usually wait for the harder ones for the last moment . . . and the window is closing for permanent protection of some of the grandest landscapes, I think, in the entire United States."

Jonah Yellowman, who was forced at age 6 to attend a boarding school in New Mexico where he was physically punished for speaking his native language, is waiting for that sort of recognition. Yellowman walks easily along the landscape, pointing out where he collects firewood and the plants Navajos use to camouflage their faces in one ritual and scent sweat lodges in another.

Both Anglo and Navajo politicians have disappointed him before — Yellowman doesn't have running water or electricity at his remote home near Monument Valley, where iconic Westerns were filmed decades ago. He thinks the tribes have started a movement that can succeed.

"My people, they start something and it doesn't go nowhere," he said. "You can tell that this is different. This one, there's hope."

From: **Ferguson, Fred** <[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)>  
Date: Fri, Jul 8, 2016 at 12:37 PM  
Subject: Re: For Review Before Friday 1pm: UT Public Meeting  
To: "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
Cc: "Snider, Casey" <[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)>

Looks good to me.

**Fred Ferguson**  
Chief of Staff  
Rep. Chaffetz (UT-03)  
202-631-0560 cell

On Jul 8, 2016, at 12:14, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

Here's are draft invite that's going out today. Want to make sure we are getting this as right as we can. Is there anyone else I should run this by? Can we discuss soonish? 202-219-3861

PLACEHOLDER FOR DOI/USDA SEALS

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Director of the National Park Service Jonathan Jarvis

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Nikki Buffa  
Deputy Chief of Staff  
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[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

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**From:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>

**Sent:** Fri Jul 08 2016 11:09:01 GMT-0600 (MDT)

**To:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** Re: For Review Before Friday 1pm: UT Public Meeting

Very good.

TPB

On Jul 8, 2016, at 1:03 PM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

FYI.

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

**From:** Ferguson, Fred <[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)>  
**Date:** Fri, Jul 8, 2016 at 12:37 PM  
**Subject:** Re: For Review Before Friday 1pm: UT Public Meeting  
**To:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Cc:** "Snider, Casey" <[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)>

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**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

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**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Fri Jul 08 2016 12:20:17 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: For Review Before Friday 1pm: UT Public Meeting

Begin forwarded message:

**From:** "Snider, Casey" <[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)>  
**Date:** July 8, 2016 at 1:44:53 PM EDT  
**To:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** RE: For Review Before Friday 1pm: UT Public Meeting

Looks good. Thank you for doing this

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**From:** Buffa, Nicole [[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)]  
**Sent:** Friday, July 08, 2016 12:13 PM  
**To:** Snider, Casey; Ferguson, Fred  
**Subject:** Fwd: For Review Before Friday 1pm: UT Public Meeting

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[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



## Conversation Contents

**Invitation: Phone Call with Illinois Senator Dick Durbin (Staff: Feli... @ Tue Jul 12, 2016 3pm - 3:15pm (tommy\_beaudreau@ios.doi.gov)**

### Attachments:

/50. Invitation: Phone Call with Illinois Senator Dick Durbin (Staff: Feli... @ Tue Jul 12, 2016 3pm - 3:15pm (tommy\_beaudreau@ios.doi.gov)/1.1 invite.ics

/50. Invitation: Phone Call with Illinois Senator Dick Durbin (Staff: Feli... @ Tue Jul 12, 2016 3pm - 3:15pm (tommy\_beaudreau@ios.doi.gov)/1.2 invite.ics

## "SRJ2@ios.doi.gov" <srj2@ios.doi.gov>

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**From:** "SRJ2@ios.doi.gov" <srj2@ios.doi.gov>  
**Sent:** Thu Jul 07 2016 17:59:58 GMT-0600 (MDT)  
tommy\_beaudreau@ios.doi.gov,  
francis\_iacobucci@ios.doi.gov, jeremy\_bratt@ios.doi.gov,  
sarah\_neimeyer@ios.doi.gov, libby\_marking@ios.doi.gov,  
kathleen\_oleary@ios.doi.gov, nicole\_buffa@ios.doi.gov,  
**To:** dailybriefingbinder@ios.doi.gov,  
benjamin\_milakofsky@ios.doi.gov,  
felipe\_mendoza@ios.doi.gov,  
romen\_borsellino@ios.doi.gov,  
chelsea\_welch@ios.doi.gov, lindsey\_wagner-  
oveson@ios.doi.gov, molly\_click@ios.doi.gov  
**Subject:** Invitation: Phone Call with Illinois Senator Dick Durbin  
(Staff: Feli... @ Tue Jul 12, 2016 3pm - 3:15pm  
(tommy\_beaudreau@ios.doi.gov)  
**Attachments:** invite.ics invite.ics

### Phone Call with Illinois Senator Dick Durbin (Staff: Felipe Mendoza) [more details »](#)

Note: Secretary Jewell will call 202-224-7026 and Claire Reuschel will connect to Senator Durbin.

Topic: Bears Ears

POC:  
Claire Dickhut Reuschel - Director of Scheduling  
Direct: 202-224-7026  
Main: 202-224-9447  
Email: [Claire\\_Reuschel@durbin.senate.gov](mailto:Claire_Reuschel@durbin.senate.gov)

When Tue Jul 12, 2016 3pm – 3:15pm Eastern Time

## FOR COMMITTEE USE ONLY

Where Secretary Jewell will call 202-224-7026 and Claire Reuschel will connect to Senator Durbin ([map](#))

Calendar tommy\_beaudreau@ios.doi.gov

Who

- SRJ2@ios.doi.gov - organizer
- timothy\_nigborowicz@ios.doi.gov - creator
- francis\_iacobucci@ios.doi.gov
- jeremy\_bratt@ios.doi.gov
- sarah\_neimeyer@ios.doi.gov
- tommy\_beaudreau@ios.doi.gov
- libby\_marking@ios.doi.gov
- kathleen\_oleary@ios.doi.gov
- nicole\_buffa@ios.doi.gov
- dailybriefingbinder@ios.doi.gov
- benjamin\_milakofsky@ios.doi.gov
- felipe\_mendoza@ios.doi.gov
- romen\_borsellino@ios.doi.gov
- chelsea\_welch@ios.doi.gov
- lindsey\_wagner-oveson@ios.doi.gov
- molly\_click@ios.doi.gov

Going? [Yes](#) - [Maybe](#) - [No](#) [more options »](#)

Invitation from [Google Calendar](#)

You are receiving this email at the account tommy\_beaudreau@ios.doi.gov because you are subscribed for invitations on calendar tommy\_beaudreau@ios.doi.gov.

To stop receiving these emails, please log in to <https://www.google.com/calendar/> and change your notification settings for this calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More.](#)

# FOR COMMITTEE USE ONLY

**From:** [SR12@ios.doi.gov](mailto:SR12@ios.doi.gov)  
**To:** [francis\\_bachauer@ios.doi.gov](mailto:francis_bachauer@ios.doi.gov); [jeremy\\_brett@ios.doi.gov](mailto:jeremy_brett@ios.doi.gov); [serah\\_neimeyer@ios.doi.gov](mailto:serah_neimeyer@ios.doi.gov); [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov); [ibby\\_marking@ios.doi.gov](mailto:ibby_marking@ios.doi.gov); [SR12@ios.doi.gov](mailto:SR12@ios.doi.gov); [kathleen\\_cleary@ios.doi.gov](mailto:kathleen_cleary@ios.doi.gov); [nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov); [dalyhurst@nhfinder@ios.doi.gov](mailto:dalyhurst@nhfinder@ios.doi.gov); [benjamin\\_mi@kofso@ios.doi.gov](mailto:benjamin_mi@kofso@ios.doi.gov); [felice\\_mendoza@ios.doi.gov](mailto:felice_mendoza@ios.doi.gov); [robert\\_borseellino@ios.doi.gov](mailto:robert_borseellino@ios.doi.gov); [chelsea\\_walch@ios.doi.gov](mailto:chelsea_walch@ios.doi.gov); [lyndsey\\_wagner-cyosen@ios.doi.gov](mailto:lyndsey_wagner-cyosen@ios.doi.gov); [molly\\_dick@ios.doi.gov](mailto:molly_dick@ios.doi.gov)  
**Subject:** Phone Call with Illinois Senator Dick Durbin (Staff: Felipe Mendoza)  
**Start:** Tuesday, July 12, 2016 3:00:00 PM  
**End:** Tuesday, July 12, 2016 3:15:00 PM  
**Location:** Secretary Jewell will call 202-224-7026 and Claire Reuschel will connect to Senator Durbin

---

Note: Secretary Jewell will call 202-224-7026 and Claire Reuschel will connect to Senator Durbin.

Topic: Bears Ears

POC:

Claire Dickhut Reuschel - Director of Scheduling  
Direct: 202-224-7026  
Main: 202-224-9447  
Email: [Claire\\_Reuschel@durbin.senate.gov](mailto:Claire_Reuschel@durbin.senate.gov)

View your event at <https://www.google.com/calendar/event?>

action=VIEW&mid=NTMwdTQAMTFoZJRvNWprZDYycr95MjdtMzggdG96XlFmVndWRyZWFlQGlvcySkb2kuZS22&tok=MTYjc3lkMkI0b3MuZG9pLmhh6jktMzgzNTMzOWRkMGQwMDY5M2MzMl40DVIkMVN2MlNzBiYndMTM&et=America/New\_York&hl=en



## Conversation Contents

Fwd: call between Durbin and Sec. Jewell

**"Neimeyer, Sarah" <sarah\_neimeyer@ios.doi.gov>**

---

**From:** "Neimeyer, Sarah" <sarah\_neimeyer@ios.doi.gov>  
**Sent:** Wed Jul 06 2016 08:39:04 GMT-0600 (MDT)  
**To:** Nicole Buffa <nikki\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Francis Iacobucci <francis\_iacobucci@ios.doi.gov>  
**Subject:** Fwd: call between Durbin and Sec. Jewell

Would it be possible to set this up? Thanks, Sarah

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

**From:** Reuschel, Claire (Durbin) <Claire\_Reuschel@durbin.senate.gov>  
**Date:** Wed, Jul 6, 2016 at 10:37 AM  
**Subject:** call between Durbin and Sec. Jewell  
**To:** Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, "Hunt, Jasmine (Durbin)" <Jasmine\_Hunt@durbin.senate.gov>

Sarah-

Durbin wants to talk to Secretary Jewell about Bear Ears. Think we can make this work by the afternoon of July 14?

Claire Dickhut Reuschel

Director of Scheduling

U.S. Senator Richard Durbin

Assistant Democratic Leader

202.224.9447

[twitter.com/SenatorDurbin](https://twitter.com/SenatorDurbin)

[facebook.com/SenatorDurbin/](https://facebook.com/SenatorDurbin/)

[durbin.senate.gov/contact/newsletter](https://durbin.senate.gov/contact/newsletter)

--  
Sarah C. Neimeyer, Director  
Office of Congressional and Legislative Affairs  
Office of the Secretary  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Office - (202) 208-5557  
Fax - (202) 208-5533

**"Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Jul 06 2016 08:59:31 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: call between Durbin and Sec. Jewell

I talked to her about this. He wants to just say that he supports Bears Ears. Think that's helpful, right?

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

From: **Neimeyer, Sarah** <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>  
Date: Wed, Jul 6, 2016 at 10:39 AM  
Subject: Fwd: call between Durbin and Sec. Jewell  
To: Nicole Buffa <[nikki\\_buffa@ios.doi.gov](mailto:nikki_buffa@ios.doi.gov)>, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Francis Iacobucci <[francis\\_iacobucci@ios.doi.gov](mailto:francis_iacobucci@ios.doi.gov)>

Would it be possible to set this up? Thanks, Sarah

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

From: **Reuschel, Claire (Durbin)** <[Claire\\_Reuschel@durbin.senate.gov](mailto:Claire_Reuschel@durbin.senate.gov)>  
Date: Wed, Jul 6, 2016 at 10:37 AM  
Subject: call between Durbin and Sec. Jewell  
To: Sarah Neimeyer <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>, "Hunt, Jasmine (Durbin)"



FOR COMMITTEE USE ONLY

<[Jasmine\\_Hunt@durbin.senate.gov](mailto:Jasmine_Hunt@durbin.senate.gov)>

Sarah-

Durbin wants to talk to Secretary Jewell about Bear Ears. Think we can make this work by the afternoon of July 14?

Claire Dickhut Reuschel

Director of Scheduling

U.S. Senator Richard Durbin

Assistant Democratic Leader

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[facebook.com/SenatorDurbin/](https://facebook.com/SenatorDurbin/)

[durbin.senate.gov/contact/newsletter](https://durbin.senate.gov/contact/newsletter)

--

Sarah C. Neimeyer, Director  
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1849 C Street, NW  
Washington, DC 20240

Office - (202) 208-5557

Fax - (202) 208-5533

--

Nikki Buffa  
Deputy Chief of Staff

US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>**

---

**From:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Sent:** Wed Jul 06 2016 09:01:46 GMT-0600 (MDT)  
**To:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** Re: call between Durbin and Sec. Jewell

**(b) (5)**

TPB

On Jul 6, 2016, at 10:59 AM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

I talked to her about this. He wants to just say that he supports Bears Ears.  
Think that's helpful, right?

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

**From:** Neimeyer, Sarah <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>  
**Date:** Wed, Jul 6, 2016 at 10:39 AM  
**Subject:** Fwd: call between Durbin and Sec. Jewell  
**To:** Nicole Buffa <[nikki\\_buffa@ios.doi.gov](mailto:nikki_buffa@ios.doi.gov)>, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Francis Iacobucci <[francis\\_iacobucci@ios.doi.gov](mailto:francis_iacobucci@ios.doi.gov)>

Would it be possible to set this up? Thanks, Sarah

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

**From:** Reuschel, Claire (Durbin) <[Claire\\_Reuschel@durbin.senate.gov](mailto:Claire_Reuschel@durbin.senate.gov)>  
**Date:** Wed, Jul 6, 2016 at 10:37 AM  
**Subject:** call between Durbin and Sec. Jewell  
**To:** Sarah Neimeyer <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>, "Hunt, Jasmine (Durbin)" <[Jasmine\\_Hunt@durbin.senate.gov](mailto:Jasmine_Hunt@durbin.senate.gov)>

Sarah-

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Durbin wants to talk to Secretary Jewell about Bear Ears. Think we can make this work by the afternoon of July 14?

Claire Dickhut Reuschel

Director of Scheduling

U.S. Senator Richard Durbin

Assistant Democratic Leader

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Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Office - (202) 208-5557

Fax - (202) 208-5533

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



**"Iacobucci, Francis" <francis\_iacobucci@ios.doi.gov>**

---

**From:** "Iacobucci, Francis" <francis\_iacobucci@ios.doi.gov>  
**Sent:** Wed Jul 06 2016 16:39:12 GMT-0600 (MDT)  
**To:** "Neimeyer, Sarah" <sarah\_neimeyer@ios.doi.gov>  
**CC:** Nicole Buffa <nikki\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: call between Durbin and Sec. Jewell

Yes - we'll set this up

On Wed, Jul 6, 2016 at 10:39 AM, Neimeyer, Sarah <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)> wrote:

Would it be possible to set this up? Thanks, Sarah

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

**From:** **Reuschel, Claire (Durbin)** <[Claire\\_Reuschel@durbin.senate.gov](mailto:Claire_Reuschel@durbin.senate.gov)>  
**Date:** Wed, Jul 6, 2016 at 10:37 AM  
**Subject:** call between Durbin and Sec. Jewell  
**To:** Sarah Neimeyer <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>, "Hunt, Jasmine (Durbin)" <[Jasmine\\_Hunt@durbin.senate.gov](mailto:Jasmine_Hunt@durbin.senate.gov)>

Sarah-

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[durbin.senate.gov/contact/newsletter](https://durbin.senate.gov/contact/newsletter)

--  
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Fax - (202) 208-5533

--  
Francis Iacobucci  
Director | Scheduling and Advance  
Office of the Secretary, U.S. Department of the Interior  
202.208.5723 (direct)

\*\*\*All scheduling requests for Secretary Jewell should be sent to [scheduling@ios.doi.gov](mailto:scheduling@ios.doi.gov)

## Conversation Contents

Herbert

### **"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Jul 06 2016 14:43:20 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Herbert

Just talked to the Gov's office. They can't join us next week and are very disappointed we can't accommodate their schedule. Might we move the dates to August 1-5th? I explained the invitation to the Bears Ears' gathering, but said I would double check that our dates were certain.

Let me know what you think.

Thanks,  
Nikki

—  
Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

### **Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>**

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Wed Jul 06 2016 14:45:24 GMT-0600 (MDT)  
**To:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Subject:** Re: Herbert

Hm. My initial reaction is that I don't want to move it for a bunch of reasons. Let's think about it.



TPB

On Jul 6, 2016, at 4:43 PM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

Just talked to the Gov's office. They can't join us next week and are very disappointed we can't accommodate their schedule. Might we move the dates to August 1-5th? I explained the invitation to the Bears Ears' gathering, but said I would double check that our dates were certain.

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>**

---

**From:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Sent:** Wed Jul 06 2016 14:47:21 GMT-0600 (MDT)  
**To:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** Re: Herbert

Maybe go back for a second round of meetings that include the gov, salt lake, and SITLA.

TPB

On Jul 6, 2016, at 4:45 PM, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

Hm. My initial reaction is that I don't want to move it for a bunch of reasons. Let's think about it.

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[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

---

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Jul 06 2016 14:54:18 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** RE: Herbert

I think that's right. In August.

---

**From:** Tommy Beaudreau [mailto:[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)]  
**Sent:** Wednesday, July 06, 2016 4:47 PM  
**To:** Buffa, Nicole  
**Subject:** Re: Herbert

Maybe go back for a second round of meetings that include the gov, salt lake, and SITLA.

TPB

On Jul 6, 2016, at 4:45 PM, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

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Nikki Buffa  
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202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

---

**Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>**

---

**From:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Sent:** Wed Jul 06 2016 15:00:44 GMT-0600 (MDT)  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** Re: Herbert

And they should remember that they taunted the secretary for not having already visited.

TPB

On Jul 6, 2016, at 4:54 PM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

I think that's right. In August.

---

**From:** Tommy Beaudreau [mailto:[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)]  
**Sent:** Wednesday, July 06, 2016 4:47 PM  
**To:** Buffa, Nicole  
**Subject:** Re: Herbert

Maybe go back for a second round of meetings that include the gov, salt lake, and SITLA.

TPB

On Jul 6, 2016, at 4:45 PM, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:



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Nikki Buffa  
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[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

---

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Jul 06 2016 15:19:22 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** RE: Herbert

I actually sent him the article. Not joking.

---

**From:** Tommy Beaudreau [mailto:[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)]  
**Sent:** Wednesday, July 06, 2016 5:01 PM  
**To:** Nicole Buffa  
**Subject:** Re: Herbert

And they should remember that they taunted the secretary for not having already visited.

TPB

FOR COMMITTEE USE ONLY

On Jul 6, 2016, at 4:54 PM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

I think that's right. In August.

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**From:** Tommy Beaudreau [mailto:[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)]  
**Sent:** Wednesday, July 06, 2016 4:47 PM  
**To:** Buffa, Nicole  
**Subject:** Re: Herbert

Maybe go back for a second round of meetings that include the gov, salt lake, and SITLA.

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On Jul 6, 2016, at 4:45 PM, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

Hm. My initial reaction is that I don't want to move it for a bunch of reasons. Let's think about it.

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## Conversation Contents

Clip: E&E: Obama should hold off on Bears Ears designation — report

"Duran, Leah" <leah\_duran@ios.doi.gov>

---

**From:** "Duran, Leah" <leah\_duran@ios.doi.gov>  
**Sent:** Mon Oct 17 2016 12:19:53 GMT-0600 (MDT)  
**To:** "Degroff, Amanda" <amanda\_degroff@ios.doi.gov>  
 John Blair <john\_blair@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, "Kelly, Katherine" <kate\_kelly@ios.doi.gov>, "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>, Liz Pardue <lpardue@blm.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Interior Press <interior\_press@ios.doi.gov>  
**CC:**  
**Subject:** Clip: E&E: Obama should hold off on Bears Ears designation — report

### Obama should hold off on Bears Ears designation — report

Scott Streater, E&E reporter  
 Published: Monday, October 17, 2016

President Obama should not designate the Bears Ears National Monument in southeast Utah without first directing his administration to undertake a series of procedural actions that could take years to complete, according to a detailed report commissioned by the leaders of the county where the monument would be located.

The [report](#) conducted for the San Juan County Commission by a consulting firm does not question the president's authority to use the Antiquities Act to designate the 1.9-million-acre Bears Ears National Monument.

The Bears Ears Inter-Tribal Coalition — which includes Navajo, Hopi, Ute Mountain Ute, Ute Tribe of the Uintah and Ouray Reservation, Zuni Pueblo, and Cochiti Pueblo — last year requested that Obama designate the Bears Ears National Monument, an idea supported by national groups, including the National Trust for Historic Preservation.

But the 85-page report concluded that federal laws, including the National Environmental Policy Act and the Federal Land Policy and Management Act, require the Interior and Agriculture departments to conduct surveys and inventories of cultural and natural resources in the proposed monument area and develop formal "best management practices for the object(s) to be protected."

The boundaries of the monument proposal contain "vast, intermingled and un-inventoried inholdings of private lands, water-right diversion points, state tax generating lands, pre-existing rights-of-way and patented properties rendering it impossible for the [president] to meet the Antiquities Act condition that lands must be owned or controlled by [the] United States," the report says.

It also concludes that claims of "looting and pillaging" of cultural resources in the area — one of the main arguments in favor of a monument designation — appear to be "contradicted by internal Bureau of Land Management reports" that show only four "thefts of archaeological resources" and 11 reports of vandalism in the past six years.

What's more, they say there "is no evidence the coalition or the secretaries of Interior and Agriculture have undertaken to understand the implications, impacts or ramifications that designation of a national monument would have on valid existing rights in San Juan County."

The San Juan County Commission, which has paid more than \$50,000 for the report, earlier this month voted to approve a resolution containing many of the points in the report.

"We're not so much opposing the authority of the president. The president has the authority to do what he's going to do," San Juan County Commissioner Bruce Adams said in an interview. "We're challenging Department of Interior and the Forest Service about their due diligence in the process."

Adams said he traveled to Washington, D.C., last week to give a copy of the report to Interior Department officials. He would not name the officials he met with last week.

Representatives with the Bureau of Land Management, which oversees much of the land at issue, declined to comment on the report.

But Adams said he asked the officials to tell the White House not to designate the national monument and instead work with the county and state on a revised master land-use plan that could include protecting the sensitive Cedar Mesa area.

"We as county commissioners can't do anything in this county without considering NEPA, FLPMA, all the laws designed to cover public lands in the county," he said. "We want the federal government to do the same thing, go through the process, follow your own rules. Just because you're the federal government doesn't mean you don't have to abide by all of the rules."

Regina Lopez-Whiteskunk, co-chairwoman of the Bears Ears Inter-Tribal Coalition, could not be reached for comment on this story.

But Josh Ewing, executive director of Friends of Cedar Mesa, a Bluff, Utah-based conservation group that promotes protection of natural resources in the region, blasted the report.

"As a San Juan County taxpayer, I am frustrated at the government expenditure of more than \$50,000 to put forth questionable legal arguments in opposition to protecting an internationally significant cultural landscape," Ewing said in an emailed statement.

"The Bears Ears region is exactly the kind of place the Antiquities Act was created to protect," he added. "It's full of more than 100,000 archaeological sites."



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These cultural sites face the continuing threat of looting, vandalism, irresponsible off-road travel, and under-managed recreational use. The report includes false statistics, which significantly under report the looting and vandalism problem."

The report is the latest in the controversial proposal by the Bears Ears Inter-Tribal Coalition requesting that Obama designate the new monument.

Bears Ears, which refers to a pair of buttes that rise thousands of feet above the juniper-speckled Cedar Mesa, has been the subject of fierce debate and recent congressional action.

House Natural Resources Chairman Rob Bishop (R-Utah) and Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) in July introduced the "Utah Public Lands Initiative Act" after a multiyear effort. The bill, [H.R. 5780](#), calls for conserving and developing millions of acres in Utah, including Bears Ears, in a bid to prevent Obama from designating a national monument.

The Natural Resources Committee last month approved the bill along party lines ([Greenwire](#), Sept. 22).

Adams said he presented the report last week to Bishop, as well as Utah Republican Sens. Orrin Hatch and Mike Lee.

"They were supportive of our actions and our report 110 percent, every one of them," Adams said.

It's not clear what impact the report might have on the ongoing discussions over Bears Ears.

The report was conducted by Garden City, Kan.-based Stillwater Technical Solutions. Its principal author was J.R. Carlson, the firm's managing partner and the executive director of the Kansas Natural Resource Coalition.

The coalition is an alliance of county governments that, according to its website, believe local governments are "in the best position to effect, administer and oversee conservation of natural resources and protect human systems in a way that guards jobs, sustains industry, protects private property, and ensures longevity of rural American culture."

Indeed, the report notes that it examines the proposed monument designation "in the context of ongoing encroachment by federal land management agencies and the executive branch on the prerogatives of state and local governments."

The report says the national monument request proposal "would preempt an existing Memorandum of Agreement (MOA) between the Navajo Nation and San Juan County whose express purpose is to include objects of historical value in the land use and planning process."

"There are a huge number of laws on the books already to protect cultural resources, so we're confused how a [monument] designation like this will better protect those resources," Adams said.

On Wed, Oct 5, 2016 at 5:29 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## **Bears Ears among most 'endangered' historic places — report**

Scott Streater, E&E reporter

Published: Wednesday, October 5, 2016



The National Trust for Historic Preservation has named Bears Ears, which refers to a pair of buttes that rise above the Cedar Mesa, as among the nation's most "endangered" historic places. Photo by J. Brew, courtesy of Flickr.

A national preservation group today said southeast Utah's Bears Ears region ranks among the nation's most "endangered" historic places and called on President Obama to designate the area as a national monument despite opposition from the state's elected leaders.

The National Trust for Historic Preservation released its annual [list](#) of "America's 11 Most Endangered Historic Places" this morning. The group added Bears Ears to the 2016 list because, it said, the Bureau of Land Management is not properly managing the area, threatening the region's Native American cultural and sacred sites that abut both Canyonlands National Park and Glen Canyon National Recreation Area.

In addition, for the second time since 2013, the group placed the James River in Virginia on the list, primarily because Dominion Virginia Power has proposed building a 17-mile-long transmission line that would cross the river and, critics say, impair the historical value of nearby sites like the first permanent English settlement at Jamestown.

The 500-kilovolt power line would pass over the Captain John Smith Chesapeake National Historic Trail — the first and only congressionally designated water trail — and the transmission towers would be visible at various points inside Colonial National Historical Park, including from

On Thu, Sep 22, 2016 at 1:54 PM, Duran,

Leah <[leah\\_duran@ios.doi.gov](mailto:leah_duran@ios.doi.gov)> wrote:

## **PUBLIC LANDS:**

### **Panel approves Bears Ears bill along party lines**

Emily Yehle, E&E reporter

Published: Thursday, September 22, 2016

The House Natural Resources Committee approved a controversial bill today that would both conserve and develop millions of acres in Utah in a bid to prevent President Obama from designating a national monument in the state's Bears Ears region.

The panel spent more than an hour debating amendments to [H.R. 5780](#), with both Republicans and Democrats claiming the support of various Native American tribes. Committee Chairman Rob Bishop (R-Utah) and Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) introduced the "Public Lands Initiative" in July after a multiyear effort ([Greenwire](#), July 14).

They say it reflects a compromise with local input, protecting 1.4 million acres of the Bears Ears region while also opening new areas to economic development and giving Utah control of permitting of energy development on millions of acres of federal lands. In total, the bill affects 18 million acres across seven Utah counties.

The bill passed the committee on a party-line vote. Bishop has said he plans to bring it to the floor during the lame-duck session after the presidential election.

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the shoreline of popular Black Point on Jamestown Island ([Greenwire](#), June 28).

The Army Corps of Engineers is reviewing the proposed transmission line route, which the National Park Service strongly opposes.

Bears Ears, which refers to a pair of buttes that rise thousands of feet above the juniper-speckled Cedar Mesa, has been the subject of fierce debate and recent congressional action.

House Natural Resources Chairman Rob Bishop (R-Utah) and Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) in July introduced the "Utah Public Lands Initiative Act" after a multiyear effort. The bill, [H.R. 5780](#), calls for conserving and developing millions of acres in Utah, including Bears Ears, in a bid to prevent Obama from designating a national monument.

The Natural Resources Committee last month approved the bill along party lines ([Greenwire](#), Sept. 22).

But the Bears Ears Inter-Tribal Coalition, which includes Navajo, Hopi, Ute Mountain Ute, Ute Tribe of the Uintah and Ouray Reservation, Zuni Pueblo, and Cochiti Pueblo, has requested that Obama use his executive authority to designate the 1.9-million-acre Bears Ears National Monument — an idea supported by the National Trust for Historic Preservation.

"The Bears Ears region provides a tangible link to the diverse stories of 12,000 years of human history," Stephanie Meeks, president and CEO of the trust, said in a statement.

Meeks said the group "joins Native American tribes, conservation groups, and public officials in supporting the creation of a Bears Ears National Monument by the president before the end of this year."

Utah's congressional delegation and Gov. Gary Herbert (R) are strongly opposed.

Utah Sen. Mike Lee (R) made an emotional appeal to BLM Director Neil Kornze during a Senate Energy and Natural Resources Committee hearing last month to let the bill by Bishop and Chaffetz work its way through Congress ([E&E Daily](#), Sept. 23).

"Please, I implore you, I beg of you, let us continue to work toward consensus," Lee said, addressing Kornze. "Tell the president not to declare a national monument in San Juan County, Utah."

The Bears Ears region features a world-class collection of archaeological sites, cliff dwellings, petroglyphs and ancient roads, according to the trust.

But the site is "threatened by looting, mismanaged recreational use, and energy development," the group said. That's primarily because BLM, which manages most of the area in question, "does not currently have the resources to protect it adequately; the BLM has just two archaeologists and two rangers for its entire two million-acre district in San Juan County, Utah."

The group has released its list of most endangered historic places every year since 1988.

More than 270 sites have been placed on the list at various times over the past three decades. The goal is to galvanize preservation efforts at the sites; to date, only a "handful" of the 270-plus sites have been lost, the group says.

The group selects the 11 sites each year based on three criteria: the significance and importance of the place, the urgency of the threat it faces, and the feasibility of finding a solution that would address the threat.

Other notable sites on the 2016 list include:

- Lions Municipal Golf Course in Austin, Texas: Widely regarded as the first municipal golf course in the South to desegregate, the golf course is facing development pressure.
- Azikiwe-Nkrumah Hall at Lincoln University in Pennsylvania: The oldest building on the campus of the first degree-granting institution in the nation for African-Americans is vacant and faces an uncertain future.
- Chihuahuita and El Segundo Barrio neighborhoods, El Paso, Texas: The historic neighborhoods form the core of El Paso's cultural identity, but homes and small businesses there are threatened by demolition.
- Historic downtown Flemington, N.J.: Iconic buildings at the core of the town that hosted the "trial of the century" — the Charles Lindbergh baby kidnapping trial in 1935 — are threatened by a development proposal that would demolish the Union Hotel along with three other adjacent historic buildings.
- Sunshine Mile, Tucson, Ariz.: The 2-mile corridor on Tucson's Broadway Boulevard features one of the most significant concentrations of historic mid-20th-century modern architecture in the Southwest but faces threats from a transportation project that would require demolition.

A monument designation, she said, "would deeply impact our way of life."

## Olympic park, sea lions

Democrats, who unsuccessfully introduced several amendments, characterized the bill today as a nonstarter. Rep. Raul Ruiz (D-Calif.) called it a "modern day Indian land grab." Rep. Niki Tsongas (D-Mass.) said it was a "wolf in sheep's clothing." And Rep. Alan Lowenthal (D-Calif.) said it was "riddled with loopholes" that undermine the wilderness and national conservation areas it creates.

Arizona Rep. Raúl Grijalva, the top Democrat on the committee, said Republicans had missed a chance to make the bill bipartisan. He pointed to a manager's amendment from Bishop that made only technical changes to the bill.

"I really believe this markup could have been an opportunity to address numerous concerns," Grijalva said, calling the amendment "not a good sign" for the bill's future. "Without more effort to compromise and move slightly to the middle, this bill has no chance of advancing in the Senate."

Bishop has maintained that he is "very optimistic" for the bill's passage, despite opposition from Democratic colleagues and the Obama administration. He emphasized today that he expects more amendments when the bill hits the House floor, including one to improve tribal consultation.

"I just want people to know this isn't the end of the process," he said.

Democrats proposed numerous amendments to showcase their concerns with some of the bill's provisions.

One from Grijalva would have completely removed an 856,000-acre Bears Ears National Conservation Area and a 434,000-acre Indian Creek National Conservation Area. Another from Tsongas would have replaced language throughout the bill to close what she called "loopholes and exemptions" that would allow motorized vehicles and some development in wilderness areas.

Lawmakers on both sides of the aisle repeatedly referenced the will of locals and Native American tribes.

The issue has created unusual splits. Conservationists and the Navajo Nation Council have asked Obama to create the Bears Ears National Monument. In total, 26 Native American tribes want 1.9 million acres protected under a monument designation — or 500,000 more acres than in Bishop's bill.

But Republicans have the support of local officials and contend that local Native Americans don't want the monument. Several members of the Navajo Nation voiced opposition yesterday at a news conference organized by Bishop and the rest of the Utah congressional delegation.

Danielle Shirley, a Navajo from San Juan County, told reporters she feared a monument would prevent traditional activities, such as gathering wood to heat her community's homes.

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The Natural Resources Committee also passed four other bills today.

Two passed by unanimous consent with no discussion: [H.R. 5984](#) and [S. 3028](#).

The first, from Rep. Ken Calvert (R-Calif.), would authorize the Pechanga Band of Luiseño Mission Indians Water Rights Settlement. The latter, from Sen. Maria Cantwell (D-Wash.), would redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness. The bill, which would rename a portion of Olympic National Park after the former Republican governor of Washington, passed the Senate unanimously in July ([Greenwire](#), July 15).

[H.R. 2387](#), from Rep. Don Young (R-Alaska), also quickly passed. It would amend the Alaska Native Claims Settlement Act to revise the eligibility requirements of Alaska Native Vietnam veterans for land allotments.

The committee approved [H.R. 564](#) on a party-line vote. The bill would allow Native American tribes to kill sea lions that eat salmon. States are already allowed to kill individual sea lions that feast on the salmon and steelhead as the fish navigate dams on the Columbia River.

The panel unanimously approved an amendment from Rep. Dan Newhouse (R-Wash.) that adds requirements for wildlife management training and specifies that the cap on total sea lions killed does not change.

On Wed, Sep 21, 2016 at 9:55 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## [Utah voters split on Bears Ears monument as leaders dig in to fight it](#)

Salt Lake Tribune // Thomas Burr // Sept. 21

Utah's elected leaders and some members of the Navajo Nation argued Wednesday against presidential action to name a Bears Ears National Monument, saying the communities that will be impacted in the southeastern corner of the state are tired of federal overreach. The debate is intensifying as President Barack Obama's tenure nears an end. An Interior Department official this week told The Tribune that Interior Secretary Sally Jewell told Gov. Gary Herbert she feels an "urgent" need to protect the area and its tens of thousands of archaeological sites. The comment may hint at action in the coming months by Obama, who has unilateral power to name a monument under the 1906 Antiquities Act. The official, speaking on background about a private meeting between Jewell and Herbert, said both officials agree there is "broad consensus" to protect the Bears Ears region. "However," the official said, "the secretary believes the need is urgent, especially since there have been proposals to protect this special place for over 80 years."

## [Anti-monument rally: 'Please don't take this land from us'](#)

Deseret News // Amy Joi O'Donoghue // Sept. 21

Utah's congressional delegation, Gov. Gary Herbert and some Navajo residents from San Juan County made a direct plea to President Barack Obama on Wednesday to refrain from designating the Bears Ears region a national monument. The press conference Wednesday at the U.S. Capitol was live-streamed on Sen. Mike Lee's Facebook page, generating hundreds of simultaneous comments as monument opponents urged that the southeastern Utah region be left alone by the president.

## [Utah Navajo, Elected Leaders, Urge Against Bears Ears Monument](#)

Utah Business // Lisa Christensen // Sept. 21

Local leaders and members of Utah's Navajo Nation made a plea for a cooperative legislative effort rather than an executive order for the proposed Bears Ears National Monument Wednesday. Speaking from the nation's capitol, the delegation asked President Barack Obama to hold off on signing an executive order that would make the Bears Ears area in San Juan County a national monument in favor of protecting the land via Rep. Rob Bishop's forthcoming Public Lands Initiative legislation.

On Wed, Sep 21, 2016 at 1:04 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## Utah Delegation All Out Against Bears Ears Monument

by [Michael Orton](#) • September 21, 2016



US Geological Survey mark where the four corner states in the American west converge.



# FOR COMMITTEE USE ONLY

On Wednesday, September 21, Utah's Governor Gary Herbert will join his state's congressional delegation to offer several resolutions opposing another, proposed National Monument in the Beehive State. Scheduled for 2pm Mountain Daylight Time at the Senate "swamp" in Washington, D.C., the press conference is considered a last-ditch effort to deflect the very real possibility of another National Monument designation in Utah by President Obama. The President would use the provisions of the 1906 #AntiquitiesAct to do so.

Hastily organized native residents will also be included in the media event to bolster message continuity originating with Utah's republican supermajority. Those involved in Wednesday's event seek to counter the original Diné Bikéyah, 12-tribe proposal which would have President Obama protect sacred dwellings in the "Four Corners" area of the western U.S. The Diné Bikéyah has opposed the Public Lands Initiative (PLI) introduced in the U.S. House of Representatives by Utah Congressman Rob Bishop who chairs the House Natural Resources Committee. Herbert's and Bishop's critics charge that fossil fuel industrial interests have contributed heavily to both politicians to advance the PLI and secure official opposition to any action by President Obama.

Over the past six months, many tribal leaders have petitioned the President when they believed that Bishop and his colleague, Congressman Jason Chaffetz, were not genuinely listening to their concerns. Interior Secretary Sally Jewell toured the region with her senior staff in mid July and has likely delivered extensive recommendations to the White House. The President has the authority to act anytime during his remaining days in office and many expect that he will.

A list of the resolutions and petitions to be delivered Wednesday by Herbert and Senators Orrin Hatch and Mike Lee includes the work of many local officials from San Juan County, one of Utah's most impoverished areas, with a population of 14,746 residents (ref 2010 census). The county is nearly equally divided between native Navajo (Diné) and mostly white descendants of Mormon pioneer families. A list to be discussed at the Wednesday press conference includes

- Resolutions from the Blue Mountain Dine' and the Aneth Chapter of the Navajo Nation in opposition to the new National Monument as proposed by the Diné Bikéyah 12-tribe council.
- A petition from the Descendants of Kaayelii in opposition to the Monument..
- Resolutions from the cities of Blanding, Monticello (the San Juan County seat) Utah and the San Juan County Board of Commissioners and Utah's state legislature, all opposing the designation of the Bears Ears National Monument.
- A letter from the Utah Wildlife Board opposition to the designation.

Additionally, Utah Senator Mike Lee has previously introduced the "Utah National Monument Parity Act" which seeks to amend the Antiquities Act of 1906 to halt further use of the executive branch's conservation law in Utah without congressional approval.

Press conference live streaming arrangements are being confirmed at the time of this posting.

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Amanda DeGross  
U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

--

Amanda DeGross  
U.S. Department of the Interior  
202-208-5205 (Desk)  
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--

Leah Duran

# FOR COMMITTEE USE ONLY

Public Affairs Specialist  
U.S. Department of the Interior  
Office: (202) 208-3311  
Cell: (202) 713-8638

--

**Amanda DeGross**  
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--

**Leah Duran**  
Public Affairs Specialist  
U.S. Department of the Interior  
Office: (202) 208-3311  
Cell: (202) 713-8638

## Conversation Contents

The bid for Bears Ears — High Country News

**Neil Kornze <nkornze@blm.gov>**

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**From:** Neil Kornze <nkornze@blm.gov>  
**Sent:** Sun Oct 16 2016 17:06:52 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Nikki Buffa <nicole\_buffa@ios.doi.gov>, "Liz (Liz) Pardue" <lpardue@blm.gov>, justin.pidot@sol.doi.gov  
**Subject:** The bid for Bears Ears — High Country News

A broad overview of the debate, with some interesting local voices. Quite lengthy.

[The bid for Bears Ears — High Country News](#)



## Conversation Contents

**Fwd: Access Fund and Bears Ears**

**Attachments:**

/4. Fwd: Access Fund and Bears Ears/1.1 Access Fund Bears Ears Letter to Sec Jewell and Vilsack.pdf

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

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**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Fri Oct 07 2016 15:51:05 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Access Fund and Bears Ears  
**Attachments:** Access Fund Bears Ears Letter to Sec Jewell and Vilsack.pdf

**(b) (5)**

Begin forwarded message:

**From:** Brady Robinson <brady@accessfund.org>  
**Date:** October 7, 2016 at 4:46:51 PM CDT  
**To:** **Christina Goldfuss - (b) (6)**  
<Robert.Bonnie@osec.usda.gov>, <nkornze@blm.gov>,  
<jon\_jarvis@nps.gov>, <ttidwell@fs.fed.us>, Alfred Lomahquahu  
<ALomahquahu@hopi.nsn.us>, Regina Lopez  
<rwhiteskunk@utemountain.org>  
**Cc:** Phil Powers <ppowers@americanalpineclub.org>, Adam Cramer  
<adam@outdooralliance.org>  
**Subject: Access Fund and Bears Ears**

Dear Secretary Jewell and Secretary Vilsack,

We have had several meetings with members and supporters of the Inter-Tribal Coalition and Native American leaders over the past year and have found many areas of commonality. The climbing and Native American communities both want strong protections for the Bears Ears region. We are committed to advancing a deeper understanding between the climbing community and Native American leadership.

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Access Fund supports long-term protections for the Bears Ears region by the end of 2016. We believe the declaration of a National Monument at Bears Ears would provide realistic, long-term protections for key lands which are of very high significance to the climbing and Native American communities. We also support meaningful involvement by the Inter-Tribal Coalition in the management, and development of management plans, for Bears Ears.

Attached is our letter that goes into greater detail.

Best regards,

**Brady Robinson**

Executive Director | [Access Fund](#)  
direct 303-656-9581 | main 303-545-6772

[Facebook](#) | [Instagram](#) | [Twitter](#)



October 7, 2016

Secretary Sally Jewell  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Secretary Tom Vilsack  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250

Dear Secretary Jewell and Secretary Vilsack,

The Access Fund, the national climbing advocacy non-profit organization, respectfully submits an update on our work to protect recreation, cultural and natural resources in eastern Utah, and to develop a longstanding, positive relationship between the Native American and climbing communities. For climbers, eastern Utah contains some of the most iconic, unique and high quality climbing opportunities in the world, including areas like Indian Creek, Castle Valley, Fisher Towers, San Rafael Swell, Valley of the Gods, Arch Canyon, Lockhart Basin, Comb Ridge, and thousands of other climbing sites.

Over the past 3 years, we have spent countless hours considering potential paths forward to protect and enhance these world-class resources, and we have critically evaluated options for protecting climbing access in eastern Utah while honoring our Native American partners and conserving the environment locally and regionally. We recently conducted a survey of over 1,000 climbers nationwide who travel regularly to this region, and they told us in no uncertain terms that they value wild experiences, vast landscapes, undeveloped viewsheds, clean air, solitude, and cultural heritage. We want to protect southeast Utah for future generations because we know firsthand how valuable the area is to climbers and all Americans.

Senior Access Fund staff, alongside climbing guides, local climbing advocates and community leaders, met with Inter-Tribal Coalition representatives and Native American leaders in Moab, UT (Sep. 1<sup>st</sup>, 2016) and White Mesa, UT (Sep. 2<sup>nd</sup>, 2016). The climbing community shared its vision for eastern Utah, described best climbing practices and listened to the concerns of the Native American representatives and spiritual leaders. Although many questions about climbing management on sacred lands remain open-ended, we optimistically report that the climbing and Native American communities both want strong protections for this region and we committed to sharing knowledge, perceptions and concerns regarding the best way to manage this unique landscape.

These meetings taught us that both Access Fund and Native American leaders need more time to consider administrative and spiritual evaluation processes that could help develop a sustainable, balanced climbing management framework for the Bears Ears region. However, Access Fund and Inter-Tribal representatives are committed to advancing a deeper understanding between our two communities. We support meaningful Native American participation in land management decision making, and we oppose plans that can result in the large-scale development, disposal or transfer of our public lands to the states.

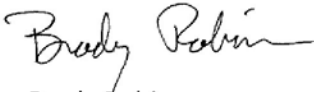


## FOR COMMITTEE USE ONLY

It is clear that a legislative solution in Utah is currently unlikely given the divided political climate, the many improvements still needed in H.R. 5780, and the limited timeframe left in the One Hundred-Fourteenth Congress. Therefore, Access Fund supports long-term protections for the Bears Ears region by the end of 2016. We believe that the declaration of a National Monument at Bears Ears would provide realistic, long-term protections for key lands in San Juan County, Utah which are of very high significance to the climbing and Native American communities. In so doing, we support robust and meaningful involvement by the Inter-Tribal Coalition in the management, and development of management plans, for Bears Ears.

Access Fund will continue to represent the climbing community and work toward viable conservation for eastern Utah. If the Obama administration uses the Antiquities Act to designate a Bears Ears National Monument, we urge that the world-class rock climbing resources located within the Bears Ears proposal boundaries, as well as human-powered recreation in general, be acknowledged in the presidential proclamation that establishes the national monument. Having this acknowledgment in the proclamation is essential to ensure that recreation opportunities are appropriately protected as a management plan for the monument is developed.

Sincerely,



Brady Robison  
Executive Director  
Access Fund

cc:

Robert Bonnie, Undersecretary, U.S. Department of Agriculture  
Christy Goldfuss, Managing Director, Council on Environmental Quality  
Thomas Tidwell, Chief, United States Forest Service  
Neil Kornze, Director, Bureau of Land Management  
Jon Jarvis, Director, National Park Service  
Alfred Lomahquahu, Co-Chair, Bears Ears Inter-Tribal Coalition  
Regina Lopez-Whiteskunk, Co-Chair, Bears Ears Inter-Tribal Coalition  
Adam Cramer, Executive Director, Outdoor Alliance  
Phil Powers, CEO, American Alpine Club

## Conversation Contents

**Re: Bears Ears Inter-Tribal Coalition & Climbing community**

**Attachments:**

/5. Re: Bears Ears Inter-Tribal Coalition & Climbing community/2.1 BEC-climbing ltr to Sec Jewell.pdf

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

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**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Fri Oct 07 2016 12:09:48 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
Michael Deqnan - (b) (6)  
Michael Deqnan - (b) (6)  
Christina Goldfuss - (b) (6)  
Christina Goldfuss - (b) (6)  
**CC:** "Robert.Bonnie@osec.usda.gov"  
<Robert.Bonnie@osec.usda.gov>,  
"Leslie.Jones@osec.usda.gov"  
<Leslie.Jones@osec.usda.gov>,  
"lawrence\_roberts@ios.doi.gov"  
<lawrence\_roberts@ios.doi.gov>, "nkornze@blm.gov"  
<nkornze@blm.gov>, "jon\_jarvis@nps.gov"  
<jon\_jarvis@nps.gov>  
**Subject:** Re: Bears Ears Inter-Tribal Coalition & Climbing community

(b) (5)

On Oct 7, 2016, at 12:03 PM, Natasha Hale <bearspress@gmail.com> wrote:

Dear Secretary Jewell,

We have been meeting with leaders of the climbing community over the past year and have consistently been taken by the commonality of interest between the climbers and the Coalition. We have found them to be people whose values we respect, a group that we are comfortable working with in a productive and collegial way.

FOR COMMITTEE USE ONLY

Attached is a letter that details our conversations with the climbing community.

Kind regards,

Bears Ears Inter-Tribal Coalition

<BEC-climbing ltr to Sec Jewell.pdf>

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

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**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Fri Oct 07 2016 12:10:00 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Bears Ears Inter-Tribal Coalition & Climbing community  
**Attachments:** BEC-climbing ltr to Sec Jewell.pdf

Here's the attachment.

Begin forwarded message:

**From:** Natasha Hale <bearspress@gmail.com>  
**Date:** October 7, 2016 at 12:02:05 PM CDT  
**To:** <nicole\_buffa@ios.doi.gov>  
**Cc:** Michael Deqnan - (b) (6),  
Christina Goldfuss - (b) (6), <Robert.Bonnie@osec.usda.gov>,  
<Leslie.Jones@osec.usda.gov>, <lawrence\_roberts@ios.doi.gov>,  
<nkornze@blm.gov>, <jon\_jarvis@nps.gov>, Regina Lopez  
<rwhiteskunk@utemountain.org>, <ALomahquahu@hopi.nsn.us>  
**Subject:** Bears Ears Inter-Tribal Coalition & Climbing community

Dear Secretary Jewell,

We have been meeting with leaders of the climbing community over the past year and have consistently been taken by the commonality of interest between the climbers and the Coalition. We have found them to be people whose values we respect, a group that we are comfortable working with in a productive and collegial way.



**FOR COMMITTEE USE ONLY**

Attached is a letter that details our conversations with the climbing community.

Kind regards,

Bears Ears Inter-Tribal Coalition



## **BEARS EARS INTER-TRIBAL COALITION**

A Partnership of the Hopi, Navajo, Uintah & Ouray Ute, Ute Mountain Ute, and Zuni Governments

October 7, 2016

Secretary Jewell  
U.S. Department of the Interior  
1849 C Street NW, Washington, DC 20240

Dear Secretary Jewell;

We have been meeting with leaders of the climbing community over the past year and have consistently been taken by the commonality of interest between the climbers and the Coalition. We have found them to be people whose values we respect, a group that we are comfortable working with in a productive and collegial way.

Beginning in late 2015, we began having one-on-one and small-group meetings with representatives of the climbing community. One of them took place on overflights of the Bears Ears region, with the overflights being provided by a nonprofit organization. Leaders from the climbers and the Coalition had many discussions that day, with both sides coming away feeling a strong sense of common cause.

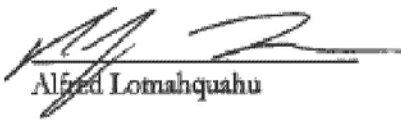
We then arranged a larger and more expansive meeting on September 1 in Moab to work through issues concerning Bears Ears. Four representatives of the Coalition were present. Approximately 25 members of the climbing community attended, including two members of national organizations with the largest number of participants coming from the Moab area. It was a spirited evening, with many people making extended comments. The climbers expressed strong support for the tribal position and we definitely felt support for theirs. Many of the climbers made lengthy and powerful statements about their respect for the natural world and for tribal cultural values. They even acknowledged that many cliff dwellings are located in areas

where it is obvious that the Native Americans were the first rock climbers in the region! We were left with no doubts about their sincerity.

We believe that the climbers will be committed and effective advocates for good land-use policies and practices in the Bears Ears National Monument. In particular, we believe that climbing should properly be included in the presidential proclamation as a legitimate use of monument lands; climbing has never been mentioned in a proclamation to date but we believe it would be appropriate here. In addition, both the climbers and the Coalition believe that the three-year management plan to be developed at Bears Ears should include standards establishing best climbing practices at the proposed national monument, which holds so many premier climbing areas. It is our belief that, in the process of developing climbing procedures in the three-year management plan, the views of the climbing community should be given considerable deference, since they have such long and intimate knowledge of the climbing areas and practices.

Thank you for your courtesy.

Sincerely,



Alfred Lotmahquahu

Hopi Vice-Chairman

Co-Chair, Bears Ears

Inter-tribal Coalition



Regina Lopez-Whiteskunk

Ute Mountain Ute Tribe Council Member

Co-Chair, Bears Ears

Inter-tribal Coalition

Cc: Michael Degnan, Christie Goldfuss, Nikki Buffa, Robert Bonnie, Leslie Jones, Larry Roberts, Neil Kornze, and Jon Jarvis



## Conversation Contents

**Fwd: Memo: Problematic SITLA trades proposed in PLI**

**Attachments:**

/6. Fwd: Memo: Problematic SITLA trades proposed in PLI/1.1 Introduced PLI-SITLA trade problems V4-lowrez.pdf

/6. Fwd: Memo: Problematic SITLA trades proposed in PLI/4.1 Introduced PLI-SITLA trade problems V4-lowrez.pdf

/6. Fwd: Memo: Problematic SITLA trades proposed in PLI/4.2 land trades memo vF.pdf

/6. Fwd: Memo: Problematic SITLA trades proposed in PLI/6.1 Introduced PLI-SITLA trade problems V4-lowrez.pdf

/6. Fwd: Memo: Problematic SITLA trades proposed in PLI/6.2 land trades memo vF.pdf

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

---

**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Oct 05 2016 08:23:08 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Memo: Problematic SITLA trades proposed in PLI  
**Attachments:** Introduced PLI-SITLA trade problems V4-lowrez.pdf

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Begin forwarded message:

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** **Fwd: Memo: Problematic SITLA trades proposed in PLI**

Fascinating timing. Take a look when you can, but not urgent.

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

**From:** **Josh Ewing** <josh@cedarmesafrinds.org>  
**Date:** Fri, Sep 9, 2016 at 2:34 PM  
**Subject:** Memo: Problematic SITLA trades proposed in PLI

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To: "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
Cc: David Ure <[dure@utah.gov](mailto:dure@utah.gov)>, Kim Christy <[kimchristy@utah.gov](mailto:kimchristy@utah.gov)>, [nkornze@blm.gov](mailto:nkornze@blm.gov), WhitlockJenna <[jwhitloc@blm.gov](mailto:jwhitloc@blm.gov)>, Ferguson Fred <[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)>, "Snider, Casey" <[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)>, [ryan\\_wilcox@lee.senate.gov](mailto:ryan_wilcox@lee.senate.gov)

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Sincerely,

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*Executive Director, Friends of Cedar Mesa*

(o) 435.414.0343 (m) 801.410.0773

300 E. Main Street, PO Box 338 | Bluff, UT 84512

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**"Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>**

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**From:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Sent:** Fri Oct 07 2016 06:10:19 GMT-0600 (MDT)  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** Re: Memo: Problematic SITLA trades proposed in PLI

I couldn't get this pdf to open for me - comes up blank

On Wed, Oct 5, 2016 at 10:23 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:  
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*Executive Director, Friends of Cedar Mesa*

(o) 435.414.0343 (m) 801.410.0773

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



**Nicole Buffa** <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Fri Oct 07 2016 06:52:30 GMT-0600 (MDT)  
**To:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Memo: Problematic SITLA trades proposed in PLI

Will retry.

On Oct 7, 2016, at 7:10 AM, Beaudreau, Tommy <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

I couldn't get this pdf to open for me - comes up blank

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**Josh Ewing**

*Executive Director, Friends of Cedar Mesa*

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300 E. Main Street, PO Box 338 | Bluff, UT 84512

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Nikki Buffa

Deputy Chief of Staff

US Department of the Interior

202-219-3861

[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

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**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Fri Oct 07 2016 06:53:10 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: Memo: Problematic SITLA trades proposed in PLI  
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How about now?

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**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Fri Oct 07 2016 08:29:16 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Re: Memo: Problematic SITLA trades proposed in PLI

These work - thank you!

On Fri, Oct 7, 2016 at 8:53 AM, Nicole Buffa <nicole\_buffa@ios.doi.gov> wrote:  
How about now?

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**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Fri Oct 07 2016 08:29:35 GMT-0600 (MDT)  
**To:** "Kathleen O'Leary" <kathleen\_oleary@ios.doi.gov>  
**Subject:** Fwd: Memo: Problematic SITLA trades proposed in PLI  
**Attachments:** Introduced PLI-SITLA trade problems V4-lowrez.pdf land trades memo vF.pdf

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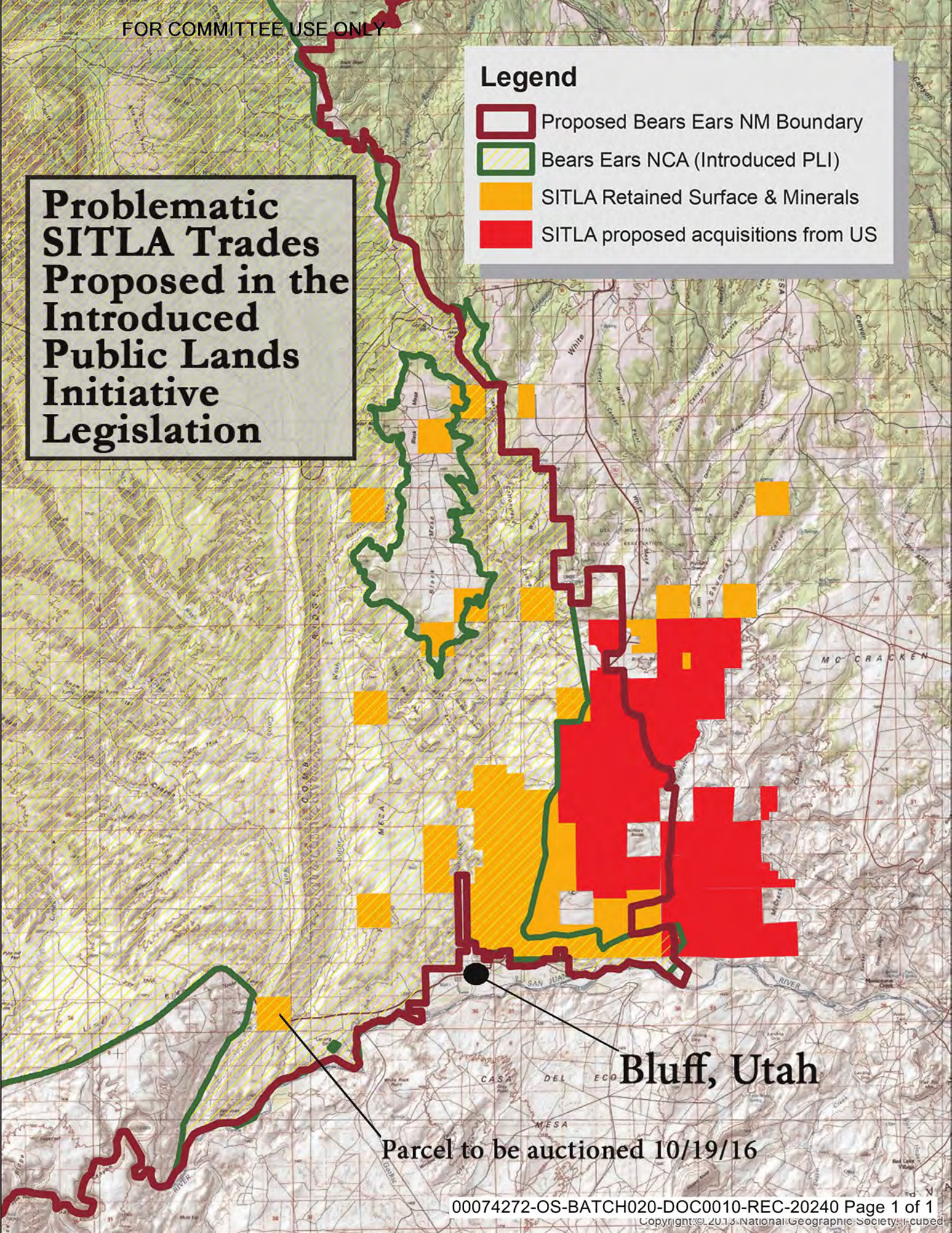
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# Problematic SITLA Trades Proposed in the Introduced Public Lands Initiative Legislation

**Legend**

- Proposed Bears Ears NM Boundary
- Bears Ears NCA (Introduced PLI)
- SITLA Retained Surface & Minerals
- SITLA proposed acquisitions from US







PO Box 338, Bluff, UT 84512

MEMORANDUM

*To: Secretary Sally Jewell, US Department of the Interior*

*From: Josh Ewing, Executive Director*

*Subject: Problematic land trades near Bluff, Utah proposed by SITLA in connection with conservation proposals in southeastern Utah*

*Date: September 9, 2016*

---

**Background**

Friends of Cedar Mesa has previously shared with your office our concerns about the proposed Public Lands Initiative (PLI) Legislation, which would impact DOI administered lands in San Juan County, Utah. This memo focuses on an important but little publicized portion of that legislation with new information.

The PLI proposes a very large land trade between the State of Utah and the United States government, exchanging SITLA lands for DOI lands. A similar land trade would likely be triggered by any use of the Antiquities Act to designate a National Monument in the Bears Ears region.

This memo highlights a specific geography of problematic trades proposed by SITLA, overlapping both the Bears Ears National Conservation Area that would be created by the passage of the PLI and the footprint of the National Monument proposed by the Bears Ears Inter-Tribal Coalition. The trades discussed are visualized on the attached map.

In general, the principle of consolidating land ownership is an excellent idea. Conservation areas are best managed when small dispersed Trust Land holdings are removed, providing continuity of management. Likewise, the Utah State Institutional Trust Lands Administration (SITLA) can accomplish its mission of maximizing returns for beneficiaries far more efficiently when lands under the Trust's management are consolidated away from sensitive cultural and natural resources.

Unfortunately, trades proposed in the Bluff area are highly problematic for the reasons outlined below. We have shared these concerns directly, in person, with SITLA leadership.

**Conservation and scenic values of the area**

Many of the lands proposed to be retained or acquired by SITLA in the Bluff area are highly scenic and contain important cultural resources. The Bluff Bench is a viewshed prized by the people of Bluff and the surrounding lands provide the gateway for tourists from around the world who come to Bluff to visit nearby Monument Valley, Valley of the Gods, Comb Ridge, and Hovenweep National Monument.

Although little of the area has been documented by rigorous professional surveys, local archaeologists have identified many unique archaeological sites, including ancient Ancestral Pueblo roads, shrines and pueblos. Importantly, this area contains what may be Utah's highest concentration of Navajo and Ute archaeology, including rare petroglyph panels.

This area has been involved in significant controversy over possible oil and gas leases, which were protested by the Hopi Tribe in the early 2000s and most recently by the National Trust for Historic Preservation and Friends of Cedar Mesa in 2014. The Bureau of Land Management deferred leasing in this area in 2015 after this most recent protest. Significantly, this area is covered in the upcoming San Juan Master Leasing Plan boundaries, which will seek to balance cultural resource protection and oil and gas development.

**Potential for development, privatization and extraction within proposed conservation areas**

As one can see from inspecting the attached map, SITLA is proposing to retain ownership of surface and mineral rights on significant lands within the Bears Ears National Conservation Area. This creates the very real scenario of oil drilling, residential/commercial development, or privatization of lands that are specifically proposed for conservation in the PLI. Even more lands are proposed to be acquired by SITLA within the boundaries of a National Monument proposed by the Bears Ears Inter-Tribal Coalition.

Combined, the retention by SITLA of lands within the two proposed conservation areas and their proposed acquisition in the area creates the scenario of a major block of SITLA land in Bluff's backyard. The residents of Bluff are very concerned with the possibility of mass industrialization or even large-scale tourism development in this region. While perhaps not imminent due to current market conditions, future industrialization could dramatically impact Bluff's tourism-based economy and devastate the way of life enjoyed by residents. Such industrialization could also have significant impacts on cultural resources in the area. Despite best efforts, subtle archaeology, such as many of the Ute sites in the area, are easily missed and damaged by work crews. And the "setting" of these sites, which is protected by the National Historic Preservation Act, would change forever.

**Recommendations and conclusion**

If a conservation designation is created in the area, be it NCA or Monument, Friends of Cedar Mesa recommends that federal land managers and SITLA work with local residents and conservation experts to identify lands more suitable for SITLA ownership outside of any designated areas. Proper thought should be given to not creating the scenario for development just outside of a designated area, which would certainly engender significant future controversy.





**CC:**

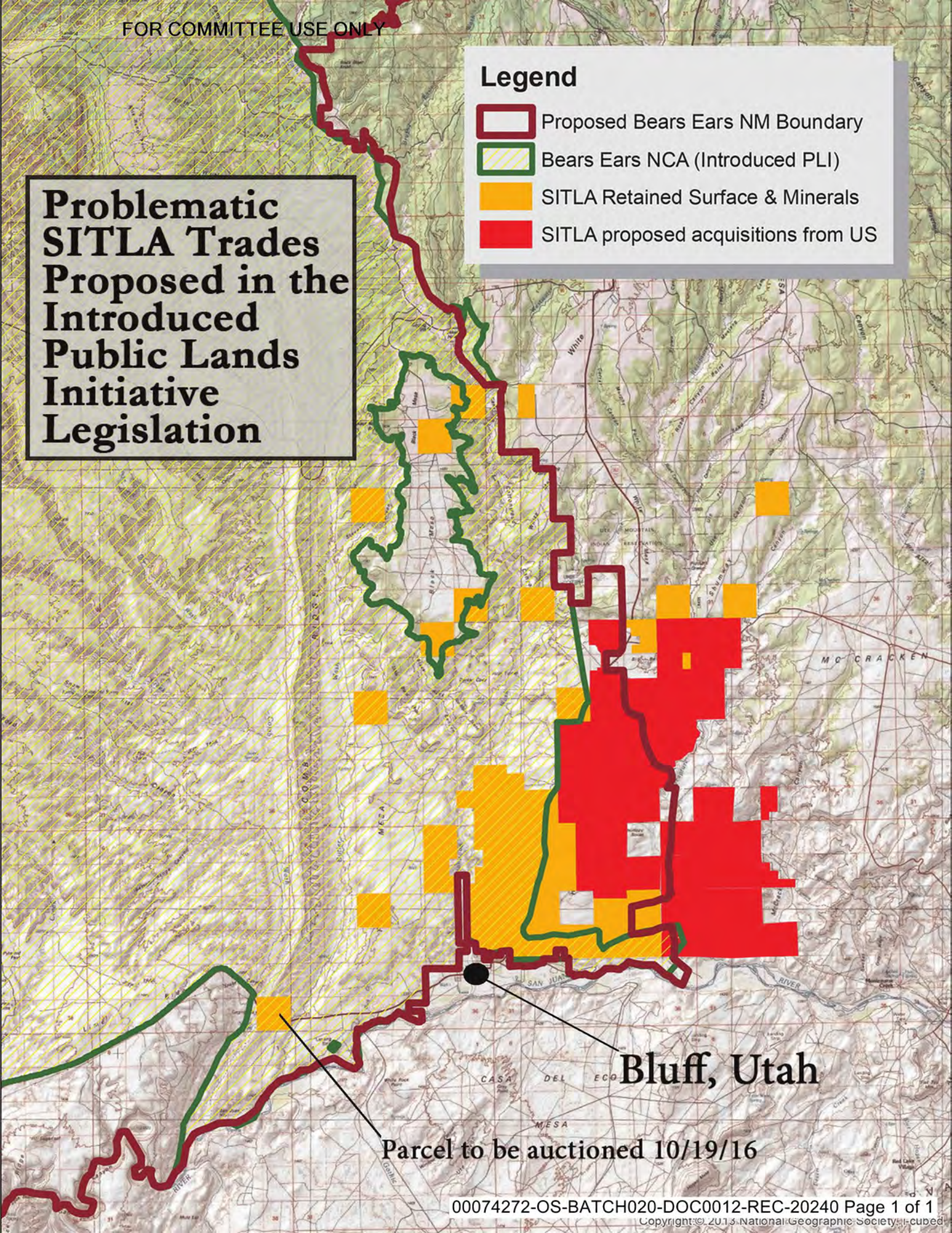
- Dave Ure, Director, Utah State Institutional Trust Lands Administration
- Kim Christy, Deputy Director, Utah State Institutional Trust Lands Administration
- Neil Kornze, Director, Bureau of Land Management
- Jenna Whitlock, UT Acting State Director, Bureau of Land Management
- Rep. Jason Chaffetz
- Rep. Rob Bishop
- Senator Mike Lee



# Problematic SITLA Trades Proposed in the Introduced Public Lands Initiative Legislation

### Legend

-  Proposed Bears Ears NM Boundary
-  Bears Ears NCA (Introduced PLI)
-  SITLA Retained Surface & Minerals
-  SITLA proposed acquisitions from US



Bluff, Utah

Parcel to be auctioned 10/19/16





PO Box 338, Bluff, UT 84512

MEMORANDUM

*To: Secretary Sally Jewell, US Department of the Interior*

*From: Josh Ewing, Executive Director*

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**Background**

Friends of Cedar Mesa has previously shared with your office our concerns about the proposed Public Lands Initiative (PLI) Legislation, which would impact DOI administered lands in San Juan County, Utah. This memo focuses on an important but little publicized portion of that legislation with new information.

The PLI proposes a very large land trade between the State of Utah and the United States government, exchanging SITLA lands for DOI lands. A similar land trade would likely be triggered by any use of the Antiquities Act to designate a National Monument in the Bears Ears region.

This memo highlights a specific geography of problematic trades proposed by SITLA, overlapping both the Bears Ears National Conservation Area that would be created by the passage of the PLI and the footprint of the National Monument proposed by the Bears Ears Inter-Tribal Coalition. The trades discussed are visualized on the attached map.

In general, the principle of consolidating land ownership is an excellent idea. Conservation areas are best managed when small dispersed Trust Land holdings are removed, providing continuity of management. Likewise, the Utah State Institutional Trust Lands Administration (SITLA) can accomplish its mission of maximizing returns for beneficiaries far more efficiently when lands under the Trust's management are consolidated away from sensitive cultural and natural resources.

Unfortunately, trades proposed in the Bluff area are highly problematic for the reasons outlined below. We have shared these concerns directly, in person, with SITLA leadership.

**Conservation and scenic values of the area**

Many of the lands proposed to be retained or acquired by SITLA in the Bluff area are highly scenic and contain important cultural resources. The Bluff Bench is a viewshed prized by the people of Bluff and the surrounding lands provide the gateway for tourists from around the world who come to Bluff to visit nearby Monument Valley, Valley of the Gods, Comb Ridge, and Hovenweep National Monument.

Although little of the area has been documented by rigorous professional surveys, local archaeologists have identified many unique archaeological sites, including ancient Ancestral Pueblo roads, shrines and pueblos. Importantly, this area contains what may be Utah's highest concentration of Navajo and Ute archaeology, including rare petroglyph panels.

This area has been involved in significant controversy over possible oil and gas leases, which were protested by the Hopi Tribe in the early 2000s and most recently by the National Trust for Historic Preservation and Friends of Cedar Mesa in 2014. The Bureau of Land Management deferred leasing in this area in 2015 after this most recent protest. Significantly, this area is covered in the upcoming San Juan Master Leasing Plan boundaries, which will seek to balance cultural resource protection and oil and gas development.

**Potential for development, privatization and extraction within proposed conservation areas**

As one can see from inspecting the attached map, SITLA is proposing to retain ownership of surface and mineral rights on significant lands within the Bears Ears National Conservation Area. This creates the very real scenario of oil drilling, residential/commercial development, or privatization of lands that are specifically proposed for conservation in the PLI. Even more lands are proposed to be acquired by SITLA within the boundaries of a National Monument proposed by the Bears Ears Inter-Tribal Coalition.

Combined, the retention by SITLA of lands within the two proposed conservation areas and their proposed acquisition in the area creates the scenario of a major block of SITLA land in Bluff's backyard. The residents of Bluff are very concerned with the possibility of mass industrialization or even large-scale tourism development in this region. While perhaps not imminent due to current market conditions, future industrialization could dramatically impact Bluff's tourism-based economy and devastate the way of life enjoyed by residents. Such industrialization could also have significant impacts on cultural resources in the area. Despite best efforts, subtle archaeology, such as many of the Ute sites in the area, are easily missed and damaged by work crews. And the "setting" of these sites, which is protected by the National Historic Preservation Act, would change forever.

**Recommendations and conclusion**

If a conservation designation is created in the area, be it NCA or Monument, Friends of Cedar Mesa recommends that federal land managers and SITLA work with local residents and conservation experts to identify lands more suitable for SITLA ownership outside of any designated areas. Proper thought should be given to not creating the scenario for development just outside of a designated area, which would certainly engender significant future controversy.

**CC:**

Dave Ure, Director, Utah State Institutional Trust Lands Administration  
Kim Christy, Deputy Director, Utah State Institutional Trust Lands Administration  
Neil Kornze, Director, Bureau of Land Management  
Jenna Whitlock, UT Acting State Director, Bureau of Land Management  
Rep. Jason Chaffetz  
Rep. Rob Bishop  
Senator Mike Lee

## Conversation Contents

**Fwd: letter**

**Attachments:**

/7. Fwd: letter/1.1 image001.jpg

/7. Fwd: letter/1.2 Bears Ears\_PLI letter Conservation Groups Final.pdf

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

---

**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Thu Oct 06 2016 14:22:50 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Jon Jarvis <jon\_jarvis@nps.gov>, Larry Roberts <lawrence\_roberts@ios.doi.gov>  
**Subject:** Fwd: letter  
**Attachments:** image001.jpg Bears Ears\_PLI letter Conservation Groups Final.pdf

Begin forwarded message:

**From:** Matt Keller <[matt\\_keller@twc.org](mailto:matt_keller@twc.org)>  
**Date:** October 6, 2016 at 4:12:39 PM EDT  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** letter

Hi Nikki,

Attached please find a letter on Bears Ears from several conservation group CEO's to President Obama and cc'd to:

Sally Jewell, Secretary of Interior  
Tom Vilsack, Secretary of Agriculture  
Christy Goldfuss, Managing Director, Council on Environmental Quality  
Robert Bonnie, Under Secretary of Agriculture  
Neil Kornze, Director, Bureau of Land Management  
Thomas L. Tidwell, Chief, U.S. Forest Service  
Jon Jarvis, Director, National Park Service



Thanks!

Matt

**Matt Keller**  
**National Monuments Campaign Director**

**The Wilderness Society**

Office: 970.422.4349

Cell: 970.946.0906

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[www.wilderness.org](http://www.wilderness.org)

Facebook: [www.facebook.com/TheWildernessSociety](http://www.facebook.com/TheWildernessSociety)

Twitter: [twitter.com/Wilderness](https://twitter.com/Wilderness)

*We protect wilderness and inspire Americans to care for our wild places*

October 4<sup>th</sup>, 2016

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

We'd like to express our deep appreciation for the Departments the of Interior and Agriculture and their thoughtful and thorough hosting of the public meeting in Bluff, Utah to discuss the importance of permanently protecting the Bears Ears Region in southeast Utah. As you know, the Bears Ears Inter-Tribal Coalition (BEITC), a historic effort between five sovereign nations with support from 21 others, has requested your use of the Antiquities Act to establish this area as a national monument. We are strongly in favor of this proposal and were heartened to see strong support demonstrated at the public meeting. The support demonstrated was deep and wide with participants speaking not only from a Native American perspective but also highlighting the area's ecological, geological and paleontological values among many others. Several members of the public who spoke discussed the area's importance to outdoor recreation and the benefits a national monument would have to the local economy as well as across the four corners region. Additionally, we'd like to convey our strong opposition to the Public Lands Initiative legislation that is currently moving through the House of Representatives.

The BEITC's proposal would permanently protect the Bears Ears area, as well as provide for its collaborative management with representation from the tribes that comprise the coalition. We support the creation of a unique, jointly-managed national monument that honors the traditional and ancestral ties of Native American people to these lands, while protecting this world-class landscape for all Americans.

While some of our organizations participated with hopefulness in the Public Lands Initiative led by members of Utah's Congressional Delegation, that process has failed. It has failed to honor the compromises reached amongst stakeholders and it has failed to emerge as introduced legislation in a timely manner. Given both the highly objectionable content contained in the legislation as well as the exceedingly short amount of legislative days remaining, we feel a national monument proclamation is the only viable path forward to protect the Bears Ears region.

Beyond the inadequate protections for Bears Ears, the Public Lands Initiative is unacceptable for numerous other reasons and our organizations will work diligently to ensure it is never enacted. The legislation suffers from numerous fatal flaws including:

- Contradicting the Wilderness Act, Federal Land Policy and Management Act, National Forest Management Act, and National Environmental Policy Act.
- Undermining the management of proposed wilderness areas, national conservation areas, special management areas, and recreation zones.


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- Failing to conform to local agreements between stakeholders, as well as county proposals, developed during the PLI process.
- Providing unprecedented giveaways to the State of Utah, including over a thousand miles of public roads, as well as important land and resources.
- Giving the State of Utah unprecedented authority to approve energy development on Federal lands in eastern Utah.
- Failing to designate 62% of deserving wilderness-quality BLM lands as wilderness and rolling back existing protections for over 100,000 acres of wilderness study areas.
- Containing numerous other onerous provisions such mandatory grazing on all public lands in eastern Utah; granting San Juan County a right-of-way on Recapture Canyon, the site of the illegal ORV protest ride that damaged archeological resources; and mandating energy development in the Nine Mile Canyon Special Management Area.

Given the sacredness of the Bears Ears landscape to many Native American tribes, the outstanding historic, archeological, ecological, cultural, geological, and recreational values of the area, we urge you to designate a Bears Ears National Monument with meaningful collaborative management as envisioned by the BEITC. When considering the awe-inspiring values of this unmatched landscape and the immediacy of the threats there, it is clear that permanent protection cannot wait and we urge you to use your authority under the Antiquities Act to establish a Bears Ears National Monument and also address the issue of collaborative management with the tribes.

Additionally, we will work tirelessly to defeat the Public Lands Initiative and ensure it is never enacted into law.

Sincerely,



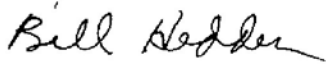
Jamie Williams, President, The Wilderness Society



Scott Groene, Executive Director, Southern Utah Wilderness Alliance



Michael Brune, Executive Director, Sierra Club



Bill Hedden, Executive Director, Grand Canyon Trust



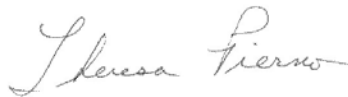
Brian O'Donnell, Executive Director, Conservation Lands Foundation



Gene Karpinski, Executive Director, League of Conservation Voters



Sharon Buccino, Land and Wildlife Program Director, Natural Resources Defense Council



Teresa Perino, Executive Director, National Parks Conservation Association

CC: Sally Jewell, Secretary of Interior  
Tom Vilsack, Secretary of Agriculture  
Christy Goldfuss, Managing Director, Council on Environmental Quality  
Robert Bonnie, Under Secretary of Agriculture  
Neil Kornze, Director, Bureau of Land Management  
Thomas L. Tidwell, Chief, U.S. Forest Service  
Jon Jarvis, Director, National Park Service



## Conversation Contents

Re: Clip: E&E: Bears Ears among most 'endangered' historic places — report

"Degroff, Amanda" <amanda\_degroff@ios.doi.gov>

**From:** "Degroff, Amanda" <amanda\_degroff@ios.doi.gov>  
**Sent:** Wed Oct 05 2016 15:29:46 GMT-0600 (MDT)  
**To:** "Duran, Leah" <leah\_duran@ios.doi.gov>  
**CC:** John Blair <john\_blair@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, "Kelly, Katherine" <kate\_kelly@ios.doi.gov>, "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>, Liz Pardue <lpardue@blm.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Interior Press <interior\_press@ios.doi.gov>  
**Subject:** Re: Clip: E&E: Bears Ears among most 'endangered' historic places — report

### Bears Ears among most 'endangered' historic places — report

Scott Streater, E&E reporter

Published: Wednesday, October 5, 2016



The National Trust for Historic Preservation has named Bears Ears, which refers to a pair of buttes that rise above the Cedar Mesa, as among the nation's most "endangered" historic places. Photo by J. Brew, courtesy of Flickr.

A national preservation group today said southeast Utah's Bears Ears region ranks among the nation's most "endangered" historic places and called on President Obama to designate the area as a national monument despite opposition from the state's elected leaders.

The National Trust for Historic Preservation released its annual [list](#) of "America's 11 Most Endangered Historic Places" this morning. The group added Bears Ears to the 2016 list because, it said, the Bureau of Land Management is not properly managing the area, threatening the region's Native American cultural and sacred sites that abut both Canyonlands National Park and Glen Canyon National Recreation Area.

In addition, for the second time since 2013, the group placed the James River in Virginia on the list, primarily because Dominion Virginia Power has proposed building a 17-mile-long transmission line that would cross the river and, critics say, impair the historical value of nearby sites like the first permanent English settlement at Jamestown.

The 500-kilovolt power line would pass over the Captain John Smith Chesapeake National Historic Trail — the first and only congressionally designated water trail — and the transmission towers would be visible at various points inside Colonial National Historical Park, including from the shoreline of popular Black Point on Jamestown Island ([Greenwire](#), June 28).

The Army Corps of Engineers is reviewing the proposed transmission line route, which the National Park Service strongly opposes.

Bears Ears, which refers to a pair of buttes that rise thousands of feet above the juniper-speckled Cedar Mesa, has been the subject of fierce debate and recent congressional action.

House Natural Resources Chairman Rob Bishop (R-Utah) and Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) in July introduced the "Utah Public Lands Initiative Act" after a multiyear effort. The bill, [H.R. 5780](#), calls for conserving and developing millions of acres in Utah, including Bears Ears, in a bid to prevent Obama from designating a national monument.

On Thu, Sep 22, 2016 at 1:54 PM, Duran, Leah <leah\_duran@ios.doi.gov> wrote:

#### PUBLIC LANDS:

#### Panel approves Bears Ears bill along party lines

Emily Yehle, E&E reporter

Published: Thursday, September 22, 2016

The House Natural Resources Committee approved a controversial bill today that would both conserve and develop millions of acres in Utah in a bid to prevent President Obama from designating a national monument in the state's Bears Ears region.

The panel spent more than an hour debating amendments to [H.R. 5780](#), with both Republicans and Democrats claiming the support of various Native American tribes. Committee Chairman Rob Bishop (R-Utah) and Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) introduced the "Public Lands Initiative" in July after a multiyear effort ([Greenwire](#), July 14).

They say it reflects a compromise with local input, protecting 1.4 million acres of the Bears Ears region while also opening new areas to economic development and giving Utah control of permitting of energy development on millions of acres of federal lands. In total, the bill affects 18 million acres across seven Utah counties.

The bill passed the committee on a party-line vote. Bishop has said he plans to bring it to the floor during the lame-duck session after the presidential election.

Democrats, who unsuccessfully introduced several amendments, characterized the bill today as a nonstarter. Rep. Raul Ruiz (D-Calif.) called it a "modern day Indian land grab." Rep. Niki Tsongas (D-Mass.) said it was a "wolf in sheep's clothing." And Rep. Alan Lowenthal (D-Calif.) said it was "riddled with loopholes" that undermine the wilderness and national conservation areas it creates.

Arizona Rep. Raúl Grijalva, the top Democrat on the committee, said Republicans had missed a

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The Natural Resources Committee last month approved the bill along party lines ([Greenwire](#), Sept. 22).

But the Bears Ears Inter-Tribal Coalition, which includes Navajo, Hopi, Ute Mountain Ute, Ute Tribe of the Uintah and Ouray Reservation, Zuni Pueblo, and Cochiti Pueblo, has requested that Obama use his executive authority to designate the 1.9-million-acre Bears Ears National Monument — an idea supported by the National Trust for Historic Preservation.

"The Bears Ears region provides a tangible link to the diverse stories of 12,000 years of human history," Stephanie Meeks, president and CEO of the trust, said in a statement.

Meeks said the group "joins Native American tribes, conservation groups, and public officials in supporting the creation of a Bears Ears National Monument by the president before the end of this year."

Utah's congressional delegation and Gov. Gary Herbert (R) are strongly opposed.

Utah Sen. Mike Lee (R) made an emotional appeal to BLM Director Neil Kornze during a Senate Energy and Natural Resources Committee hearing last month to let the bill by Bishop and Chaffetz work its way through Congress ([E&E Daily](#), Sept. 23).

"Please, I implore you, I beg of you, let us continue to work toward consensus," Lee said, addressing Kornze. "Tell the president not to declare a national monument in San Juan County, Utah."

The Bears Ears region features a world-class collection of archaeological sites, cliff dwellings, petroglyphs and ancient roads, according to the trust.

But the site is "threatened by looting, mismanaged recreational use, and energy development," the group said. That's primarily because BLM, which manages most of the area in question, "does not currently have the resources to protect it adequately; the BLM has just two archaeologists and two rangers for its entire two million-acre district in San Juan County, Utah."

The group has released its list of most endangered historic places every year since 1988.

More than 270 sites have been placed on the list at various times over the past three decades. The goal is to galvanize preservation efforts at the sites; to date, only a "handful" of the 270-plus sites have been lost, the group says.

The group selects the 11 sites each year based on three criteria: the significance and importance of the place, the urgency of the threat it faces, and the feasibility of finding a solution that would address the threat.

Other notable sites on the 2016 list include:

- Lions Municipal Golf Course in Austin, Texas: Widely regarded as the first municipal golf course in the South to desegregate, the golf course is facing development pressure.
- Azikiwe-Nkrumah Hall at Lincoln University in Pennsylvania: The oldest building on the campus of the first degree-granting institution in the nation for African-Americans is vacant and faces an uncertain future.
- Chihuahuita and El Segundo Barrio neighborhoods, El Paso, Texas: The historic neighborhoods form the core of El Paso's cultural identity, but homes and small businesses there are threatened by demolition.
- Historic downtown Flemington, N.J.: Iconic buildings at the core of the town that hosted the "trial of the century" — the Charles Lindbergh baby kidnapping trial in 1935 — are threatened by a development proposal that would demolish the Union Hotel along with three other adjacent historic buildings.
- Sunshine Mile, Tucson, Ariz.: The 2-mile corridor on Tucson's Broadway Boulevard features one of the most significant concentrations of historic mid-20th-century modern architecture in the Southwest but faces threats from a transportation project that would require demolition.

A monument designation, she said, "would deeply impact our way of life."

## Olympic park, sea lions

The Natural Resources Committee also passed four other bills today.

Two passed by unanimous consent with no discussion: [H.R. 5984](#) and [S. 3028](#).

The first, from Rep. Ken Calvert (R-Calif.), would authorize the Pechanga Band of Luiseño Mission Indians Water Rights Settlement. The latter, from Sen. Maria Cantwell (D-Wash.), would redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness. The bill, which would rename a portion of Olympic National Park after the former Republican governor of Washington, passed the Senate unanimously in July ([Greenwire](#), July 15).

[H.R. 2387](#), from Rep. Don Young (R-Alaska), also quickly passed. It would amend the Alaska Native Claims Settlement Act to revise the eligibility requirements of Alaska Native Vietnam veterans for land allotments.

chance to make the bill bipartisan. He pointed to a manager's amendment from Bishop that made only technical changes to the bill.

"I really believe this markup could have been an opportunity to address numerous concerns," Grijalva said, calling the amendment "not a good sign" for the bill's future. "Without more effort to compromise and move slightly to the middle, this bill has no chance of advancing in the Senate."

Bishop has maintained that he is "very optimistic" for the bill's passage, despite opposition from Democratic colleagues and the Obama administration. He emphasized today that he expects more amendments when the bill hits the House floor, including one to improve tribal consultation.

"I just want people to know this isn't the end of the process," he said.

Democrats proposed numerous amendments to showcase their concerns with some of the bill's provisions.

One from Grijalva would have completely removed an 856,000-acre Bears Ears National Conservation Area and a 434,000-acre Indian Creek National Conservation Area. Another from Tsongas would have replaced language throughout the bill to close what she called "loopholes and exemptions" that would allow motorized vehicles and some development in wilderness areas.

Lawmakers on both sides of the aisle repeatedly referenced the will of locals and Native American tribes.

The issue has created unusual splits. Conservationists and the Navajo Nation Council have asked Obama to create the Bears Ears National Monument. In total, 26 Native American tribes want 1.9 million acres protected under a monument designation — or 500,000 more acres than in Bishop's bill.

But Republicans have the support of local officials and contend that local Native Americans don't want the monument. Several members of the Navajo Nation voiced opposition yesterday at a news conference organized by Bishop and the rest of the Utah congressional delegation.

Danielle Shirley, a Navajo from San Juan County, told reporters she feared a monument would prevent traditional activities, such as gathering wood to heat her community's homes.

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The committee approved [H.R. 564](#) on a party-line vote. The bill would allow Native American tribes to kill sea lions that eat salmon. States are already allowed to kill individual sea lions that feast on the salmon and steelhead as the fish navigate dams on the Columbia River.

The panel unanimously approved an amendment from Rep. Dan Newhouse (R-Wash.) that adds requirements for wildlife management training and specifies that the cap on total sea lions killed does not change.

On Wed, Sep 21, 2016 at 9:55 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## [Utah voters split on Bears Ears monument as leaders dig in to fight it](#)

Salt Lake Tribune // Thomas Burr // Sept. 21

Utah's elected leaders and some members of the Navajo Nation argued Wednesday against presidential action to name a Bears Ears National Monument, saying the communities that will be impacted in the southeastern corner of the state are tired of federal overreach. The debate is intensifying as President Barack Obama's tenure nears an end. An Interior Department official this week told The Tribune that Interior Secretary Sally Jewell told Gov. Gary Herbert she feels an "urgent" need to protect the area and its tens of thousands of archaeological sites. The comment may hint at action in the coming months by Obama, who has unilateral power to name a monument under the 1906 Antiquities Act. The official, speaking on background about a private meeting between Jewell and Herbert, said both officials agree there is "broad consensus" to protect the Bears Ears region. "However," the official said, "the secretary believes the need is urgent, especially since there have been proposals to protect this special place for over 80 years."

## [Anti-monument rally: 'Please don't take this land from us'](#)

Deseret News // Amy Joi O'Donoghue // Sept. 21

Utah's congressional delegation, Gov. Gary Herbert and some Navajo residents from San Juan County made a direct plea to President Barack Obama on Wednesday to refrain from designating the Bears Ears region a national monument. The press conference Wednesday at the U.S. Capitol was live-streamed on Sen. Mike Lee's Facebook page, generating hundreds of simultaneous comments as monument opponents urged that the southeastern Utah region be left alone by the president.

## [Utah Navajo, Elected Leaders, Urge Against Bears Ears Monument](#)

Utah Business // Lisa Christensen // Sept. 21

Local leaders and members of Utah's Navajo Nation made a plea for a cooperative legislative effort rather than an executive order for the proposed Bears Ears National Monument Wednesday. Speaking from the nation's capitol, the delegation asked President Barack Obama to hold off on signing an executive order that would make the Bears Ears area in San Juan County a national monument in favor of protecting the land via Rep. Rob Bishop's forthcoming Public Lands Initiative legislation.

On Wed, Sep 21, 2016 at 1:04 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## Utah Delegation All Out Against Bears Ears Monument

by Michael Orton • September 21, 2016



US Geological Survey mark where the four corner states in the American west converge.

On Wednesday, September 21, Utah's Governor Gary Herbert will join his state's congressional delegation to offer several resolutions opposing another, proposed National Monument in the Beehive State. Scheduled for 2pm Mountain Daylight Time at the Senate "swamp" in Washington, D.C., the press conference is considered a last-ditch effort to deflect the very real possibility of another National Monument designation in Utah by President Obama. The President would use the provisions of the 1906 #AntiquitiesAct to do so.

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Hastily organized native residents will also be included in the media event to bolster message continuity originating with Utah's republican supermajority. Those involved in Wednesday's event seek to counter the original Diné Bikéyah, 12-tribe proposal which would have President Obama protect sacred dwellings in the "Four Corners" area of the western U.S. The Diné Bikéyah has opposed the Public Lands Initiative (PLI) introduced in the U.S. House of Representatives by Utah Congressman Rob Bishop who chairs the House Natural Resources Committee. Herbert's and Bishop's critics charge that fossil fuel industrial interests have contributed heavily to both politicians to advance the PLI and secure official opposition to any action by President Obama.

Over the past six months, many tribal leaders have petitioned the President when they believed that Bishop and his colleague, Congressman Jason Chaffetz, were not genuinely listening to their concerns. Interior Secretary Sally Jewell toured the region with her senior staff in mid July and has likely delivered extensive recommendations to the White House. The President has the authority to act anytime during his remaining days in office and many expect that he will.

A list of the resolutions and petitions to be delivered Wednesday by Herbert and Senators Orrin Hatch and Mike Lee includes the work of many local officials from San Juan County, one of Utah's most impoverished areas, with a population of 14,746 residents (ref 2010 census). The county is nearly equally divided between native Navajo (Diné) and mostly white descendants of Mormon pioneer families. A list to be discussed at the Wednesday press conference includes

- Resolutions from the Blue Mountain Dine' and the Aneth Chapter of the Navajo Nation in opposition to the new National Monument as proposed by the Diné Bikéyah 12-tribe council.
- A petition from the Descendants of Kaayelii in opposition to the Monument.
- Resolutions from the cities of Blanding, Monticello (the San Juan County seat) Utah and the San Juan County Board of Commissioners and Utah's state legislature, all opposing the designation of the Bears Ears National Monument.
- A letter from the Utah Wildlife Board opposition to the designation.

Additionally, Utah Senator Mike Lee has previously introduced the "Utah National Monument Parity Act" which seeks to amend the Antiquities Act of 1906 to halt further use of the executive branch's conservation law in Utah without congressional approval.

Press conference live streaming arrangements are being confirmed at the time of this posting.

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**Amanda DeGross**  
U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

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**Amanda DeGross**  
U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

--

**Leah Duran**  
Public Affairs Specialist  
U.S. Department of the Interior  
Office: (202) 208-3311  
Cell: (202) 713-8638

--

**Amanda DeGross**



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U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

## Conversation Contents

Fwd: will get soon: dates in Oct

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Mon Oct 03 2016 09:01:25 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: will get soon: dates in Oct



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

**From:** Charles F Wilkinson <Charles.Wilkinson@colorado.edu>  
**Date:** Sun, Oct 2, 2016 at 2:42 PM  
**Subject:** Re: will get soon: dates in Oct  
**To:** "Degnan, Michael H. EOP/CEQ" <(b) (6)> Charles F Wilkinson <Charles.Wilkinson@colorado.edu>, "rwhiteskunk@utemountain.org" <rwhiteskunk@utemountain.org>, "lelandbegay@utemountain.org" <lelandbegay@utemountain.org>  
**Cc:** Nicole Buffa <nicole\_buffa@ios.doi.gov>, "Jones, Leslie - OSEC" <Leslie.Jones@osec.usda.gov>, "Hardin, Sally A. EOP/CEQ" <(b) (6)>, Lawrence Roberts <lawrence\_roberts@ios.doi.gov>

Dear Michael;

Thank you very much for this. We especially appreciate your working hard to meet the "mid-October" range we had talked about. As you know, we have requested a half a day, which we described as three hours. A shorter time will detract from our presentation. Tomorrow we are spending the day in Gallup with eight tribal members to work on the presentation in Washington DC. It isn't that we want to exaggerate anything or present anything but directly relevant material; rather, it is just that we also want to cover this in a substantial-- not superficial-- way because we believe that people who understand the actual impacts of reductions in the Coalition proposal will be so contrary to good conservation and Indian policy. We very much hope that there can be fairly large representation from the Administration so that this material will be

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personally seen by a fair number of people.

So we would ask that the presentation on boundaries be set at three hours, as we requested. Having said that we, of course, respect scheduling considerations at your end. We also would appreciate your advising us of whom you expect to be at this session from the Administration side.

A separate matter, in our view, is your reference to discussing a couple of discrete elements relating to collaborative management. That's especially generous of you—we hadn't discussed trying to cover that during this trip. We are delighted that you have raised it. Having it cut into the boundaries discussion, however, does present problems from our point of view, as just discussed. Actually, I think that this collaborative management discussion doesn't require the attendance of more than just a few people. However long the boundaries discussion will be, could we plan to have it finished up at 4:30 so that a smaller group can take some time—not a lot, I expect—to discuss the collaborative management issues you would like to take up?

We do want, again, to express our appreciation for your email. We have all done a surprisingly good job of running a necessarily pretty rickety railroad: we've kept moving the train in the right direction. We look forward to working with you to continue that.

My very best regards,  
Charles

On 9/30/16 2:42 PM, "Degnan, Michael H. EOP/CEQ"

(b) (6) wrote:

>Regina, Leland, and Charles - happy Friday and hope all is well with you.

>

>Thanks again for your patience with us. I wanted to see if Tuesday,

>October 18th would work for you for a meeting in DC. We are happy to

>hear more of your thoughts about the boundaries in your proposal, and we

>would also be interested in discussing a couple of discrete elements of

>your collaborative management proposal.

>

>Currently, we have identified Tuesday afternoon as the best time for the

>various schedules of all of the right folks on our end. Would 3 - 4:30pm

>on October 18th work for you?

>

>Thanks!

>Michael

>

>-----Original Message-----

>From: Degnan, Michael H. EOP/CEQ

>Sent: Friday, September 23, 2016 3:23 PM

>To: 'Charles F Wilkinson' <[Charles.Wilkinson@colorado.edu](mailto:Charles.Wilkinson@colorado.edu)>;

>[whiteskunk@utemountain.org](mailto:whiteskunk@utemountain.org); [lelandbegay@utemountain.org](mailto:lelandbegay@utemountain.org)

>Cc: 'Nicole Buffa' <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>; 'Jones, Leslie - OSEC'

><[Leslie.Jones@osec.usda.gov](mailto:Leslie.Jones@osec.usda.gov)>

>Subject: will get soon: dates in Oct



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>

>Regina, Leland, and Charles - it was great to see you all last week, and  
>I hope that you had safe travels back home. I apologize for the  
>continued delay but wanted to let you know that I am excited to see you  
>all again in mid-October and will follow-up with some potential dates and  
>times early next week.

>

>Hope you have a great weekend,  
>Michael

>

>Michael Degnan  
>Associate Director for Land and Water  
>Council on Environmental Quality

(b) (6)

>

>

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



## Conversation Contents

**FW: Democratic elected officials support designation of Bears Ears as a national monument in Utah**

**John Blair <john\_blair@ios.doi.gov>**

---

**From:** John Blair <john\_blair@ios.doi.gov>  
**Sent:** Wed Sep 28 2016 12:06:48 GMT-0600 (MDT)  
Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, Ben Milakofsky <benjamin\_milakofsky@ios.doi.gov>, Kate Kelly <kate\_kelly@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Kevin Thompson <kevin\_thompson@ios.doi.gov>, Jessica Kershaw <jessica\_kershaw@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, Liz Klein <elizabeth\_klein@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Liz Pardue <lpardue@blm.gov>, Janice Schneider <janice\_schneider@ios.doi.gov>  
**To:** Kim Jensen <kimberly\_jensen@ios.doi.gov>, Maria Najera <maria\_najera@ios.doi.gov>  
**CC:** Kim Jensen <kimberly\_jensen@ios.doi.gov>, Maria Najera <maria\_najera@ios.doi.gov>  
**Subject:** FW: Democratic elected officials support designation of Bears Ears as a national monument in Utah

FYI. Just making sure folks saw this. Thanks! johnblair

**From:** Brian King [mailto:[brian@briansking.com](mailto:brian@briansking.com)]  
**Sent:** Wednesday, September 28, 2016 1:23 PM  
**To:** [john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)  
**Subject:** Democratic elected officials support designation of Bears Ears as a national monument in Utah

Dear Mr. Blair--

While I can't say that all Democratic elected officials in Utah support the designation of Bears Ears as a national monument in Utah, Rep. Joel Briscoe and I recently wrote an op-ed supporting Pres. Obama doing so. The link to that op-ed is here: <http://www.deseretnews.com/article/865662005/My-view-It7s-our-time-to-lead-for-the-next-generation.html?pg=all>

Brian S. King  
Utah State House of Representatives, District 28  
House Minority Leader  
1855 Michigan Ave.  
Salt Lake City, UT 84108

FOR COMMITTEE USE ONLY

801-560-0769 (cell)  
801-532-1739 (work)  
801-583-5464 (home)  
[briansking@le.utah.gov](mailto:briansking@le.utah.gov)

## Conversation Contents

Fwd: FW: PLI markup

**Attachments:**

/11. Fwd: FW: PLI markup/1.1 HR 5780 Bishop\_#1[2].docx

---

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Sep 28 2016 09:09:20 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: FW: PLI markup  
**Attachments:** HR 5780 Bishop\_#1[2].docx

Forgot to include you.

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

From: **Buffa, Nicole** <nicole\_buffa@ios.doi.gov>  
Date: Wed, Sep 28, 2016 at 11:09 AM  
Subject: Fwd: FW: PLI markup  
To: Neil Kornze <nkornze@blm.gov>, Liz Pardue <lpardue@blm.gov>, Sarah Neimeyer <sarah\_Neimeyer@ios.doi.gov>

FYI. Despite what Fred's note says, there were changes made. And they took our language on the Bears Ears Commission, it seems. Jamie Pool is verifying.

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

From: **Ferguson, Fred** <Fred.Ferguson@mail.house.gov>  
Date: Wed, Sep 28, 2016 at 10:51 AM  
Subject: FW: PLI markup  
To: Nikki Buffa <nicole\_buffa@ios.doi.gov>

Here is what committee sent me:

"A new text isn't created until it's reported, which won't be until we're in session in November. The only changes made at markup were the manager's amendment which was mostly technical (attached)."

--

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

--

Nikki Buffa  
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202-219-3861  
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Amendment #1\*\*\*\*\*

**Amendment to H.R. 5780**  
**Offered by Mr. Bishop of Utah**

At each place it appears, strike “Utah PLI Special Management Area Map dated June 30, 2016” and insert “Utah PLI Special Management Area Map dated September 19, 2016”.

At each place it appears, strike “Utah PLI Land Conveyances Map dated June 30, 2016” and insert “Utah PLI Land Conveyances Map dated September 20, 2016”.

At each place it appears, strike “Utah PLI National Conservation Area Map dated June 30, 2016” and insert “Utah PLI National Conservation Area Map dated September 16, 2016”.

At each place it appears, strike “Utah PLI Wilderness Map dated June 30, 2016” and insert “Utah PLI Wilderness Map dated September 19, 2016”.

Page 6, line 9 insert “(a) DESIGNATIONS. — ” before “In furtherance”.

Page 6, line 24, strike “458,413” and insert “452,204”.

Page 8, line 6, after “Management” insert “and the National Park Service”.

Page 8, line 25, after “Management” insert “and the National Park Service”.

Page 12, line 18, after “Management” insert “and the United States Forest Service”.

Page 14, line 23, after “Management” insert “and the United States Forest Service”.

Page 16, line 11, strike “and the United States Forest Service”.

Page 16, starting on line 17, strike “United States Forest Service”, and insert “Bureau of Land Management and the National Park Service”.

Page 16, after line 21, insert the following:

“(b) PREVIOUS LAND USE.--The previous land use classifications of the Grand Gulch Primitive Area and the Dark Canyon Primitive Area are hereby superseded.” .

Strike the text beginning on page 16, line 23 through page 17, line 4 and insert:

“(a) IN GENERAL. – As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture as appropriate shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of each wilderness area designated by this title.”.

Page 17, beginning on line 16, strike “the Bureau of Indian Affairs”.

Page 19, line 14 insert “and Food” after “Agriculture”.

Page 19, line 22, “and other wilderness” before “purposes”.

Page 24, strike line 4.

Page 24, line 5, strike “(1)” and insert “(a)”.

Page 24, line 13, strike “(A)” and insert “(1)”.

Page 24, line 15, strike “(B)” and insert “(2)”.

Page 24, line 17, strike “(C)” and insert “(3)”.

Page 24, line 19, strike “(D) the 20,404-acre” and insert “(4) the 38,242-acre”.

Page 24, line 22, strike “this title” and insert “Title IV”.

Page 24, line 24, strike “(E)” and insert “(5)”.

Page 25, line 1, strike “(F)” and insert “(6)”.

Page 25, line 24, strike “(K), (AA), and (BB)” and insert “(27) and (28)”.

Page 29, after line 10, insert the following and redesignate the following sections accordingly:

“**SEC. 202. DEFINITIONS.**—In this title:

- (a) Management plan.—The term ‘management plan’ means the management plans for each National Conservation Area developed by the relevant Secretary under section 205.
- (b) National Conservation Area.—The term ‘National Conservation Area’ means the National Conservation Areas established under section 201 of this title.”.

Page 29, strike lines 12 through 18 and insert the following:

“(a) IN GENERAL. – As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture as appropriate shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of each National Conservation Area designated by this title.”.

Page 30, starting on line 5, strike “the Bureau of Indian Affairs,”.

Page 30, starting on line 6, strike the comma after “Bureau of Land Management”.

Page 31, strike lines 2 through 5 and insert the following:

“(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the relevant Secretary shall develop a comprehensive management plan for the long-term management of each National Conservation Area.”.

Page 31, line 7, strike “The” and insert “In developing the management plans required under paragraph (1), the”.

Page 31, starting on line 7, strike “prepare the management plan in consultation and coordination” and insert “consult and coordinate”.

Page 31, line 9, before “local” insert “appropriate state,”.

Page 31, line 9, strike “governments,” and insert “government entities, members of”.

Strike the text beginning on page 31, line 22 through page 32, line 8, and insert the following:

“(a) WITHDRAWALS.—

(1) In General.—Subject to valid existing rights and paragraph (3), all Federal land in each National Conservation Area is withdrawn from—

- (i) all forms of entry, appropriation, and disposal under the public land laws;
- (ii) location, entry, and patent under the mining laws; and
- (iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) Additional Land.—If the relevant Secretary acquires additional land that is located within a National Conservation Area after the date of enactment of this Act, the land is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.

(3) Exception.—This withdrawal shall not apply to the extraction and storage of mineral materials used for road maintenance within the National Conservation Areas established under section 201 of this Act.”.

Page 34, line 24, insert “and Food” after “Agriculture”.

Page 38, line 17, strike “204(d)(2)” and insert “205(d)(2)”.

Page 41, beginning on line 12, strike “Secretary of the Interior and Secretary of Agriculture” and insert “relevant Secretary”.

Page 41, beginning on line 21, strike “Secretary of the Interior and Secretary of Agriculture” and insert “relevant Secretary”.

Page 42, beginning on line 8, strike “Secretary of the Interior and the Secretary of Agriculture” and insert “relevant Secretary”.

Page 43, line 24, strike “shall effect”, insert “precludes”.

Page 44, line 4, strike “designated under section 201”.

Page 44, strike lines 7 through 9 and insert: “In addition to those purposes provided in section 204 of this Act, a purpose for the Colorado River National Conservation



Area shall be to provide for the management, development, protection, and use of drinking water within the Colorado River National Conservation Area.”.

Page 46, line 8, strike “of Agriculture”.

Page 46, beginning on line 16, strike “and the Bureau of Indian Affairs”.

Page 51, line 5, strike “relevant”.

Page 56, line 23, strike “purpose” and insert “purposes”.

Page 60, line 20, strike “relevant”.

Page 62, line 14. Strike “ignations” and insert “ignation”.

Page 62, line 19, insert “and Food” after “Agriculture”.

Page 63, line 9, strike “areas” and insert “Area”.

Page 66, beginning on line 19, strike “of Agriculture”.

Page 67, line 12, insert “Secretary” after “the”.

Page 69, line 10, strike “of the Interior”.

Page 69, beginning on line 16, strike “Energy and Natural Resources” and insert “Agriculture, Nutrition, and Forestry”.

Page 72, line 8, strike “Conservation Area” and insert “Little West Fork Blacks Fork Special Management Area”.

Page 72, line 22, strike “area” and insert “Little West Fork Blacks Fork Special Management Area”.

Page 73, line 20, strike “Area designated under section 405” and insert “Little West Fork Blacks Fork Special Management Area”.

Page 74, line 2, strike “relevant”.

Page 74, line 7, strike “areas designated by section 405” and insert “Little West Fork Blacks Fork Special Management Area”.

Page 74, line 8, strike “an area” and insert “the Little West Fork Blacks Fork Special Management Area”.

Page 74, line 10, strike “areas designated by section 405” and insert “the Little West Fork Blacks Fork Special Management Area”.

Page 75, line 5, strike “areas designated by section 405” and insert “the Little West Fork Blacks Fork Special Management Area”.

Page 75, line 19, strike “ignations” and insert “ignation”.

Page 75, line 24, insert “and Food” after “Agriculture”.

Page 77, line 2, strike “areas” and insert “Little West Fork Blacks Special Management Area”.

Page 77, line 21, line 21, strike “Areas” and insert “Area”.

Page 78, line 12, strike “Areas” and insert “Area”.

Page 80, line 3, insert a comma after “Area”.

Page 80, line 6, strike “405” and insert “406”.

Page 80, line 24, strike “8,770” and insert “9,578”.

Page 81, beginning on line 6, strike “41,301 acres; 26,210 acres in Carbon County and 15,091 acres” and insert “38,293 acres (26,199 acres in Carbon County and 12,094 acres”.

Page 81, line 8, strike “County” and insert “County)”.

Page 81, beginning on line 9, strike “in Carbon County and Duchesne County”.

Page 82, line 15, strike “maintains” and insert “maintain”.

Page 82, line 18, strike “purpose” and insert “purposes”.

Page 82, line 19, strike “hereinto” and insert “hereafter”.

Page 82, line 20, strike “is” and insert “are”.

Page 83, line 7, strike “(hereinafter referred to as the “Secretary”)”.

Page 83, line 15, insert “of the Interior” before “may”.

Page 84, line 5, insert “of the Interior” after “Secretary”.

Page 84, line 9, insert “of the Interior” after “Secretary”.

Page 84, line 12, strike “Committee” and insert “Council”.

Page 84, line 25, strike “204” and insert “205”.

Page 85, line 1, strike “204(a)” and insert “205(a)” .

Page 85, strike lines 2 through 4 and insert “shall not apply to the Areas.”.

Page 85, line 6, insert “the Areas” after “resources in”.

Page 85, line 25, strike “FLPMA (site)” and insert “the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)”.

Page 86, line 7 strike “(hereinto referred to as the “Secretary”)”.

Page 86, beginning on line 13, strike “Advisory Council described in subsection (d) below” and insert “Book Cliffs Sportsmen’s Special Management Area Advisory Committee established under section 413.”.

Page 86, line 16, strike “Council” and insert “Committee “.

Page 86, line 22, strike “Council” and insert “Committee”.

Page 86, line 24, strike “in accordance with section 408(c)” and insert “to support the purposes outlined in section 408(c)”.

Page 87, line 1, insert “of the Interior” after “Secretary”.

Page 87, line 5, insert “of the Interior” after “Secretary”.

Page 87, line 10, strike “the” and insert “The”.

Page 87, line 10, insert “of the Interior” after “Secretary”.

Page 87, line 23, insert “of the Interior” after “Secretary”.

Page 88, line 9, strike “maintain”.

Page 90, line 9, strike “or one designee” and insert “or his designee”.

Page 90, line 25, strike “under section 402” and insert “on the Book Cliffs Sportsmen’s Special Management Area Advisory Committee”.

Page 91, line 2, insert “, except for the State Division of Wildlife Resources Director” after “Government”.

Page 91, beginning on line 4, strike “from the two categories in section 402, the Secretary of the Interior” and insert “, the Secretary of the Interior”.

Page 91, line 7, strike “from within each category”.

Page 91, line 19, strike “Agriculture, Nutrition, and Forestry” and insert “Energy and Natural Resources”.

Page 92, line 24, strike “1 time a year. A majority” and insert “once a year. A majority of the members”.

Page 93, line 1, insert “a quorum for” after “constitute”.

Page 94, line 8, strike “the” after “generations”.

Page 94, line 14, strike “BOUNDARIES” and insert “ESTABLISHMENT”.

Page 94, line 18, after “Monument” insert “and to be managed by the Bureau of Land Management” before the period.



Strike the text beginning on page 94, line 20 through page 95, line 2, and insert the following:

“(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereinafter in this title referred to as the “Secretary”) shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of the Monument.”.

Page 96, line 5, before “land within the Monument” insert “Federal”.

Page 96, strike lines 9 through 10 and insert the following:

“(1) all forms of entry, appropriation, and disposal under the public land laws;”.

Page 96, strike lines 16 through 22 and insert the following:

“(1) PLAN REQUIRED.—As soon as practicable after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term management of the Monument, including consideration of enhanced transportation routes, outdoor recreation planning, and promotion of scientific research.”.

Strike the text beginning on page 96, line 24 through page 97, line 1, and insert “In developing the management plan required under paragraph (1), the Secretary shall consult with appropriate state, local, and tribal government entities, members of the public, and the Public Lands”.

Page 97, line 12, strike “State and” and insert “State,”.

Page 97, strike lines 13 through 15 and insert the following:

“(3) USES.—The Secretary shall only allow such uses of the Monument that the Secretary determines would further the purposes described in section 601(a) of this title.”.

Page 97, strike lines 18 through 19 and insert the following:

“(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);  
(2) this title;  
(3) any other applicable law (including regulations).”.

Page 100, line 2, strike “as a” the first time it appears.

Page 100, line 19, after “County”, insert “, Utah, to be administered by the Secretary of the Interior,”.

Page 100, line 23, after “County”, insert “, Utah, to be administered by the Secretary of the Interior,”.

Page 101, line 15, strike “or transfer from another agency” and insert “transfer from another agency, or purchase from a willing seller”.

Page 103, line 21, insert “in this title” after “hereinafter”.

Page 103, beginning on line 23, strike “(hereinafter referred to as the “Area””.

Page 104, beginning on line 1, strike “Energy and Natural Resources” and insert “Agriculture, Nutrition, and Forestry”.

Page 105, line 5, strike “Committee” and insert “Council”.

Page 105, beginning on line 11, strike “Energy and Natural Resources” and insert “Agriculture, Nutrition, and Forestry”.

Page 106, line 24, strike “County” and insert “county”.

Page 107, line 19, strike “Conservation”.

Page 107, line 23, insert “dated September 19, 2016” after “Map”.

Page 108, line 10, strike “area” and insert “Area”.

Page 108, line 14, insert comma after “feasible”.

Page 108, line 14, insert “Secretary” before “may”.

Page 109, line 20, strike “relevant”.

Page 109, line 25, strike “areas” and insert “Area”.

Page 110, line 1, strike “an area” and insert “the Area”.

Page 110, line 4, strike “in areas” and insert “in the Area”.

Page 110, line 15, strike “an area” and insert “the Area”.

Page 110, line 24, strike “in areas” and insert “the Area”.

Page 111, strike line 14 and insert “ignation made under section 801.”.

Page 111, line 19, insert “and Food” after “Agriculture”.

Page 112, line 15, strike “the areas” and insert “the Area”.

Page 115, line 7, insert a comma after “Act”.

Page 115, line 16, strike “United States Forest Service” and insert “Secretary”.

Page 117, line 15, insert “, except such term does not include land the title to which is held in trust by the United States for the benefit of a tribe or an individual or is held in fee by a tribe or individual subject to restriction by the United States against alienation” after “Utah”.

Page 117, beginning on line 16, strike “following”.

Page 117, line 19, strike “July 12” and re insert “September 21”.

Page 125, line 14, strike “Maps” and insert “Map”.

Page 127, line 15, strike “title” and insert “Act”.

Page 128, line 9, strike “Maps” and insert “Map”.

Page 152, line 15, strike “Bluff Service Area” and insert “San Juan County, Utah”.

Page 152, line 24, strike the underscore and insert “3.71”.

Page 153, after line 3, insert the following:

“(21) ALLEN CANYON CEMETERY.- - The approximately 1.2 acres depicted on the map entitled Utah PLI Land Conveyances Map and dated September 16, 2016, as ‘Ute Cemetery’, to the Ute Mountain Ute Tribe to

use as a cemetery. The Bureau of Land Management shall designate as an easement the existing two-track road that runs between County Road B227 and the Allen Canyon Cemetery to provide public access to the cemetery.”.

Page 153, line 8, insert before the period at the end “of the U.S. House of Representatives, and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the U.S. Senate”.

Page 170, line 10, strike the underscore and insert “210,116”.

Page 170, line 12, insert “and Utah Rims” after “Dee Pass”.

Page 172, beginning on line 13, strike “**ADDITIONAL PROVISIONS**” and insert “**MANAGEMENT**”.

Page 172, line 16, strike “is” and insert “are”.

Page 174, line 15, strike “is” and insert “are”.

Page 176, line 6, strike “is” and insert “are”.

Page 176, beginning on line 11, strike “of the Interior”.

Page 177, line 11, strike “of the Interior”.

Page 178, beginning on line 1, strike “**ADDITIONAL PROVISIONS**” and insert “**MANAGEMENT**”.

Page 178, line 4, strike “is” and insert “are”.

Page 178, beginning on line 9, strike “of the Interior”.

Page 179, line 10, strike “of the Interior”.

Page 180, beginning on line 1, strike “**ADDITIONAL PROVISIONS**” and insert “**MANAGEMENT**”.

Page 180, line 4, strike “is” and insert “are”.

Page 180, beginning on line 9, strike “of the Interior”.



Page 181, line 8, strike “of the Interior”.

Page 181, beginning on line 22, strike Section 815 and redesignate the subsequent sections accordingly.

Page 183, line 22, insert “The application of” before “San Juan”.

Page 183, line 23, strike “Utah’s application for a Title V” and insert “Utah, for a Title V of the Federal Land Policy and Management Act of 1976”.

Page 184, line 4, insert “of the Federal Land Policy and Management Act of 1976” after “Title V”.

Page 184, line 6, strike “canyon” and insert “Recapture Canyon”.

Page 184, beginning on line 9, strike “In granting the application, compliance with section” and insert “Section”.

Page 184, line 15, strike “proposed”.

Page 184, line 16, insert “Utah,” after “Area,”.

Page 184, line 19, strike “2016” and insert “2015”.

Page 185, line 18, strike “trail” and insert “Trail”.

Page 185, strike line 19 and insert “the Secretary shall give priority consideration to a long distance route”.

Page 185, line 11, strike the underscore and insert “June 30, 2016”.

Page 185, line 21, strike “and”.

Page 187, line 15, strike “subparagraph (C)” and insert “subsection (c)”.

Page 188, beginning on line 19, strike “Red Rock County Off-Highway Vehicle”.

Page 189, line 21, strike “McCraken” and insert “McCracken”.

Page 189, line 23, strike “McCraken” and insert “McCracken”.

Page 190, beginning on line 9, strike “a Federal agency owns or” and insert “the United States”.

Page 190, beginning on line 11, strike “owned or managed by the Federal agency” and insert “managed by the United States”.

Page 190, line 24, strike “133-133” and insert “113-133”.

Page 192, line 15, strike “subtitle” and insert “title”.

Page 193, line 16, insert “permitting” before “process”.

Page 194, line 5, strike “completed” and insert “approved”.

Page 195, strike lines 13 through 16 and insert:

“The recommendations of the Grand County Council for Hey Joe Canyon, Tenmile Canyon, and Mineral Canyon roads, as depicted on the map entitled ‘Grand County PLI Final Map 4-17-2015’ and dated April 17, 2015, shall”.

Page 195, line 24, strike “title V” and insert “Title V of the Federal Land Policy and Management Act of 1976”.

Page 196, line 9, strike “title” and insert “Act”.

Page 197, line 5, insert “in Utah” after “areas”.

Strike the text beginning on page 197, line 16 through page 198, line 11, and insert:

**“SEC. 101. DEFINITIONS.—**

- (a) Advisory Council.—The term “Advisory Council” means the Public Lands Initiative Planning and Implementation Advisory Council established under section 102(a) of this title.

**SEC. 102. PUBLIC LANDS INITIATIVE PLANNING AND IMPLEMENTATION ADVISORY COUNCIL.**

- (a) Establishment.—The Secretary of the Interior and the Secretary of Agriculture shall jointly establish an Advisory Council, to be known as the ‘Public Lands Initiative Planning and Implementation Advisory Council’, to advise the Secretary concerned with respect to the

development and implementation of the management plans required by this Act and with respect to policies or programs that encourage coordination among the public, local elected officials, and public lands stakeholders, and the State, tribes, and the Federal Government.

(1) Applicable Law.—The Advisory Council shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).”.

Page 198, line 15, strike “Committee” and insert “Council”.

Page 198, line 22, strike “Committee” and insert “Council”.

Page 199, line 1, strike “Committee” and insert “Council”.

Page 199, line 6, strike “Committee” and insert “Council”.

Page 199, line 9, strike “Committee” and insert “Council”.

Page 199, line 10, strike “COMMITTEE” and insert “COUNCIL”.

Page 199, line 11, strike “Committee” and insert “Council”.

Page 199, line 14, strike “Committee” and insert “Council”.

Page 200, after line 2, insert the following and redesignate the following clauses accordingly:

“(v) A representative of the National Park Service Intermountain Region”.

Page 201, after line 21 insert the following :

(2) TERMS.—

(A) INITIAL APPOINTMENTS.—The Secretaries of the Interior and Agriculture shall make initial appointments to the Advisory Council not later than 180 days after the date of the enactment of this Act.

(B) TERM LENGTH.—Members of the Advisory Council shall be jointly appointed by the Secretaries of the Interior and Agriculture for a term of 5 years.

(C) REAPPOINTMENT.—A member may be reappointed to serve on the Advisory Council for not more than 3 terms.

- (D) VACANCIES.—The Secretaries of the Interior and Agriculture shall fill vacancies on the Advisory Committee as soon as practicable after the vacancy has occurred.
- (3) CHAIRPERSON.—The Secretaries of the Interior and Agriculture shall jointly select the chairperson of the Advisory Council for a term of 5 years.
- (4) SERVICE WITHOUT COMPENSATION.—Members of the Advisory Council shall serve without pay.
- (5) PRESERVATION OF PUBLIC ADVISORY STATUS.—No member of the Advisory Council appointed to represent the interests outlined in subparagraph (c)(2)(B) may be an officer or employee of the Federal Government or State of Utah.
- (6) REPRESENTATION.—The Secretaries of the Interior and Agriculture shall ensure that membership of the Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Advisory Council.”.

Page 201, strike lines 22 through 25.

Page 202, strike lines 1 through 9.

Page 202, line 10, strike “COMMITTEE” and insert “COUNCIL”.

Page 202, beginning on line 11, strike “Committee” and insert “Council”.

Page 202, line 18, strike “Committee” and insert “Council”.

Page 203, beginning on line 1, strike “Committee” and insert “Council”.

Page 203, line 4, strike “Committee” and insert “Council”.

Page 203, strike lines 10 through 11.

Page 203, line 12, strike “(1)” and insert “(f)”.

Page 203, beginning on line 12, strike “Committee” and insert “Council”.

Page 203, line 17, strike “(2)” and insert “(g)”.

Page 203, line 18, strike “(A)” and insert (1).



Page 203, starting on line 18, strike “Committee” and insert “Council”.

Page 203, line 22, insert “of the members of the Council” after “members”.

Page 203, line 24, strike “Committee” and insert “Council”.

Page 204, line 1, strike “(B)” and insert “(2)”.

Page 204, line 5, strike “(3)” and insert “(h)”.

Page 205, line 14, strike “U.S. Forest Service in San Juan County” and insert “United States Forest Service in San Juan County, Utah,”.

Page 205, line 16, strike “to be known” and insert “shall be designated “.

Page 205, strike lines 19 through 25 and insert the following:

“(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, as appropriate, shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate a map and legal description of the National Conservation Area established in section 102 of this title.”.

Page 206, line 1, strike “Each” and insert “The”.

Page 206, line 21, strike “established by section 102”.

Page 207, line 1, strike “maintains and enhances”, insert “encourages”.

Page 207, starting on line 18, strike “Native American archaeological sites” and insert “covered sites and properties” .

Page 208, strike lines 1 through 5 and insert the following:

“(b) MANAGEMENT PLAN.--

“(1) PLAN REQUIRED.—As soon as practicable after the date of enactment of this Act, the Secretaries shall develop a joint comprehensive plan for the long-term management of the Bears Ears National Conservation Area.”.

Page 208, strike lines 7 through 9 and insert “In developing the management plan required under paragraph (1), the Secretaries shall consult with appropriate state, local, and tribal government entities, members of the public, and the”.

Page 208, line 11, strike “Committee” and insert “Council”.

Page 208, line 12, strike “relevant Secretary does” and insert “Secretaries do”.

Page 208, line 15, strike “relevant Secretary” and insert “Secretaries”.

Page 208, line 18, strike “and”.

Page 208, line 19, insert “, and Senate Committee on Agriculture, Nutrition and Forestry,” after “Natural Resources”.

Page 208, strike lines 22 through 23 and insert “The general provisions of section 205 of Division A of this Act shall apply to this title.”.

Page 209, line 2, insert “and the Secretary of Agriculture” after “Interior”.

Page 209, line 5, strike “National Conservation Area”.

Page 209, strike lines 9 through 20 and insert the following:

“(a) CREATION OF COMMISSION.—In preparing the management plan under section 104(b) for the Bears Ears, the Secretaries of the Interior and Agriculture shall create a Commission consisting of tribal representatives and federal agency staff, in recognition of the importance of tribal participation to the care and management of the Bear Ears’ natural and cultural resources.

(1) APPOINTMENT AND TERM.—The Secretaries of the Interior and Agriculture shall appoint for a term of five years beginning on the date of appointment:

- (A) Three federal members, one each from the Bureau of Land Management, the National Park Service and the United States Forest Service; and
- (B) No more than seven elected officers of tribal governments or their designated employees.

- (2) REQUIREMENTS.—The Secretaries of the Interior and Agriculture shall select tribal members of the Commission who demonstrate:
- (A) A historical or geographical connection to the objects and lands of the Bears Ears;
  - (B) Relevant traditional knowledge; and
  - (C) The ability to contribute to the management of the Bears Ears.
- (3) DUTIES.—The Commission shall provide information and proposals as needed to integrate the tribes’ traditional knowledge and special expertise where relevant to the care and management of the Bears Ears’ natural and cultural resources, including in the development of the management plans developed under section 104(b) of this title. The Secretaries shall carefully consider these proposals, and may use all applicable federal authorities to ensure that these management plans and management decisions incorporate, as appropriate, the information and proposals provided from the Commission. Such input from the Commission may include, but need not be limited to:
- (A) Protections for and use of sacred sites;
  - (B) Cultural and educational programming;
  - (C) Plants, animals, and special resources;
  - (D) Traditional uses, such as gathering firewood;
  - (E) Historical and archaeological resources;
  - (F) Impacts of off-road use and off-road vehicles on cultural and environmental resources;
  - (G) Recreational uses, such as climbing; and
  - (H) Resource uses, such as grazing, timber production, and mining.”.

Page 209, line 24, strike “the Bears Ears National Conservation Area” and insert “Bears Ears”.

Page 209, line 25, insert “and the Secretary of Agriculture” after “Interior”.

Page 210, line 4, insert “and the Secretary of Agriculture” after “Interior”.

Page 210, beginning on line 8, strike “the Bears Ears National Conservation Area” and insert “Bear Ears”.

Page 210, line 14, insert “and the Secretary of Agriculture” after “terior”.

Page 210, line 18, strike “Secretary” and insert “Secretaries”.

Page 210, line 22, insert “and the Secretary of Agriculture” after “Interior”.

Page 211, line 5, insert “and the Secretary of Agriculture” after “Interior”.

Page 211, line 8, strike “Secretary of the Interior” and insert “Secretaries”.

Page 211, line 11, insert “and the Secretary of Agriculture” after “Interior”.

Page 211, beginning on line 14, strike “Secretary of the Interior” and insert “Secretaries”.

Page 211, line 18, strike “Secretary of the Interior” and insert “Secretaries”.

Page 213, beginning on line 10, strike “from the two categories in section 2, the Secretary of the Interior” and insert “, the Secretaries”.

Page 213, line 13, strike “from within each category”.

Page 213, line 15, insert “and the Secretary of Agriculture” after “rior”.

Page 213, line 23, insert “the Secretary of Agriculture,” after “Interior,”.

Page 213, line 24, strike “and”.

Page 213, line 25, insert “and the Committee on Energy and Natural Resources of the Senate” before the period.

Page 214, line 3, insert “and the Secretary of Agriculture” after “Interior”.

Page 214, line 13, insert “and the Secretary of Agriculture” after “Interior”.

Page 214, line 16, insert “and the Secretary of Agriculture” after “Interior”.

Page 214, line 22, insert “and the Secretary of Agriculture” after “Interior”.

Page 214, strike line 24 and insert “retaries.”.



Page 215, line 3, insert “the Secretary of Agriculture,” after “Interior,”.

## Conversation Contents

Re: Clip: Salt Lake Tribune: Ute Tribe rejects state's plan for reservation lands

**"Degroff, Amanda" <amanda\_degroff@ios.doi.gov>**

---

**From:** "Degroff, Amanda" <amanda\_degroff@ios.doi.gov>  
**Sent:** Fri Sep 23 2016 13:46:58 GMT-0600 (MDT)  
"Duran, Leah" <leah\_duran@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, "Kelly, Katherine" <kate\_kelly@ios.doi.gov>, "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>, Liz Pardue <lpardue@blm.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Interior Press <interior\_press@ios.doi.gov>  
**To:**  
**Subject:** Re: Clip: Salt Lake Tribune: Ute Tribe rejects state's plan for reservation lands

# Ute Tribe rejects state's plan for reservation lands

By BRIAN MAFFLY | The Salt Lake Tribune [CONNECT](#)

The Ute Indian Tribe says it's severing ties with Utah trust-lands managers over Rep. Rob Bishop's proposal to trade 100,000 acres of public land within the historic boundaries of the tribe's reservation.

For the past several weeks the tribe has been arguing that the proposed exchange insults tribal sovereignty, given its long-standing legal claim to 4.2 million acres in the Uinta Basin within the historic Uncompahgre and Uintah Valley reservations.

Tribal officials have publicly insisted, to no avail, that the Utah Republican drop these land-exchange provisions from his Public Lands Initiative, or PLI, which he introduced in Congress two months ago. Their ire has now reached such a pitch that they say the Utah School and Institutional Trust Lands Administration (SITLA) is no longer welcome in Indian Country, wrote Shaun Chappoose, chairman of the tribal business committee, in a letter to the agency Monday.

The tribe is now abandoning hard-forged agreements that aimed to free up mineral wealth SITLA holds under the Uintah and Ouray Indian Reservation's Hill Creek Extension.

Spurring the letter was the Sept. 13 testimony of SITLA director David Ure, who reiterated his agency's

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hopes to acquire consolidated energy-rich lands in the Uinta Basin. This proposal is one of many provisions in the PLI, which the House Natural Resources Committee advanced on Thursday.

The bill affects some 18 million acres of public lands in seven eastern Utah counties, specifying areas where either conservation or development should be prioritized.

Under the PLI, SITLA would exchange sections scattered around Grand, Emery, San Juan and Carbon counties for a huge block of Bureau of Land Management-administered land on the East Tavaputs Plateau.

In a reply letter to the tribe, Ure affirmed SITLA's respect for tribal jurisdiction, but said the land in question is not owned by the tribe, but by the American public.

In a 40-year-old legal case, the tribe has successfully argued that Congress has never "diminished" the Utes' historic reservation boundaries, which were thrown open to white settlement more than a century ago. Armed with a string of favorable appellate rulings, the tribe is asserting ownership of public land within "Indian Country." SITLA's bid to obtain such lands amounts to a "land grab," tribal officials say, at least while the matter remains in dispute.

But state officials reject that characterization. Ure noted the 10th U.S. Circuit Court of Appeals has held that the tribe's assertion of jurisdiction and ownership over these lands are separate issues. His agency had looked forward to developing lands acquired through the PLI in partnership with the tribe, he said.

"We strongly disagree, however, with any claim of tribal ownership of BLM lands in the historic Uncompahgre [Reservation], and believe these public lands are available for conservation land exchange," Ure wrote.

SITLA's mission is to maximize revenues off trust lands to build up an endowment supporting schools. Ironically, its effort to trade hard-to-develop sections with consolidated mineral-rich blocks is undermining its key objective of getting more Uinta Basin holdings into production.

Such ambitions require tribal participation, which appears to be in serious jeopardy.

"The Tribe hoped to build on our relationship and work to pass legislation providing for joint future energy development," the tribal letter says to SITLA. "However, your proposal to take lands from within our Reservation will now foreclose any future opportunities for the Tribe and SITLA to work on jointly developing resources within the Uintah Basin or to work collaboratively on other energy development initiatives."

The East Tavaputs Plateau trade in the PLI, which few believe has much chance of passing, now appears to have derailed SITLA's Hill Creek deal.

This congressionally-authorized exchange would enable SITLA to trade out minerals it holds in the Hill Creek Extension's southern end in Grand County, a roadless area the tribe intends to protect for its wildlife, scenery and spiritual significance. In exchange, SITLA would have received 9,000 acres of mineral estate in the north end.

Two years ago, the Ute tribe celebrated the Hill Creek exchange as a way to balance conservation and drilling in partnership with the state. At the time, the tribe's jurisdictional fight with state and county

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officials had reignited in the courts, and it has since intensified.

The Chapoose letter asserts that the tribe has revoked any access SITLA previously enjoyed to reservation lands. Any SITLA staff or contractor "found on any Indian Country lands within the Reservation ... will be cited for civil trespass and removed from the Reservation," it says.

SITLA, which oversees numerous oil and gas leases under development within the old Uncompahgre reservation, contends the tribe lacks the authority to remove its operators.

Tribal officials are also incensed with Ure's testimony that the exchange would help school children, including Ute children.

SITLA "should be universally condemned for attempting to involve the children of the Ute Indian Tribe in this legislation, which would in fact have genocidal and devastating impacts on our children if passed," Chapoose wrote.

Ure's letter offered an apology for any offense given, saying none was intended and "a fair-minded review of the videotape of the hearing would demonstrate the same."

--

Amanda DeGroff  
U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

On Thu, Sep 22, 2016 at 1:54 PM, Duran, Leah <[leah\\_duran@ios.doi.gov](mailto:leah_duran@ios.doi.gov)> wrote:

### **PUBLIC LANDS:**

#### **Panel approves Bears Ears bill along party lines**

Emily Yehle, E&E reporter

*Published: Thursday, September 22, 2016*

The House Natural Resources Committee approved a controversial bill today that would both conserve and develop millions of acres in Utah in a bid to prevent President Obama from designating a national monument in the state's Bears Ears region.

The panel spent more than an hour debating amendments to [\*\*H.R. 5780\*\*](#), with both Republicans and Democrats claiming the support of various Native American tribes. Committee Chairman Rob Bishop (R-Utah) and Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) introduced the "Public Lands Initiative" in July after a multiyear effort ([\*Greenwire\*](#), July 14).

They say it reflects a compromise with local input, protecting 1.4 million acres of the Bears Ears region while also opening new areas to economic development and giving Utah control of permitting of energy development on millions of acres of federal lands. In total, the bill affects 18 million acres across seven Utah counties.

The bill passed the committee on a party-line vote. Bishop has said he plans to bring it to the floor during the lame-duck session after the presidential election.

Democrats, who unsuccessfully introduced several amendments, characterized the bill today as a



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nonstarter. Rep. Raul Ruiz (D-Calif.) called it a "modern day Indian land grab." Rep. Niki Tsongas (D-Mass.) said it was a "wolf in sheep's clothing." And Rep. Alan Lowenthal (D-Calif.) said it was "riddled with loopholes" that undermine the wilderness and national conservation areas it creates.

Arizona Rep. Raúl Grijalva, the top Democrat on the committee, said Republicans had missed a chance to make the bill bipartisan. He pointed to a manager's amendment from Bishop that made only technical changes to the bill.

"I really believe this markup could have been an opportunity to address numerous concerns," Grijalva said, calling the amendment "not a good sign" for the bill's future. "Without more effort to compromise and move slightly to the middle, this bill has no chance of advancing in the Senate."

Bishop has maintained that he is "very optimistic" for the bill's passage, despite opposition from Democratic colleagues and the Obama administration. He emphasized today that he expects more amendments when the bill hits the House floor, including one to improve tribal consultation.

"I just want people to know this isn't the end of the process," he said.

Democrats proposed numerous amendments to showcase their concerns with some of the bill's provisions.

One from Grijalva would have completely removed an 856,000-acre Bears Ears National Conservation Area and a 434,000-acre Indian Creek National Conservation Area. Another from Tsongas would have replaced language throughout the bill to close what she called "loopholes and exemptions" that would allow motorized vehicles and some development in wilderness areas.

Lawmakers on both sides of the aisle repeatedly referenced the will of locals and Native American tribes.

The issue has created unusual splits. Conservationists and the Navajo Nation Council have asked Obama to create the Bears Ears National Monument. In total, 26 Native American tribes want 1.9 million acres protected under a monument designation — or 500,000 more acres than in Bishop's bill.

But Republicans have the support of local officials and contend that local Native Americans don't want the monument. Several members of the Navajo Nation voiced opposition yesterday at a news conference organized by Bishop and the rest of the Utah congressional delegation.

Danielle Shirley, a Navajo from San Juan County, told reporters she feared a monument would prevent traditional activities, such as gathering wood to heat her community's homes.

A monument designation, she said, "would deeply impact our way of life."

### **Olympic park, sea lions**

The Natural Resources Committee also passed four other bills today.

Two passed by unanimous consent with no discussion: [H.R. 5984](#) and [S. 3028](#).

The first, from Rep. Ken Calvert (R-Calif.), would authorize the Pechanga Band of Luiseño Mission Indians Water Rights Settlement. The latter, from Sen. Maria Cantwell (D-Wash.), would redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness. The bill, which would

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rename a portion of Olympic National Park after the former Republican governor of Washington, passed the Senate unanimously in July ([Greenwire](#), July 15).

[H.R. 2387](#), from Rep. Don Young (R-Alaska), also quickly passed. It would amend the Alaska Native Claims Settlement Act to revise the eligibility requirements of Alaska Native Vietnam veterans for land allotments.

The committee approved [H.R. 564](#) on a party-line vote. The bill would allow Native American tribes to kill sea lions that eat salmon. States are already allowed to kill individual sea lions that feast on the salmon and steelhead as the fish navigate dams on the Columbia River.

The panel unanimously approved an amendment from Rep. Dan Newhouse (R-Wash.) that adds requirements for wildlife management training and specifies that the cap on total sea lions killed does not change.

On Wed, Sep 21, 2016 at 9:55 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

### [Utah voters split on Bears Ears monument as leaders dig in to fight it](#)

Salt Lake Tribune // Thomas Burr // Sept. 21

Utah's elected leaders and some members of the Navajo Nation argued Wednesday against presidential action to name a Bears Ears National Monument, saying the communities that will be impacted in the southeastern corner of the state are tired of federal overreach. The debate is intensifying as President Barack Obama's tenure nears an end. An Interior Department official this week told The Tribune that Interior Secretary Sally Jewell told Gov. Gary Herbert she feels an "urgent" need to protect the area and its tens of thousands of archaeological sites. The comment may hint at action in the coming months by Obama, who has unilateral power to name a monument under the 1906 Antiquities Act. The official, speaking on background about a private meeting between Jewell and Herbert, said both officials agree there is "broad consensus" to protect the Bears Ears region. "However," the official said, "the secretary believes the need is urgent, especially since there have been proposals to protect this special place for over 80 years."

### [Anti-monument rally: 'Please don't take this land from us'](#)

Deseret News // Amy Joi O'Donoghue // Sept. 21

Utah's congressional delegation, Gov. Gary Herbert and some Navajo residents from San Juan County made a direct plea to President Barack Obama on Wednesday to refrain from designating the Bears Ears region a national monument. The press conference Wednesday at the U.S. Capitol was live-streamed on Sen. Mike Lee's Facebook page, generating hundreds of simultaneous comments as monument opponents urged that the southeastern Utah region be left alone by the president.

Utah Navajo, Elected Leaders, Urge Against Bears Ears Monument

Utah Business // Lisa Christensen // Sept. 21

Local leaders and members of Utah's Navajo Nation made a plea for a cooperative legislative effort rather than an executive order for the proposed Bears Ears National Monument Wednesday. Speaking from the nation's capitol, the delegation asked President Barack Obama to hold off on signing an executive order that would make the Bears Ears area in San Juan County a national monument in favor of protecting the land via Rep. Rob Bishop's forthcoming Public Lands Initiative legislation.

On Wed, Sep 21, 2016 at 1:04 PM, Degroff, Amanda  
<[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## Utah Delegation All Out Against Bears Ears Monument

by Michael Orton • September 21, 2016



US Geological Survey mark where the four corner states in the American west converge.

On Wednesday, September 21, Utah's Governor Gary Herbert will join his state's congressional delegation to offer several resolutions opposing another, proposed National Monument in the Beehive State. Scheduled for 2pm Mountain Daylight Time at the Senate "swamp" in Washington, D.C., the press conference is considered a last-ditch effort to deflect the very real possibility of another National Monument designation in Utah by President Obama. The President would use the provisions of the 1906 #AntiquitiesAct to do so.

Hastily organized native residents will also be included in the media event to bolster message continuity originating with Utah's republican supermajority. Those involved in Wednesday's event seek to counter the original Diné Bikéyah, 12-tribe proposal which

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would have President Obama protect sacred dwellings in the “Four Corners” area of the western U.S. The Diné Bikéyah has opposed the Public Lands Initiative (PLI) introduced in the U.S. House of Representatives by Utah Congressman Rob Bishop who chairs the House Natural Resources Committee. Herbert’s and Bishop’s critics charge that fossil fuel industrial interests have contributed heavily to both politicians to advance the PLI and secure official opposition to any action by President Obama.

Over the past six months, many tribal leaders have petitioned the President when they believed that Bishop and his colleague, Congressman Jason Chaffetz, were not genuinely listening to their concerns. Interior Secretary Sally Jewell toured the region with her senior staff in mid July and has likely delivered extensive recommendations to the White House. The President has the authority to act anytime during his remaining days in office and many expect that he will.

A list of the resolutions and petitions to be delivered Wednesday by Herbert and Senators Orrin Hatch and Mike Lee includes the work of many local officials from San Juan County, one of Utah’s most impoverished areas, with a population of 14,746 residents (ref 2010 census). The county is nearly equally divided between native Navajo (Diné) and mostly white descendants of Mormon pioneer families. A list to be discussed at the Wednesday press conference includes

- Resolutions from the Blue Mountain Dine’ and the Aneth Chapter of the Navajo Nation in opposition to the new National Monument as proposed by the Diné Bikéyah 12-tribe council.
- A petition from the Descendants of Kaayelii in opposition to the Monument.
- Resolutions from the cities of Blanding, Monticello (the San Juan County seat) Utah and the San Juan County Board of Commissioners and Utah’s state legislature, all opposing the designation of the Bears Ears National Monument.
- A letter from the Utah Wildlife Board opposition to the designation.

Additionally, Utah Senator Mike Lee has previously introduced the “Utah National Monument Parity Act” which seeks to amend the Antiquities Act of 1906 to halt further use of the executive branch’s conservation law in Utah without congressional approval.

Press conference live streaming arrangements are being confirmed at the time of this posting.

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**Leah Duran**  
Public Affairs Specialist  
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Office: (202) 208-3311  
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## Conversation Contents

**FW: Veterans Oppose Rep. Bishop's Public Lands Initiative**

**John Blair <[john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)>**

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**From:** John Blair <[john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)>  
**Sent:** Thu Sep 22 2016 13:32:39 GMT-0600 (MDT)  
Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>, Ben Milakofsky <[benjamin\\_milakofsky@ios.doi.gov](mailto:benjamin_milakofsky@ios.doi.gov)>, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)>, Jessica Kershaw <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>, Kevin Thompson <[kevin\\_thompson@ios.doi.gov](mailto:kevin_thompson@ios.doi.gov)>, Kate Kelly <[kate\\_kelly@ios.doi.gov](mailto:kate_kelly@ios.doi.gov)>, Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>, Neil Kornze <[nkornze@blm.gov](mailto:nkornze@blm.gov)>, Liz Pardue <[lpardue@blm.gov](mailto:lpardue@blm.gov)>, Sarah Neimeyer <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>  
**To:**  
**CC:** Kim Jensen <[kimberly\\_jensen@ios.doi.gov](mailto:kimberly_jensen@ios.doi.gov)>, Maria Najera <[maria\\_najera@ios.doi.gov](mailto:maria_najera@ios.doi.gov)>  
**Subject:** FW: Veterans Oppose Rep. Bishop's Public Lands Initiative

FYI. johblair

**From:** Garrett Reppenhagen [<mailto:repp@vetvoicefoundation.org>]  
**Sent:** Thursday, September 22, 2016 3:29 PM  
**Subject:** Veterans Oppose Rep. Bishop's Public Lands Initiative

### **Veterans Oppose Rep. Bishop's Public Lands Initiative Fault Utah Rep. for Perpetuating Bill Laden with Poison Pills, Giveaways, and Bad Precedents**

The Vet Voice Foundation (VVF) opposes the H.R. 5780, the Utah Public Lands Initiative (PLI) Act, which was marked up and passed out of the House Committee on Natural Resources today. Rep. Rob Bishop (UT) is the Committee Chairman and lead sponsor of the bill.

H.R. 5780 would represent a step backwards in protection of the Bears Ears region in southeast Utah and other public lands across the state. The historically and culturally significant Bears Ears public lands have suffered from and are threatened by continued rampant looting, grave robbing, and destruction of historic cliff dwellings, structures and rock art.

Among the many problems with H.R. 5780 is that it would give energy permitting authority for

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millions of acres of federal public lands to the State of Utah, require several federal-state land exchanges that could deprive taxpayers of receiving fair value for public lands, and roll back existing protections for over 100,000 acres of wilderness study areas.

Instead of supporting Bishop's bill and the rollback protections in the Bears Ears region, Vet Voice Foundation and military veterans in Utah and across the Southwest support a proposal by the Bears Ears Inter-Tribal Coalition to protect the Bears Ears region as a National Monument. In a VVF [letter](#) sent to President Obama this past May, 247 veterans from the Four Corners states (UT, CO, NM, and AZ), including 35 Utah veterans, asked President Obama to use his authority under the Antiquities Act to designate Bears Ears as a national monument.

"After holding out great hope that Rep. Bishop would craft a proposal incorporating the needs of many diverse stakeholders, we were dismayed to learn that his PLI discarded input from and is opposed by the region's tribes," said Garrett Reppenhagen, US Army 1st Infantry Division OIF Veteran and Rocky Mountain West Coordinator at the Vet Voice Foundation. "To compound this, he has directly insulted these sovereign tribes by putting forth individuals who oppose the monument as representing the region's Native Americans. Instead of working toward a real solution, Rep. Bishop has led a process that fails our nation's citizens and public lands. We stand with our Native American brothers and sisters, many who have served in the Armed Forces, in the call for President Obama to designate the Bears Ears National Monument."

###

--

**Garrett Reppenhagen**

US Army 1st Infantry Division OIF Veteran

Rocky Mountain West Coordinator

Vet Voice Foundation

719-235-7030

[REPP@vetvoicefoundation.org](mailto:REPP@vetvoicefoundation.org)

[www.vetvoicefoundation.org](http://www.vetvoicefoundation.org)

## Conversation Contents

**Fwd: Cedar Mesa feedback on the PLI**

**Attachments:**

/15. Fwd: Cedar Mesa feedback on the PLI/1.1 PLI-Bluff\_Bench\_compromise\_with\_acreages[1].png

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

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**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Thu Sep 22 2016 09:55:51 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Cedar Mesa feedback on the PLI  
**Attachments:** PLI-Bluff\_Bench\_compromise\_with\_acreages[1].png

This is helpful info.

Begin forwarded message:

**From:** "Ferguson, Fred" <Fred.Ferguson@mail.house.gov>  
**Date:** September 22, 2016 at 11:48:33 AM EDT  
**To:** Nikki Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** **FW: Cedar Mesa feedback on the PLI**

I'm not sure if this is the controversial area you referenced, but below is an email exchange and attachment with Josh Ewing regarding a compromise in the Bluff area. Our NCA map reflects this compromise.

□

---

**From:** Josh Ewing <josh@cedarmesafriends.org>  
**Date:** Monday, February 8, 2016 09:22 AM  
**To:** Fred Ferguson <Fred.Ferguson@mail.house.gov>, "Snider, Casey" <Casey.Snider@mail.house.gov>  
**Cc:** Wade Garrett <wade.garrett@mail.house.gov>, Clay White <Clay.White@mail.house.gov>, "Nicholas, Romel (Hatch)" <Romel\_Nicholas@hatch.senate.gov>, Kathleen Clarke <kathleenclarke@utah.gov>  
**Subject:** Cedar Mesa feedback on the PLI

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This message has been archived. [View the original item](#)  
Fred and Casey: The Friends of Cedar Mesa board of directors met this weekend to review and approve our feedback/suggestions on the PLI Discussion Draft. I've attached a letter detailing our suggestions/concerns. I've also attached a GIS shapefile suggesting a compromise for the Bears Ears NCA map in the Bluff area.

We again thank you and your team for all you've put into this process so far and hope we can continue to work together to come up with a bill that can ultimately be successful.

Please let us know if you have any questions.

Thanks!

--

Josh Ewing  
Executive Director  
Friends of Cedar Mesa  
801.410.0773 | PO Box 338 | Bluff, UT 84512

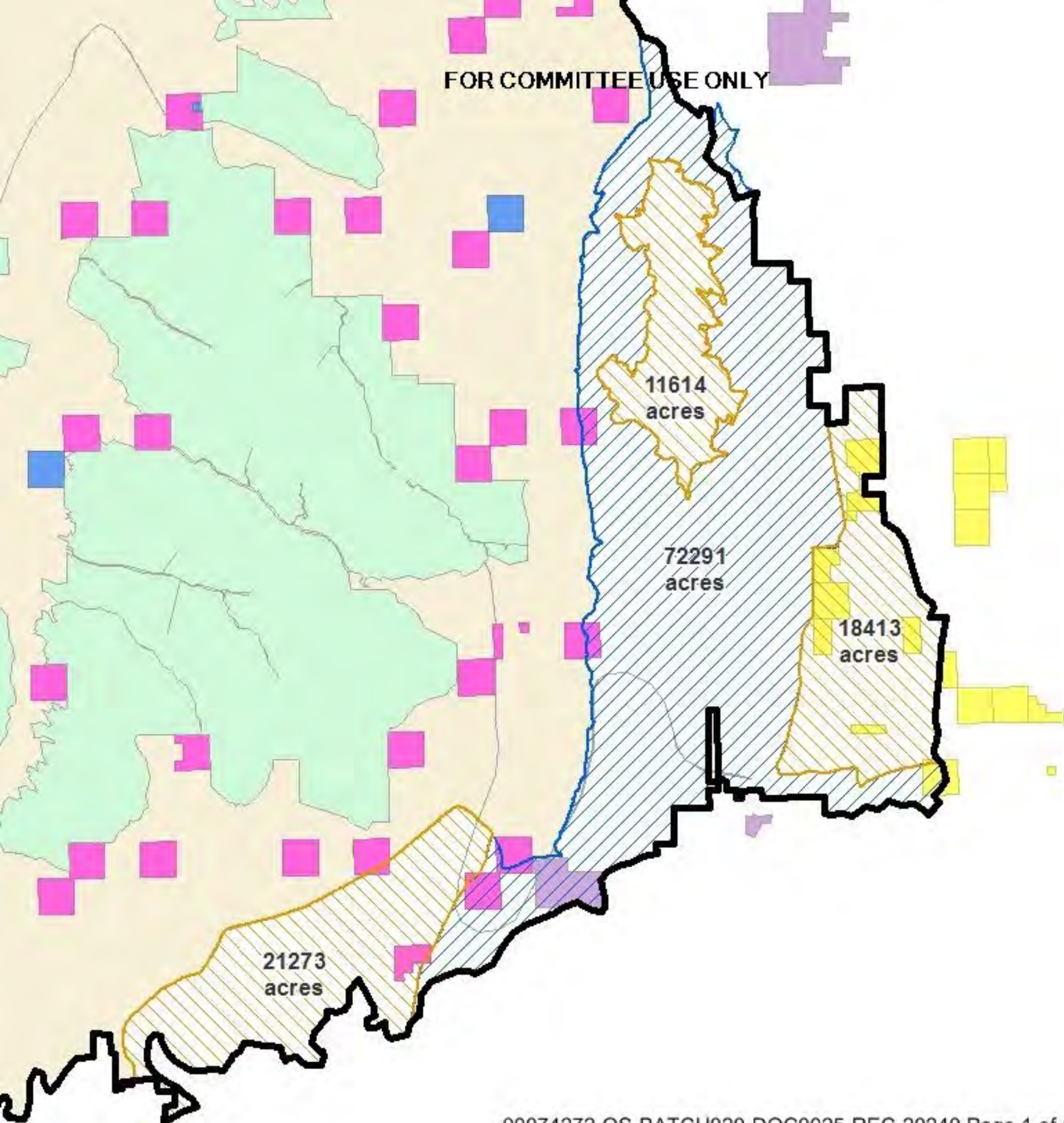
Inline image [5CedarMesaFriends.org](http://cedarmesafriends.org/) <<http://cedarmesafriends.org/>> Inline image 3 [@joshewing](https://twitter.com/joshewing) <<https://twitter.com/joshewing>> Inline image 2 [@cedarmesafriends](http://facebook.com/cedarmesafriends) <<http://facebook.com/cedarmesafriends>>

Attachments:

<a href="#">PLI-Bluff-Bench-compromise-2-5-16.zip</a>	(144 KB)
<a href="#">PLI-Bluff Bench compromise with acreages.png</a>	(34 KB)
<a href="#">FCM-PLI-discussion-draft-comments-vF.pdf</a>	(1.0 MB)



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## Conversation Contents

Clip: Utah Political Capitol: Utah Delegation All Out Against Bears Ears Monument

**"Degroff, Amanda" <amanda\_degroff@ios.doi.gov>**

---

**From:** "Degroff, Amanda" <amanda\_degroff@ios.doi.gov>  
**Sent:** Wed Sep 21 2016 11:04:36 GMT-0600 (MDT)  
**To:** John Blair <john\_blair@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, "Kelly, Katherine" <kate\_kelly@ios.doi.gov>, "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>, Liz Pardue <lpardue@blm.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Interior Press <interior\_press@ios.doi.gov>  
**Subject:** Clip: Utah Political Capitol: Utah Delegation All Out Against Bears Ears Monument

## Utah Delegation All Out Against Bears Ears Monument

by Michael Orton • September 21, 2016



US Geological Survey mark where the four corner states in the American west converge.

On Wednesday, September 21, Utah's Governor Gary Herbert will join his state's congressional delegation to offer several resolutions opposing another, proposed National

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Monument in the Beehive State. Scheduled for 2pm Mountain Daylight Time at the Senate “swamp” in Washington, D.C., the press conference is considered a last-ditch effort to deflect the very real possibility of another National Monument designation in Utah by President Obama. The President would use the provisions of the 1906 #AntiquitiesAct to do so.

Hastily organized native residents will also be included in the media event to bolster message continuity originating with Utah’s republican supermajority. Those involved in Wednesday’s event seek to counter the original Diné Bikéyah, 12-tribe proposal which would have President Obama protect sacred dwellings in the “Four Corners” area of the western U.S. The Diné Bikéyah has opposed the Public Lands Initiative (PLI) introduced in the U.S. House of Representatives by Utah Congressman Rob Bishop who chairs the House Natural Resources Committee. Herbert’s and Bishop’s critics charge that fossil fuel industrial interests have contributed heavily to both politicians to advance the PLI and secure official opposition to any action by President Obama.

Over the past six months, many tribal leaders have petitioned the President when they believed that Bishop and his colleague, Congressman Jason Chaffetz, were not genuinely listening to their concerns. Interior Secretary Sally Jewell toured the region with her senior staff in mid July and has likely delivered extensive recommendations to the White House. The President has the authority to act anytime during his remaining days in office and many expect that he will.

A list of the resolutions and petitions to be delivered Wednesday by Herbert and Senators Orrin Hatch and Mike Lee includes the work of many local officials from San Juan County, one of Utah’s most impoverished areas, with a population of 14,746 residents (ref 2010 census). The county is nearly equally divided between native Navajo (Diné) and mostly white descendants of Mormon pioneer families. A list to be discussed at the Wednesday press conference includes

- Resolutions from the Blue Mountain Dine’ and the Aneth Chapter of the Navajo Nation in opposition to the new National Monument as proposed by the Diné Bikéyah 12-tribe council.
- A petition from the Descendants of Kaayelii in opposition to the Monument..
- Resolutions from the cities of Blanding, Monticello (the San Juan County seat) Utah and the San Juan County Board of Commissioners and Utah’s state legislature, all opposing the designation of the Bears Ears National Monument.
- A letter from the Utah Wildlife Board opposition to the designation.

Additionally, Utah Senator Mike Lee has previously introduced the “Utah National Monument Parity Act” which seeks to amend the Antiquities Act of 1906 to halt further use of the executive branch’s conservation law in Utah without congressional approval.

Press conference live streaming arrangements are being confirmed at the time of this

posting.

--

Amanda DeGroff  
U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

**"Degroff, Amanda" <amanda\_degroff@ios.doi.gov>**

---

**From:** "Degroff, Amanda" <amanda\_degroff@ios.doi.gov>  
**Sent:** Wed Sep 21 2016 19:55:53 GMT-0600 (MDT)  
John Blair <john\_blair@ios.doi.gov>, Blake Androff  
<blake\_androff@ios.doi.gov>, Nicole Buffa  
<nicole\_buffa@ios.doi.gov>, "Kelly, Katherine"  
**To:** <kate\_kelly@ios.doi.gov>, "Kershaw, Jessica"  
<jessica\_kershaw@ios.doi.gov>, Liz Pardue  
<lpardue@blm.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>, Interior Press  
<interior\_press@ios.doi.gov>  
**Subject:** Re: Clip: Utah Political Capitol: Utah Delegation All Out  
Against Bears Ears Monument

[Utah voters split on Bears Ears monument as leaders dig in to fight it](#)

Salt Lake Tribune // Thomas Burr // Sept. 21

Utah's elected leaders and some members of the Navajo Nation argued Wednesday against presidential action to name a Bears Ears National Monument, saying the communities that will be impacted in the southeastern corner of the state are tired of federal overreach. The debate is intensifying as President Barack Obama's tenure nears an end. An Interior Department official this week told The Tribune that Interior Secretary Sally Jewell told Gov. Gary Herbert she feels an "urgent" need to protect the area and its tens of thousands of archaeological sites. The comment may hint at action in the coming months by Obama, who has unilateral power to name a monument under the 1906 Antiquities Act. The official, speaking on background about a private meeting between Jewell and Herbert, said both officials agree there is "broad consensus" to protect the Bears Ears region. "However," the official said, "the secretary believes the need is urgent, especially since there have been proposals to protect this special place for over 80 years."

[Anti-monument rally: 'Please don't take this land from us'](#)

Deseret News // Amy Joi O'Donoghue // Sept. 21

Utah's congressional delegation, Gov. Gary Herbert and some Navajo residents from San Juan County made a direct plea to President Barack Obama on Wednesday to refrain from designating the Bears Ears region a national monument. The press conference Wednesday at the U.S. Capitol was live-streamed on Sen. Mike Lee's Facebook page, generating hundreds of simultaneous comments as monument opponents urged that the southeastern Utah region be left alone by the president.

### Utah Navajo, Elected Leaders, Urge Against Bears Ears Monument

Utah Business // Lisa Christensen // Sept. 21

Local leaders and members of Utah's Navajo Nation made a plea for a cooperative legislative effort rather than an executive order for the proposed Bears Ears National Monument Wednesday. Speaking from the nation's capitol, the delegation asked President Barack Obama to hold off on signing an executive order that would make the Bears Ears area in San Juan County a national monument in favor of protecting the land via Rep. Rob Bishop's forthcoming Public Lands Initiative legislation.

On Wed, Sep 21, 2016 at 1:04 PM, Degroff, Amanda <[amanda\\_degroff@ios.doi.gov](mailto:amanda_degroff@ios.doi.gov)> wrote:

## Utah Delegation All Out Against Bears Ears Monument

by [Michael Orton](#) • September 21, 2016



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U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

--

Amanda DeGroff  
U.S. Department of the Interior  
202-208-5205 (Desk)  
202-568-0168 (Cell)

## Conversation Contents

**Fwd: thank you letter**

**Attachments:**

/17. Fwd: thank you letter/1.1 image001.jpg

/17. Fwd: thank you letter/1.2 Thank you letter - state & local orgs - bears ears.pdf

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Sep 21 2016 12:53:36 GMT-0600 (MDT)  
**To:** Sally Jewell <SRJ2@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: thank you letter  
**Attachments:** image001.jpg Thank you letter - state & local orgs - bears ears.pdf

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

**From:** **Matt Keller** <matt\_keller@twc.org>  
**Date:** Wed, Sep 21, 2016 at 1:46 PM  
**Subject:** thank you letter  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>

It was brought to my attention that this may not have gotten to you. See attachment.

Thanks!

Matt

**Matt Keller**  
**National Monuments Campaign Director**

**The Wilderness Society**

Office: 970.422.4349

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Cell: 970.946.0906

[matt\\_keller@tws.org](mailto:matt_keller@tws.org)

[www.wilderness.org](http://www.wilderness.org)

Facebook: [www.facebook.com/TheWildernessSociety](http://www.facebook.com/TheWildernessSociety)

Twitter: [twitter.com/Wilderness](https://twitter.com/Wilderness)



***We protect wilderness and inspire Americans to care for our wild places***

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

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September 9, 2016

The President  
The White House  
Washington, DC 20500

Dear Mr. President,

We are writing to thank the Departments of Interior and Agriculture for coming to Utah this summer to hold a public meeting in Bluff, Utah, on the future of the Bears Ears area.

The members of our organizations – many of whom traveled to Bluff – greatly appreciated the opportunity to show their support for the proposed Bears Ears National Monument by attending the meeting, submitting comment cards, and speaking to the panel of officials who were present.

As you may know, there were more than 1000 people in the audience who donned light blue “Protect Bears Ears” t-shirts to make visible their support of the Bears Ears Inter-Tribal Coalition’s 1.9 million acre monument proposal. We wish you could have been there personally to see this outpouring of enthusiasm for a monument proclamation!

The size and diversity of the crowd in the remote community of Bluff was a powerful testament to the deep and widespread support that exists for a Bears Ears National Monument among citizens of Utah and beyond. Bears Ears supporters in the audience hailed from Bluff, from nearby communities in southern Utah, from the Native American reservations, from scattered towns in the Four Corners region, and from the urban centers of Utah. There was an impressive mix of Native and non-Native faces, young and old people, urban and rural dwellers. And despite temperatures above 100 degree, these 1,000 Bears Ears supporters sat (or stood!) for the entire three and one half hour meeting in order to demonstrate their deeply felt support for protecting Bears Ears as national monument.

Our organizations and members call for protecting Bears Ears as a national monument for many reasons. The Bears Ears area is not only the ancestral homeland of the tribes proposing the monument, it is also a living cultural landscape used for ceremony, subsistence and sacred ritual. Western archaeologists call it the most significant unprotected archaeological region in the United States, with over 100,000 sites, including ancient villages, cliff dwellings and rock art. The area also contains significant ecological, geological and paleontological values. In addition, the Bears Ears area is a landscape of extraordinary scenic beauty, rich wildlife habit, and outstanding recreational opportunities. These special values, however, remain seriously under threat from looting, vandalism, irresponsible off-road vehicle use, and misplaced mining and energy development.

As Interior Secretary Jewell and other administration officials heard at the public meeting, just about everyone agrees that the Bears Ears area deserves, and needs, protection. Some of our organizations were engaged firsthand with the Utah delegation’s Public Lands Initiative for several years, but it has become clear that this effort has failed – in terms of process and content – to do what is needed to protect the special values of the Bears Ears Area. A

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monument proclamation is the only workable way to bring adequate protection to the Bears Ears.

We hope you will act soon to make a Bears Ears national monument, with meaningful co-management authority provided to the tribes, a reality.

CC: Secretary of Interior Sally Jewell  
Secretary of Agriculture Tom Vilsack  
Neil Kornze, Director, Bureau of Land Management  
Tom Tidwell, Chief, UDS Forest Service  
Jon Jarvis, Director, National Park Service

Sincerely,

Lola Britton  
League of Women Voters of Utah  
Salt Lake City, Utah

Marcel Gaztambide  
UPLIFT Climate Community  
Salt Lake City, Utah

Denni Cawley  
Utah Physicians for a Healthy Environment  
Salt Lake City, Utah

Madison Hayes  
Alliance for Better Utah  
Salt Lake City, Utah

Joan Gregory  
First Unitarian Church Environmental  
Ministry  
Salt Lake City, Utah

Kathy Albury  
Elders Rising Utah  
Salt Lake City, Utah

Shelley Silbert  
Great Old Broads  
Wasatch, Moab and Southwest Utah  
Broadband Chapters  
Salt Lake City, Utah

Ty Markham  
Mormon Environmental Stewardship  
Alliance  
Salt Lake City, Utah

Annie Capell  
Patagonia Outlet  
Salt Lake City, Utah

Mark Ritchie  
Black Diamond Equipment  
Salt Lake City, Utah

Ryan Pleune  
350 SLC  
Salt Lake City, Utah

Allison Jones  
Wild Utah Project  
Salt Lake City, Utah

Heather Dove  
Great Salt Lake Audubon  
Salt Lake City, Utah

Eric Sadler  
Wasatch Mountain Club  
Salt Lake City, Utah

Marc Thomas  
Utah Chapter of the Sierra Club  
Moab, Utah



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Herm Hoops  
Oneway Boatworks  
Jensen, Utah

Scott Groene  
Southern Utah Wilderness Alliance  
Salt Lake City, Utah

Arnaud Dumont  
Coloradoans for Utah Wilderness  
Boulder, Colorado

Matt Rice  
American Rivers  
Colorado River Basin Program  
Denver, Colorado

Cody Perry  
Rig to Flip  
Steamboat Springs, Colorado

Greg Dyson  
Wild Earth Guardians  
Denver, Colorado

David Doty  
New Mexico Friends of Utah Wilderness  
Santa Fe, New Mexico

Katie Davis  
Center for Biological Diversity  
Tucson, Arizona

David Jenkins  
Conservatives for Responsible Stewardship  
Oakton, Virginia

## Conversation Contents

**Fwd: Bears Ears NM Supporters**

**Attachments:**

/18. Fwd: Bears Ears NM Supporters/1.1 Bears Ears Supporters.pdf

/18. Fwd: Bears Ears NM Supporters/2.1 Bears Ears Supporters.pdf

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Sep 21 2016 10:15:57 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Lawrence Roberts <lawrence\_roberts@ios.doi.gov>  
**Subject:** Fwd: Bears Ears NM Supporters  
**Attachments:** Bears Ears Supporters.pdf

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

**From:** Joel Briscoe <joelfor25@gmail.com>  
**Date:** Wed, Sep 21, 2016 at 12:04 PM  
**Subject:** Bears Ears NM Supporters  
**To:** [nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

Ms. Buffa,

I am attaching a letter in support of the creation of the proposed Bears Ears National Monument signed by Utah elected officials, former elected officials and current candidates for office. Please contact me if you have any questions. I can be reached at 801-425-3038.

Sincerely,

Rep. Joel K. Briscoe  
Utah House of Representatives  
Minority Assistant Whip

--

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**John Blair** <[john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)>

---

**From:** John Blair <[john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)>  
**Sent:** Wed Sep 21 2016 10:21:04 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>, Ben Milakofsky <[benjamin\\_milakofsky@ios.doi.gov](mailto:benjamin_milakofsky@ios.doi.gov)>, Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>, Neil Kornze <[nkornze@blm.gov](mailto:nkornze@blm.gov)>, Liz Pardue <[lpardue@blm.gov](mailto:lpardue@blm.gov)>, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)>, Kevin Thompson <[kevin\\_thompson@ios.doi.gov](mailto:kevin_thompson@ios.doi.gov)>, Jessica Kershaw <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>  
**CC:** Kim Jensen <[kimberly\\_jensen@ios.doi.gov](mailto:kimberly_jensen@ios.doi.gov)>, Maria Najera <[maria\\_najera@ios.doi.gov](mailto:maria_najera@ios.doi.gov)>  
**Subject:** FW: Bears Ears NM Supporters  
**Attachments:** Bears Ears Supporters.pdf

FYI. johnblair

**From:** Joel Briscoe [<mailto:joelfor25@gmail.com>]  
**Sent:** Wednesday, September 21, 2016 11:41 AM  
**To:** [john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)  
**Cc:** Joel Briscoe <[jbriscoe@le.utah.gov](mailto:jbriscoe@le.utah.gov)>  
**Subject:** Bears Ears NM Supporters

Mr. Blair,

I am attaching a letter in support of the creation of the proposed Bears Ears National Monument signed by Utah elected officials and former elected officials and current candidates for office. Please contact me if you have any questions. I can be reached at 801-425-3038.

Sincerely,

Rep. Joel K. Briscoe  
Utah House of Representatives  
Minority Assistant Whip



FOR COMMITTEE USE ONLY

President Barack Obama  
The White House  
1600 Pennsylvania Ave, NW  
Washington, D.C. 20500

September 20, 2016

Dear President Obama,

We the undersigned are current and former elected officials and candidates in the state of Utah who support protection of a Bears Ears National Monument. We are writing to ask you to use your authority to ensure that America's most important unprotected cultural landscape receives the protection it so richly deserves.

The Bears Ears Inter-Tribal Council represents five sovereign Tribes with deep cultural ties to the region. Their leadership of this effort has been inclusive and provides a vision for Native Americans to protect their heritage while maintaining access and appropriate use for all Americans, regardless of where they live.

There is a false media narrative around the effort to protect Bears Ears that would have you believe that Utah elected officials are unanimously opposed to a Bears Ears National Monument. We hope this letter puts that narrative to rest and we ask that you use your authority under the Antiquities Act to protect this land for all people, for all time.

Thank you.

Sincerely,

**Patrice Arent**  
Representative  
Utah House

**Jim Bradley**  
Member at Large  
Salt Lake County Council

**Rani Derasary**  
Councilmember  
Moab City Council

**Jon Harper**  
Candidate for Utah  
Attorney General

**Steve Barth**  
Former Representative  
Utah House

**Joel Briscoe**  
Minority Assistant Whip  
Utah House

**Krista Dunn**  
Former Councilmember  
Murray City Council

**Joe Hatch**  
Former Councilmember  
Salt Lake County Council

**Andy Beerman**  
Councilmember  
Park City Council

**Peter C. Clemens**  
Candidate for  
Utah's 1<sup>st</sup> Congressional  
District

**David D. Erley**  
Mayor  
Castle Valley

**Tory Hill**  
Councilmember  
Castle Valley Town  
Council

**Heather Bennett**  
President  
Salt Lake City School  
Board

**Jim Dabakis**  
Senator  
Utah Senate

**Gage Froerer**  
Representative  
Utah House

**Dave Jones**  
Former Minority Leader  
Utah House



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**Kalen Jones**  
Councilmember  
Moab City Council

**Patricia Jones**  
Former Senator  
Utah Senate

**Brian King**  
Minority Leader  
Utah House

**Claudia McMullin**  
Councilmember  
Summit County Council

**Erin Mendenhall**  
Councilmember  
Salt Lake City Council

**Robert O'Brien**  
Councilmember  
Castle Valley Town  
Council

**Kristen Peterson**  
Former Councilmember  
Moab City Council

**Angela Romero**  
Representative  
Utah House

**Misty K. Snow**  
Candidate for U.S.  
Senate (UT)

**Barry Sochat**  
Councilmember  
Rockville City Council

**Stephen P. Tryon**  
Candidate for Utah's  
3<sup>rd</sup> Congressional  
District

**Elizabeth Tubbs**  
Councilmember  
Grand County Council

**Mark Wheatley**  
Representative  
Utah House

**Ted Wilson**  
Former Mayor  
Salt Lake City

**Lisa Zumptf**  
Councilmember  
Springdale Town Council

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President Barack Obama  
The White House  
1600 Pennsylvania Ave, NW  
Washington, D.C. 20500

September 20, 2016

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Utah House

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**Barry Sochat**  
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Springdale Town Council

## Conversation Contents

Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)

### Attachments:

/21. Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)/1.1 invite.ics

/21. Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)/1.2 invite.ics

### Nicole Buffa <nicole\_buffa@ios.doi.gov>

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**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Tue Sep 20 2016 20:08:26 GMT-0600 (MDT)  
**To:** tommy\_beaudreau@ios.doi.gov  
**Subject:** Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)  
**Attachments:** invite.ics invite.ics

**Nicole Buffa has accepted this invitation.**

### Sierra Club (Michael Brune, Athan Manuel) and Environment America (Margie Alt, Anna Aurilio)

Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.

**When** Thu Sep 22, 2016 2pm – 2:30pm Eastern Time

**Where** Secretary's conference room 6151 ([map](#))

**Video call** (b) (5)

**Calendar** tommy\_beaudreau@ios.doi.gov

**Who**

- tommy\_beaudreau@ios.doi.gov - organizer
- molly\_click@ios.doi.gov - creator
- gisella\_ojeda-dodds@ios.doi.gov
- nicole\_buffa@ios.doi.gov

Invitation from [Google Calendar](#)

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# FOR COMMITTEE USE ONLY

**From:** [nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)  
**To:** [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov); [nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)  
**Subject:** Sierra Club (Michael Brune, Athan Manuel) and Environment America (Margie Alt, Anna Aurilio)

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Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

SEP 02 2016

The Honorable Rob Bishop  
The Honorable Jason Chaffetz  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Bishop and Mr. Chaffetz:

In accordance with your July 20, 2016, request, the Department of the Interior has prepared the enclosed technical assistance on H.R. 5780, the Utah Public Lands Initiative.

Please note that this technical assistance is provided only for those provisions of the bill that affect Departmental interests and, in many instances, is intended to ensure consistency with existing laws and improve implementation. In addition to what is noted throughout the draft, the Department would like the opportunity to work with the bill sponsors on the individual boundary modifications both to improve manageability and ensure protection of natural, cultural, and other resources in those areas.

Please also note that this assistance has not been cleared by the Office of Management and Budget. As reflected in the attached comments, with respect to a number of provisions, the Department would seek further discussions before taking a final position as to proposed language. Importantly, this assistance has also not been the subject of, and does not reflect input from, tribal consultation. Upon further conversations with tribal nations, the position of the Department may change on particular matters concerning the tribes.

Sincerely,

Christopher P. Salotti  
Legislative Counsel  
Office of Congressional and Legislative Affairs

Enclosure

**Statement of  
Neil Kornze  
Director  
Bureau of Land Management, U.S. Department of the Interior  
House Committee on Natural Resources  
Subcommittee on Federal Lands  
H.R. 5780, Utah Public Lands Initiative Act  
September 14, 2016**

Thank you for the opportunity to testify on H.R. 5780, the Utah Public Lands Initiative Act, which is a sweeping bill that provides direction for the future management and use of Federal lands within Summit, Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties in eastern Utah. H.R. 5780 establishes numerous public land units that are somewhat similar to existing conservation designations, including 41 wilderness areas, 11 National Conservation Areas (NCAs), six Special Management Areas (SMAs), a National Monument, approximately 357 miles of Wild and Scenic Rivers, an approximately 120-mile National Historic Trail, and an expansion of Arches National Park on lands currently managed by the Bureau of Land Management (BLM), National Park Service (NPS), and U.S. Forest Service (USFS). The bill also proposes a large-scale land exchange with the State of Utah's School and Institutional Trust Lands Administration (SITLA), directs a number of land conveyances, requires the sale of some public lands, designates 13 recreation zones, and establishes an off-highway vehicle (OHV) trail. Finally, H.R. 5780 includes several land management provisions that would transfer the BLM's permitting authority for all energy development to the State of Utah, require that grazing continue at current permitted levels in perpetuity, restore grazing in areas where it has been reduced or eliminated for resource protection, and grant perpetual, no-cost rights-of-way for certain roads claimed by counties and the State of Utah.

The Department of the Interior (Department) sincerely appreciates the sponsors' efforts to address a broad range of challenging resource and management issues in eastern Utah. Due to the length and complexity of the bill, this testimony will briefly summarize the views of the Department. While the Department supports many of the goals of H.R. 5780, we have significant concerns with numerous provisions and are opposed to the bill as it is currently written. In particular, the Department opposes the nonstandard management language for many of the proposed conservation and special management designations, which are repeated throughout the bill and would result in significantly less protection than in other similarly-designated areas. Additionally, the Department strongly opposes the unprecedented language transferring all energy development and permitting authority within the affected counties from the Federal government to the State of Utah, proposed limits on the BLM's management of grazing, and the automatic granting of Revised Statute (R.S.) 2477 right-of-way claims that are currently subject to active litigation with no showing that they have satisfied applicable legal standards. A number of additional important concerns are detailed below. We defer to the U.S. Department of Agriculture regarding provisions in the bill concerning the lands and interests in lands under their administration.

## **Background**

Eastern Utah is a land of spectacular natural beauty, important historical resources, and areas of special significance to a number of Tribes. The lands managed by the BLM and NPS in this region range from rolling uplands and snow-capped peaks to free-flowing rivers and colorful red-rock canyons. This varied and magnificent terrain provides habitat for a variety of wildlife, including mule deer, pronghorn antelope, bison, and several sensitive bird and fish species. The southeastern portion of this area, in particular, also contains thousands of vulnerable cultural and archaeological sites, including well-preserved cliff dwellings and rock art. Home to premier recreation hubs like Moab, the public lands in eastern Utah provide popular destinations for outdoor enthusiasts, including off-highway vehicle users, hikers, mountain bikers, rock climbers, and hunters. Many of these public lands also provide opportunities for grazing, energy development, and other commercial activities.

## **Division A – Conservation & Special Management Designations**

### ***Wilderness***

Title I of Division A would designate 41 new wilderness areas on over 2.4 million acres of Federal land in Summit, Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties in eastern Utah. The designations are on lands managed primarily by the BLM (over 1.56 million acres), but also include lands managed by the NPS (over 469,000 acres) and the USFS (over 119,000 acres). The BLM-managed lands that would be designated as wilderness by H.R. 5780 include areas of stunning beauty, secluded places offering opportunities for solitude, and important wildlife habitat. For example, the proposed Cedar Mesa Wilderness contains an extensive canyon system that features spectacular sandstone cliffs and pinnacles and an abundance of cliff dwellings and other archeological resources. This area's striking scenery provides an exceptional opportunity for primitive recreation, including hiking, photography, and horse packing. Similarly, the proposed Crack Canyon Wilderness includes colorful badlands of eroded soils, cliffs, and rock monuments, including fins which form a sawtooth sandstone ridge, and knobs, caves, and arches. Scenic, geologic, and archaeological features and wildlife habitat in this area are remarkable, and the narrow, twisting canyons offer outstanding opportunities for primitive recreation.

We recognize the hard work of the sponsors and other members of the Utah delegation in seeking consensus on BLM and NPS wilderness designations and Wilderness Study Area (WSA) releases. We believe that the areas identified in the bill could be managed as wilderness. However, the Department is very concerned that the bill, as currently written, contains language that would prevent the effective management of these areas for their wilderness values. For example, Title I of Division A would permit motorized access within all of the proposed wilderness areas for the maintenance of future water infrastructure, a provision that is ambiguous and could be interpreted to permit broad manipulation of the hydrology of the landscape. The Department strongly opposes this troubling exception to the Wilderness Act of 1964. It is without precedent for BLM- and NPS-managed wildernesses, would undermine each agency's ability to protect, enhance, and maintain wilderness values and opportunities for the public, and is at odds with one of the core values associated with wilderness – to prohibit the use of motorized equipment. The Department notes that the Congressional Grazing Guidelines, outlined in Appendix A of the report accompanying H.R. 2570 of the 101st Congress and H.R.

5487 of the 96th Congress, already provide for a specific, generous management approach that has worked well for grazing within BLM-administered wilderness areas.

Additionally, the bill omits essential, standard language requiring that any wildlife water development structures and facilities within the proposed wilderness areas enhance wilderness values and minimize their visual impacts. Moreover, Title I of Division A includes provisions requiring the BLM to maintain trail and fence lines within proposed wilderness and potentially eliminating the Secretary's discretion to permanently close a trail or remove a fence line for resource protection. The Department opposes this language, which would effectively pass the historic responsibility for maintenance of fences from the authorized grazing permittee to the BLM.

In place of the problematic language on wildlife water developments, motorized access to water infrastructure, and trail and fence maintenance within the proposed wilderness areas, we urge the sponsors and the Subcommittee to instead adopt the standard wilderness management language that has been used by Congress for decades, including in the successful Washington County, Utah, conservation bill included as part of the Omnibus Public Land Management Act of 2009 (Public Law 111-11, Subtitle O). The Department would also like the opportunity to work with the sponsors and Subcommittee on a number of additional amendments, including boundary adjustments for manageability and to eliminate overlapping or incompatible designations, time frames, and clarifications regarding outfitting and guide activities, mapping requirements, the jurisdictional coordination of wildfire management, and the role of the Utah Department of Agriculture in BLM grazing administration. In addition, we would like to work on language addressing legacy Primitive Area classifications for the Grand Gulch and Dark Canyon areas.

Title I of Division A also proposes to release nearly 81,000 acres of BLM-managed land from WSA status. While the Department appreciates the use of standard WSA release language in this title, we believe that the Desolation Canyon and Jack Canyon WSAs contain such extraordinary scenic resources and recreational opportunities that protection of those areas is essential. Together with Turtle Canyon, these areas represent the largest complex of unprotected WSAs in the lower 48 states. The extremely rugged terrain of the Desolation Canyon and Jack Canyon WSAs contributes to their scenic quality, remoteness, and habitat for species such as bighorn sheep and raptors, which are sensitive to development. Moreover, these WSAs have an extensive system of deep canyons and feature arches, pinnacles, and other erosional elements not known to occur elsewhere. In addition, the diversity of wildlife within these areas is unusual compared with the public lands surrounding them. We would like the opportunity to work with the sponsors and the Subcommittee on language and boundaries that would ensure the continued protection of outstanding resources in these areas.

Finally, the Department opposes section 110 of this title, which could be construed to prohibit the designation of Class I airsheds under the Clean Air Act for lands proposed as NPS-administered wilderness in the bill. All NPS-administered wilderness areas are currently managed as Class I airsheds, which means that the wildernesses proposed by the bill would be managed to a lesser standard. The Department is particularly concerned that this language would



eliminate or reduce the existing Class I airsheds associated with both Canyonlands National Park and Arches National Park.

***National Conservation Areas***

Title II of Division A designates 11 new NCAs covering more than 1.35 million acres on BLM-managed lands. The spectacular and diverse landscapes of the BLM's National Conservation Lands currently include 21 NCAs nationwide. All of these designations have certain critical elements in common, which have consistently been followed in a bipartisan manner during the Clinton, George W. Bush, and Obama Administrations. These elements include withdrawal from the public land, mining, and mineral leasing laws; limiting off-highway vehicles to roads and trails designated for their use; language that charges the Secretary of the Interior with allowing only those uses that further the conservation purposes for which the NCA is established; and language ensuring that lands within the NCA are managed at a higher level of conservation than lands outside of such designations.

The management language for all 11 NCAs proposed by this title does not comport with these standards and repeatedly makes exceptions that would conflict with the primary objective of conserving the significant natural and cultural resources within the proposed areas. For example, the purposes for which the NCAs are to be established are overly broad. As a result, the BLM would have to manage these areas for purposes that may prevent effective resource protection. The Department urges the sponsors to clearly define the specific resources, objects, and values to be protected for each of the proposed NCAs consistent with the purposes for which the BLM's National Conservation Lands were established. The Department opposes language in the bill requiring that the BLM "recognize and maintain historic uses" of the NCAs because such uses may be incompatible with the protection of resources for which these areas are to be designated.

Title II of Division A also includes unacceptable grazing language that would make it more difficult to achieve rangeland health standards in the proposed NCAs. In fact, this language would create lower standards for grazing in the proposed NCAs than it would on public rangelands that are outside of the proposed conservation units. The Department opposes this grazing language, which not only represents a significant deviation from all other NCA designation laws, but also from the management of grazing on all other public lands. As with the proposed wilderness designations, the Department strongly recommends that the sponsors and Subcommittee adopt the standard NCA management language that Congress has used for decades, including in the Washington County, Utah, provisions of Public Law 111-11.

For the sake of efficient management, the Department also encourages the sponsors to consider designating a single NCA for the lands surrounding the Dinosaur National Monument, which would include the bill's proposed Beach Draw, Diamond Mountain, Docs Valley, Stone Bridge Draw, and Stuntz Draw NCAs and would consist of approximately 44,000 acres of BLM-managed public lands. Manageability and interagency coordination would be improved by combining these five geographically clustered NCAs into a single NCA managed under a single management plan.

The San Rafael Swell, a portion of which is proposed for NCA designation under the bill, is one of the most spectacular areas managed by the BLM. The terrain of this area varies from sheer cliffs and dazzling canyons to more gently carved badlands broken by shallow washes. The fins and folds of the San Rafael Reef jut through the southeast side of the area and feature dramatic cliffs, pinnacles, the knobs of Goblin Valley, twisted canyons, and valleys of stunning colors. Few canyons can compare to the entrenched, narrow gorges of the Black Boxes of the San Rafael River, which twists and turns through the San Rafael Swell. The Department recognizes and applauds the vision of the sponsors to protect this special area. We believe that this vision would be best reflected through the designation of a single NCA encompassing the approximately 750,000 acres proposed as the San Rafael and Muddy Creek NCAs, the proposed Goblin Valley Cooperative Management Area, as well as other adjacent lands that contain similar resources, such as the currently excluded area between the proposed Cedar Mountain and Muddy Creek Wildernesses. Again, a single management plan for this area, consistent with the goals and purposes for which NCAs are designated, would significantly enhance manageability.

Similarly, the Department notes that the proposed Labyrinth Canyon and San Rafael River NCAs are separated only by the Green River. We believe that manageability for these areas would be improved by combining them into a single NCA under a single management plan.

Finally, the Department would like the opportunity to work with the sponsors on a number of additional amendments to this title, including boundary modifications for manageability, time frames, language addressing potentially incompatible overlapping designations, and clarifications and other edits regarding management plan development, mapping requirements, WSA release, and travel management planning.

### ***Special Management Areas***

Title IV of Division A proposes four new Special Management Area (SMA) designations on approximately 108,200 acres of BLM-managed public lands for the Desolation Canyon, Nine Mile Canyon, White River, and Book Cliffs areas, and two other SMAs on approximately 27,400 acres of national forest land. Under the bill, each of these BLM-managed SMAs would be open to oil and gas development at the Secretary's discretion and subject to surface occupancy restrictions. The management guidance that comes with these new designations does not seem to differ greatly from the BLM's existing authorities and management practices. As a result, we do not see a reason to create this new category of public land designations. However, we recognize the significant wildlife, cultural, and other values contained in these areas and would like to work with the sponsors and Subcommittee on provisions that would ensure meaningful protection for these areas.

### ***Arches National Park Expansion***

Title V of Division A adds approximately 19,000 acres to Arches National Park. The Department supports this expansion because management of these lands in accordance with the park's General Management Plan would enhance visitor enjoyment and protect irreplaceable resources, including paleontological resources. The eastern portion of the expansion would contribute significantly to the ability of the NPS to protect principal views from key points within the park. The small southern addition, while within the exterior park boundary, is a BLM Recreation and Public Purposes Act (R&PP Act) lease held by Grand County. The existing

arrangement works well; however, NPS ownership of this area may require changes to current management and recreational use. The Department would like to work with the sponsors and the Subcommittee on additional amendments to this title, including boundary adjustments to address these management challenges.

### ***Jurassic National Monument***

The BLM currently manages the Cleveland-Lloyd Dinosaur Quarry in Emery County, Utah, to protect and conserve its unique paleontological resources, which includes the densest concentration of Jurassic resources in the world. Title VI of Division A designates this area as an 867-acre National Monument, and the Department applauds the sponsors for putting forward a vision to permanently protect this special place. To ensure adequate conservation of the world-class paleontological resources of this area, the Department would like to work with the sponsors on amendments to ensure consistency with other National Monument designation laws, language limiting motorized and mechanized vehicles to roads and trails designated for their use, time frames, management plan development, mapping requirements, and clarifications that the BLM would manage the proposed National Monument.

### ***Wild & Scenic Rivers***

Title VII of Division A appears to designate approximately 357 miles of rivers on lands managed by the BLM and NPS as wild, scenic, or recreational rivers for protection under the Wild and Scenic Rivers Act. The Department supports the designation of the proposed river segments, but we strongly encourage the sponsors and Subcommittee to adopt the standard designation language that has been used by Congress for decades. In addition, we would like to work on time frames, mapping requirements, and technical amendments to this title for consistency with the Wild and Scenic Rivers Act, including language identifying beginning and ending points for individual river segments, ensuring standard protective corridors, and enhancing manageability.

## **Division B – Land Management & Economic Development**

### ***School Trust Land Consolidations***

Title I of Division B proposes the exchange of approximately 328,000 acres of Federal land and approximately 5,700 acres of Federal mineral estate to the State of Utah, and approximately 288,000 acres of State land and approximately 8,000 acres of State mineral estate to the United States. This title, however, is unacceptable as currently drafted as it does not include public interest determinations according to standard practice under FLPMA, complete environmental and cultural review, standard appraisal language, or equalization of values – four provisions that are critical on any land exchange because they provide for public engagement and opportunities to consider mitigation for impacts to environmental and cultural resources, and to help ensure that unknown and unforeseen issues are not overlooked.

While Congress has in the past determined that individual land exchanges are in the public interest, this generally occurs when the BLM has already had an opportunity to identify the parcels as potentially suitable for disposal through the land use planning process. Based on an initial review of the final legislative maps, it is not yet clear whether that is the case in this situation. In addition, some of the lands proposed for exchange out of Federal management in the bill contain sensitive cultural, paleontological, and natural resources and recreational uses, and active oil and gas leases. The BLM does not typically exchange such lands out of Federal

ownership and seeks to ensure continued protection of these important resources. Moreover, the Department is concerned about the potential effects of the proposed exchange on valid existing rights and grandfathered uses. Therefore, the Department opposes the proposed exchange as currently written and urges the sponsors to adopt standard language regarding public interest determinations according to standard practice under FLPMA, complete NEPA and cultural review, appraisals, and equalization of values. The Department would also like to work with the sponsors on additional amendments, including potential boundary adjustments for manageability and to ensure protection of important resources, time frames, and language ensuring that royalties for potash and oil and gas are consistent with existing law. The Department also believes that Federal land should not be used to pay for the administrative costs of the exchange, and we would like to work with Congress to ensure that the BLM has the resources needed to implement this title. Additionally, the Department notes that the Book Cliffs roadless area mineral withdrawal provision is unclear as currently written, and we are unsure if it would achieve its intended purpose. We would like to work with the sponsors to clarify this language to ensure continued protection of the important wildlife habitat and natural resources of this area.

Finally, the Department notes that section 103(g) of this title may threaten the Federal reserved water right for Arches National Park, which was negotiated and finalized by the State of Utah and the NPS a year ago to protect seeps, springs, and streams in the park. The Arches Federal reserved water right extends within the Entrada formation underneath a block of parcels to be exchanged west of Arches. The Department would like to work with the sponsors and Subcommittee on language ensuring that the exchange does not adversely impact this important agreement.

#### ***Land Transfers, Conveyances, & Disposals***

Title II of Division B requires the conveyance, at no cost, of nearly 10,000 acres of BLM-managed lands to the State of Utah to expand the Goblin Valley State Park. It also requires that the BLM, at the State of Utah's request, enter into a cooperative agreement whereby approximately 153,000 acres of BLM-managed land surrounding the enlarged park would appear to be managed by the Utah State Parks and Recreation Division of the Department of Natural Resources.

In the past, the Department has supported minor conveyances for the expansion or establishment of public parks in various western states. We would like the opportunity to work with the sponsors and Subcommittee to address a number of concerns with the proposed Goblin Valley State Park conveyance, including boundaries, the presence of occupied endangered species habitat, conflicts with wild horse herd management areas and unpatented mining claims, and investments made in recent years by the BLM. The Department would also like to work with the sponsors on time frames and language ensuring consistency with the R&PP Act and other applicable laws. The Department also believes that legislation establishing a Cooperative Management Area (CMA) for the lands surrounding Goblin Valley State Park is unnecessary. The BLM has a long record of successfully using cooperative agreements for the management of public lands in Utah, such as the Sand Flats Recreation Area near Moab, without the need for implementing legislation.

Title III of Division B would exchange approximately 13,300 acres of Federal land in Carbon County, Utah, to the State of Utah and approximately 15,000 acres of State land in Grand and San Juan Counties, Utah, to the United States for the purpose of creating the Price Canyon State Forest. The Department opposes this title as drafted because the exchange includes the BLM-managed Price Canyon Recreation Site, located just north of the cities of Helper and Price, Utah, which is popular with the public and has substantial recreation use. The BLM has invested more than \$1 million in recent years to improve access and infrastructure for public use at this site. In addition, the exchange does not include public interest determinations under FLPMA, complete environmental and cultural review, standard appraisal language, or equalization of values. As discussed above, these elements are critical for successful land exchanges. The Department strongly encourages the sponsors to adopt standard language regarding public interest determinations under FLPMA, complete environmental and cultural review, appraisals, and equalization of values. The Department would also like to work with the sponsors on additional amendments, including boundary adjustments for manageability and to ensure protection of important resources, and time frames.

Title V of Division B deals with longstanding encroachment and reservoir boundary issues on Bureau of Reclamation (BOR) managed lands at Scofield Reservoir. While the requirement to secure properties within the flood surcharge elevation at Scofield is constructive, the bill's language places long-term responsibility on the BOR to monitor and enforce these requirements, which could pose a significant budgetary impact. The Department continues to have concerns about the safety of the facility with the structures located in the surcharge space. Separately, section 503(d)(5)(C) places responsibility for administrative costs to the subject lands with Carbon County; BOR would implement this provision under the terms of a mutual agreement with the county. The Department continues to have concerns with the trust fund as indicated in earlier testimony, and we look forward to working with the Subcommittee to further refine that provision.

Title VI of Division B would transfer 20 parcels of public land – encompassing approximately 18,000 acres – to various State and local governmental entities for a variety of purposes. As discussed above, the Department has previously supported legislated, no-cost public purpose conveyances if they meet standards under the R&PP Act and are determined to be appropriate for transfer out of Federal ownership. While many of these parcels may be appropriate for transfer if additional conditions are satisfied, others may not be for various reasons, including the presence of significant natural and cultural resources, lack of a well-defined public purpose, acreage inappropriate for the intended use, conflicts with wildernesses proposed by Title I of Division A, and conflicts with current uses such as recreation or mineral development. In addition, numerous parcels are encumbered by withdrawals for public water reserves, water supply, and power site reserves. The Department appreciates the sponsors' work to address concerns with other parcels proposed for transfer in earlier public discussion drafts, including the Sand Flats, Fantasy Canyon, and Dugout Ranch areas. The Department would like to work with the sponsors on additional amendments, boundary adjustments for manageability and protection of sensitive resources, time frames, mapping requirements, language ensuring consistency with the R&PP Act and NEPA, including the addition of standard reversionary clause provisions.



Title VII of Division B would require the Secretary to dispose of approximately 5,400 acres of BLM-managed lands, subject to valid existing rights, within two years of enactment. While sale of some of these parcels may be appropriate if undertaken consistent with section 203 of FLPMA (including environmental review, public participation, and appraisals), other parcels should remain in Federal ownership. We encourage the sponsors to consider an approach for land disposals similar to those outlined in the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432) and the Owyhee Public Land Management provisions of Public Law 111-11, and we would like to work with the sponsors on time frames and language ensuring consistency with FLPMA and NEPA, should disposal of some of these parcels be appropriate and consistent with the purposes of FLPMA.

***Recreation & Trails***

Title VIII of Division B would designate 13 new recreation zones on approximately 414,500 acres of BLM-managed public lands. The Department notes that the BLM already manages all or major portions of the proposed zones as either Special Recreation Management Areas (SRMAs) or open OHV areas, which were established in the relevant land use plan through a public process. It is unclear how the designation of the proposed zones would differ from the existing administrative designations. Further discussion would be necessary to understand the purpose and need for the proposed zones.

Additionally, Section 815 of this title would designate the Hole-in-the-Rock Trail as a National Historic Trail under the National Trails System Act. This trail would traverse approximately 120 miles of BLM and NPS-managed lands. While the Department supports the designation of this trail as a National Historic Trail, we note that the route depicted on the legislative map accompanying the bill is very general. We would like to work with the sponsors to prepare an updated map depicting the exact location of the trail. Moreover, we are extremely concerned that portions of this trail, which would be designated to “promote motorized and non-motorized uses,” would bisect the proposed Cedar Mesa Wilderness. The Department strongly opposes such a provision on motorized and mechanized use within wilderness as it is counter to the purposes for which wilderness areas were established, and we would like to work with the sponsors and Subcommittee on additional amendments, including boundary adjustments for clarity and language ensuring consistency with the National Trails System Act.

Title VIII of Division B includes language regarding Recapture Canyon (section 816) and the Big Burrito Non-Motorized Trail (section 817). Section 816 would approve San Juan County’s application for a FLPMA Title V right-of-way in Recapture Canyon and outline the purposes for this right-of-way. The BLM is currently going through a public process to evaluate potential trails and routes through this area of rich archaeological treasures that was home to Ancestral Puebloans. A draft environmental assessment for these potential trails and routes was released on September 9, 2016. The Department opposes this section. Section 817 exempts the proposed 9.3-mile Big Burrito Non-Motorized Trail from administrative or judicial review, presumably in perpetuity. The Department notes that the BLM established this trail through a public process and that it is in use today; the purpose of this language is unclear and cannot be supported in its current form.

Title IX of Division B would establish the Red Rock Country Off-Highway Vehicle (OHV) Trail, a 90-mile motorized recreation trail in Grand County, Utah. The Department has supported similar efforts in the past and, with some alterations, could support this effort.

***Tribal Mineral Transfer***

Title X of Division B would transfer minerals beneath a portion of the Uintah and Ouray Indian Reservation to the Ute Tribe and would direct that all split estate lands and minerals that are currently managed by a Federal agency be held in trust for the Tribe. This title also transfers the Federal minerals beneath a portion of the Navajo Nation to the Utah Navajo Trust Fund and modifies the royalty payment due to the State of Utah. The Department notes that the intent of the provisions in this title is unclear, and we would like to work with the sponsors and Subcommittee to get a better understanding of the purpose and vision for this title.

***Energy Permitting & Development***

The Department oversees a robust oil and gas development program on Federal lands in Utah, and we are proud of the BLM's safe and effective management of this important energy source. As of the end of FY 2015, BLM Utah managed nearly 9,000 wells on over 1.1 million acres that are currently producing oil and gas resources in the state. In FY 2015 on BLM-managed lands in Utah, the agency approved three times more drilling permits (847) than were actually drilled (218). As of the end of FY 2015, 2000 drilling permits are ready for use without any further action by the BLM. To date in FY 2016, 243 applications for permit to drill were approved, but only 14 were drilled. In light of this strong performance and the agency's long history of successful management of mineral resources, the Department strongly opposes Title XI of Division B, which authorizes the State of Utah to take over the permitting processes, regulatory requirements, and development of all energy sources on Federal lands within Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties, Utah. This title is also contrary to the BLM's multiple use and sustained yield mission and ignores critical public participation components of the land use planning process, including NEPA and other laws.

***Highway Rights-of-Way***

Title XII of Division B would recognize the existence and validity of certain claims of "Class B" road rights-of-way in Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties, Utah, that were paved as of January 1, 2016. In addition, the Secretary would be required to convey to the State of Utah easements across Federal lands for the current disturbed widths of these purported roads. This title would also require the Secretary to grant perpetual, no-cost rights-of-way for certain "Class D" roads claimed by Uintah County.

The Department recognizes the enormous scope and importance of this issue both to the people of Utah and to successful public land management. However, we have broad concerns with this title because most, if not all, of the claimed routes are currently subject to active litigation and many are located in sensitive resource areas, including priority sage-grouse habitat and specially designated areas. As a matter of policy, we do not believe that R.S. 2477 rights-of-way asserted by the State should be automatically recognized as valid and existing rights-of-way. In establishing the validity of an R.S. 2477 claim through the judicial process, the burden of proof is on the claimant to demonstrate that they have satisfied the applicable legal standard. In contrast, this title's recognition of all county assertions as valid would reverse existing legal

precedent and would establish perpetual rights over public lands without applying applicable legal tests. Further dialog and coordination are needed before the Department could consider a legislative approach to this complex issue.

### ***Grazing***

The Department strongly opposes Title XIII of Division B, which would require that grazing on all Federal lands in Summit, Duchesne, Uintah, Grand, Emery, Carbon, and San Juan Counties, Utah, continue at current permitted levels. Although this title includes an exception for “extreme range conditions where water and forage are not available,” this language is unclear and could prevent the BLM from addressing deteriorating range conditions. Given the broad scope of this language, the Department may identify additional concerns as we continue our analysis. The Department also does not support managing rangelands according to arbitrary targets of use, which may be inappropriate depending on resource condition. As we have previously testified, the Department instead supports management of rangelands by adjusting targets of use according to resource conditions and through transparent processes, working with the affected permittees and the public under the principles of multiple use and sustained yield. In addition, this title includes language directing that public grazing lands, including areas outside of those otherwise designated by this title, that have “reduced or eliminated grazing shall be reviewed and managed to support grazing at an economically viable level.” The Department strongly opposes this language because it is inconsistent with the BLM’s multiple use and sustained yield mission and ignores critical public participation components of the land use planning process, including FLPMA, NEPA, and other laws. Furthermore, this language could inadvertently undermine the application of the Congressional Grazing Guidelines to the wildernesses proposed under Title I of Division A.

Title XIII of Division B also includes language on bighorn sheep management. This language is contrary to BLM policy guidance on improving coordination and management of bighorn sheep habitat to minimize conflicts with domestic sheep and goats released in March 2016, which reflects extensive public outreach and input, represents a thoughtful management approach, and is aligned with USFS policy and efforts on this issue. The Department opposes this provision because it would limit the BLM’s efforts to sustain and manage bighorn sheep populations on public lands.

### **Division C – Advisory Committee**

H.R. 5780 would establish a “Public Lands Initiative Planning and Implementation Advisory Committee” (PLI Advisory Council) and would require the Secretary to consult and coordinate with this committee in developing management plans for many of the designations proposed in the bill, including NCAs, SMAs, the Jurassic National Monument, and the Hole-in-the-Rock Trail. Under this title, in the event this council’s recommendations on the management plans are not adopted, the Secretary would be required to provide a written explanation to Congress outlining the reasons for rejecting the recommendations.

The Department has supported advisory councils for many NCAs and National Monuments, and we believe that the local input and involvement that they provide is beneficial in the management of public lands. Based on an initial review of the bill, however, it is unclear if this advisory committee would be consistent with both FACA and with other advisory councils for BLM-

managed NCAs and National Monuments. The Department would like to work with the sponsors and the Subcommittee on language ensuring that the PLI Advisory Council meets these elements, which we believe would be essential for it to function effectively. The Department also encourages the sponsors to consider incorporating other advisory councils established by the bill into the PLI Advisory Council – perhaps through subcommittees or other mechanisms – which we believe will be beneficial for the participants and the agencies involved.

#### **Division D – Bears Ears National Conservation Area**

The Bears Ears area of southeastern Utah is a unique landscape that combines extraordinary natural features, irreplaceable cultural resources, and areas of great importance to a number of Tribes. It has been proposed for protection by members of Congress, Secretaries of the Interior, State and Tribal leaders, and local conservationists for at least 80 years.

This region contains some of the most significant cultural and natural resources anywhere in the West, with thousands of vulnerable cultural and archaeological sites spanning thousands of years – from the Paleoindian Period 12,000 years ago to Mormon pioneers in the 1800s. Visitors to this remarkable area are rewarded with spectacular canyon vistas surrounded by high mesa tops dotted with juniper trees and pinyon pines. Hikes into the canyons reveal ancient cliff dwellings, kivas, and rock art left by the Ancestral Puebloans more than a thousand years ago.

H.R. 5780 establishes two new NCAs encompassing a total of nearly 1.3 million acres of BLM-, NPS-, and USFS-managed lands in this part of San Juan County – the approximately 858,000-acre Bears Ears NCA and the approximately 434,000-acre Indian Creek NCA. The Bears Ears NCA represents the largest of the proposed NCAs in H.R. 5780. The Department notes that the same unacceptable and nonstandard management language that applies to the other proposed NCAs would also apply to the Bears Ears NCA, including the omission of language that permits only those uses compatible with the conservation purposes for which the area is to be designated. While the bill does provide for additional opportunities for Tribal and other stakeholder input into the management planning process, it does not appear to contain the cooperative management language that the Tribes have requested, and we encourage the sponsors to continue to reach out to the Tribes directly for their input. The Department would like the opportunity to work with the sponsors on the care and protection of the world-class cultural and natural resources of the area and on additional amendments regarding definitions, time frames, management plan development, mapping requirements, and boundary adjustments for manageability.

#### **Conclusion**

The Department of the Interior greatly appreciates the sponsors' ambitious effort to address difficult resource and land management issues in eastern Utah and supports many of the goals of H.R. 5780. However, the Department opposes this bill in its current form for the reasons articulated above. The Department has a number of substantive as well as additional modifications to recommend, and we look forward to continuing to work with the sponsor and the Subcommittee to address those issues.

**PROPOSAL TO PRESIDENT BARACK OBAMA FOR THE CREATION OF BEARS EARS NATIONAL MONUMENT**

The Inter-Tribal Coalition has submitted this proposal to give ample time for the President to review and hopefully sign a proclamation under the Antiquities Act, or allow time for Representatives Bishop and Chaffetz to review the proposal and present their own plan. (pg. 19)

**PROPOSALS and ASKS**

**Monument Boundaries:**

- The Inter-Tribal Coalition would like to meet with departmental officials to explain the reasoning and appropriateness behind the proposed boundaries. (pg. 20)

**Collaborative Management:**

- The Agencies and the Tribes shall collaborate jointly on all procedures, decisions, and other activities except as otherwise provided in the Proclamation. (pg. 22)
- In the case of impasse or undue delay, the Agencies and the Tribes shall proceed to appropriate mediation. If such mediation fails, the Secretary of Interior or the Secretary of Agriculture shall in a written opinion explaining the reasons, make the relevant decisions. (pg. 22)

**The Bears Ears Management Commission and the Monument Manager:**

- **Management Commission:** This Commission would be the policy making and planning body for the monument. It would be a federally-created entity but not a federal agency. It would have eight members, one from each Tribe and one from each Federal agency. The Tribal members would receive salaries. The Commission members would choose a chairperson. The Commission would report to the Secretaries annually on the success of administering the monument and on plans and needs for the upcoming year. (pg. 29)
- **Monument Manager:** The Manager would be hired, and could be fired, by the Commission. The Commission will set performance standards for the Manager and conduct annual performance reviews. The Commission chairperson will have the direct supervisory relationship with the Manager. The Manager would report directly to the Commission. Senior staff and operational staff will be hired by the Manager. Monument offices should be located in the best location for visitors to the monument. (pg. 29)
- The Bears Ears presidential proclamation should direct agencies to use their best efforts to provide funding under the Indian Self-Determination statutes and other authorities for collaborative Management at Bears Ears. (pg. 30)
- The BLM, Forest Service, and Park Service should work together with the Tribes and manage Bears Ears as one, with, for example, the management plan and operations generally applying throughout the monument. (pg. 30)

**Monument Planning and Operations:**

- The management plan would be developed by Monument staff, with the Commission providing specific direction to staff regarding plan design and content, as well as review throughout the process of plan development. Members of the public and other key stakeholders would have ample opportunity to contribute to the development of the plan through normal NEPA



processes. Presumably, the proclamation would direct that this plan be completed within the customary three years. (pg. 30)

- Commission members will develop day-to-day operations procedures. The Manager will be responsible for day-to-day operations and designing an organization that accounts for basic functional areas. (pg. 31)
- This proposed monument will be open to all members of the public. (pg. 31)

**Possible Opportunities:**

- Opportunity to develop a world-class program or institute in Traditional Knowledge at the proposed monument. (pg. 31)
- Collaboration in traditional map art. (pg. 32-33)
- Opportunity to truly infuse Native values into public lands administration by pulling upon both indigenous knowledge and Western science. (pg. 33)

**Federal-Tribal Agreements Supplemental to the Proclamation:**

- The Commission and Manager would benefit from MOAs or MOUs, created before or shortly after the proclamation, to chart out the nuts and bolts of their relationship. (pg. 34)
- To secure funding for the Commission over the long term, the proclamation should encourage contracting and compacting under the Tribal Self-Governance Act and other statutes. (pg. 34)

**Threats to the Bears Ears landscape:**

- All existing mineral rights should be honored, but future mining should be prohibited. (pg. 35)
- A major objective of the proclamation should be to keep most of Bears Ears road-less. (pg. 35)
- Monument status would lead to better management of off-road vehicle use, looting, and grave robbing. (pg. 35)

**Uses to be Resolved in the Proclamation:**

(pg. 36-37)

- A permanent withdrawal from the mining laws, for both location and leasing, of all lands within the monument.
- A permanent withdrawal from all other forms of leasing, selections, sales, exchange, and other forms of disposition under the public land laws, other than those exchanges that further the purposes of the monument.
- Motorized vehicle use should be permitted only on designated roads. Non-motorized mechanized vehicle use should be permitted only on roads and trails designated for their use consistent with the purposes of the monument. The management plan directed by the proclamation should include a transportation plan designating the roads and trails available for motorized or nonmotorized vehicle uses.
- State of Utah and Ute Mountain Ute hunting and fishing laws should continue to apply within the monument.
- The Secretaries should be directed, upon request of the State of Utah, to negotiate with the state for an exchange of the state inholdings within the monument.
- The Secretaries should be authorized to draft regulations specifically governing matters related to the monument.
- The proclamation should provide for Collaborative Management, hopefully in the fashion that we have recommended in this proposal.
- The Secretaries should, working jointly with the Bears Ears Inter-Tribal Management Commission, be directed, within three years, to complete a management plan setting forth

requirements for the proper care and management so that all monument uses will proceed in a manner fully consistent with the purposes of the monument. The management plan should, to the maximum extent permitted by law, ensure the protection of Native American sacred and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional and cultural uses, including gathering of minerals, medicines, berries and other vegetation, forest products, and firewood.

- Grazing under existing permits or leases should continue under existing law.
- Firewood gathering should continue under current management proscriptions and then be subject to such provisions as adopted in the management plan.
- The monument should be added to the National Landscape Conservation System.
- There will also be several standard proclamation provisions, mostly relating to protecting existing rights, generally and specifically protecting Tribal rights, Federal withdrawals, rights of inholders, and existing water rights.

**Uses to be Addressed in the Management Plan:**

- With management standards in place, the Secretaries and the Commission will collaboratively administer and enforce the standards in the management plan. The management plan would also address non-regulatory matters such as scientific studies, including archaeology. (pg. 38)

## Herbert Looking for Options to Stop Bears Ears Monument

Written by Bob Bernick, Contributing Editor

Category: Today at Utah Policy

Created: 07 September 2016

Watch for GOP Gov. Gary Herbert to take some kind of compromise land use plan to Democrat President Barack Obama soon to stop the president from declaring the Bears Ears area of southeastern Utah a national monument.

“I have a plan,” said Herbert at the end of his half-hour news conference. “But I want to talk to (Obama administration officials) first before (they) see it in the press.”

Herbert declined to be specific about his plan at his monthly KUED Channel 7 press conference with local reporters.

But Herbert said he would “soon” go back to Washington, D.C., to meet with Interior Secretary Sally Jewell and Bureau of Land Management Director Neil Kornze “face to face” to present some kind of alternative – most likely a compromise between an Obama 1.9 million acre national monument and the 18 million acre land swap/wilderness protection proposal outlined in Rep. Rob Bishop’s Public Land Initiative, or PLI.

There are only a few more weeks of congressional work before the November election, and there is little chance that Bishop’s and Rep. Jason Chaffetz PLI will even get a House vote, much less pass the Senate.

There will be a lame duck post-election congressional session, but usually, those don’t produce significant legislation.

Obama has the power to create national monuments on his own, and most recently expanded a marine preserve in his native state of Hawaii.

Herbert, Utah’s congressional delegation, and Republican Utah Legislators have been pounding on Obama not to create a national monument in the Bears Ears area before the president leaves office in early January.

While national conservation groups and some Native American organizations want the monument.

Many federal watchers say the national monument is coming – as Obama is not well liked in deep red Utah and has nothing to lose politically here.

“There are better ways to approach” the protection of Bears Ears, Herbert told reporters.

“I want to ameliorate the confrontation aspect” of the Bears Ears issue – which has pitted some Native Americans against each other, rural Utah against the Wasatch Front and so on.

A recent UtahPolicy poll by Dan Jones & Associates finds that only 19 percent of Utahns want Obama to create a national monument, while several out-of-state, environmentalist surveys show just the opposite – that most Utahns want a Bears Ears national monument.

To say the least, the issue has divided many Utahns, for and against the monument.

But politically speaking Herbert has little leverage with Obama – and basically must rely on the president to agree to some sort of compromise that falls short of a national monument designation.

Perhaps Herbert could offer that Utah state government pick up some of the costs of monument designation – which includes more federal oversight than regular BLM operations.

The governor could also attempt to give local Native Americans – many who see Bears Ears as a spiritual domain – some governance of a “conservation area” – a designation distinction that is allowed under current BLM rules, but which has rarely been used by the Bureau before.

“Hopefully, the PLI can be passed” before Congress adjourns in December, said Herbert. “Then we would (protect) 18 million acres” across eastern and southeastern Utah, “not just 1.9 million acres” in the Obama suggested national monument.

Another national monument in Utah “just creates more problems” of land management, said Herbert.

Former Democratic President Bill Clinton created the Grand Staircase-Escalante National Monument in south-central Utah in 1996 – much to the dislike of many Utah GOP officials.

Last year there were a reported 1,400 “violations” within Grand Staircase by visitors and others, said Herbert, while there were only five violations in the Bears Ears area – mainly because few people visit Bears Ears now because it is not a national monument and is off the beaten path.

Stay tuned, Herbert told reporters as he walked out of the KUED studios – the issue of Bears Ears is still evolving.

# Congress can still avoid a Bears Ears National Monument, says Rep. Jason Chaffetz

By Thomas Burr The Salt Lake Tribune  
Published: September 15, 2016 08:24AM  
Updated: September 14, 2016 09:05PM

## **Public Lands Initiative • Despite protests by environmentalists and federal agencies, GOP congressmen push an alternate plan.**

Washington • Congress still has time to pass legislation to preserve parts of the Bears Ears region in southeastern Utah — and halt a national monument designation — before year's end, one of the sponsors said Wednesday.

“We’re moving at a record pace for Congress,” Rep. Jason Chaffetz, R-Utah, said as a House Natural Resources subcommittee took up the bill. “We’ll be back in November and December, and there’s lots of legislation that will move at that time.”

The Public Lands Initiative (PLI), sponsored by Chaffetz and Rep. Rob Bishop, who heads the Natural Resources Committee, would preserve 4.6 million acres of federal land as conservation areas, open more than 1.1 million acres for recreation and mineral development, consolidate more than 300,000 acres of state lands and expand Arches National Park by nearly 20,000 acres.

The proposal, which has earned a strong rebuke from environmental groups and opposition from federal agencies, is aimed at stopping President Barack Obama from using his unilateral power to name a national monument to protect some 1.8 million acres of federal land as some tribal leaders and conservationists have requested.

But time is running out.

Congress has only a few weeks left before adjourning so its members can campaign for re-election. And the PLI has yet to receive a full committee hearing, let alone votes in the House or Senate.

Democrats say the PLI is more of a distraction than an actual solution.

“This is not a legislative proposal that is going to be passed by the Senate or signed by the president,” said Rep. Niki Tsongas, D-Mass., adding, “It could be said that this is a wolf in sheep’s clothing.”



Rep. Raul Grijalva, D-Ariz., and the top Democrat on the committee, praised the concept of the PLI, bringing groups together to negotiate public land policy, but said the resulting legislation “tilts the scale dramatically” in favor of development and motorized-vehicle access.

“Unfortunately,” Grijalva said, “this bill that resulted from this process is a nonstarter.”

In Wednesday’s hearing, officials from the Bureau of Land Management and the U.S. Forest Service said they applauded the effort to create a consensus bill but noted they opposed the legislation as written because it didn’t strike that balance.

BLM Director Neil Kornze said the measure “undermines” the agency’s authority to protect the region.

Republicans on the subcommittee pushed back against PLI foes, at one point questioning a monument supporter about her non-Utah residence.

Rep. Tom McClintock, R-Calif., and chairman of the public lands subcommittee, said a monument designation, should it happen, would be aimed only at appeasing “out of state interests.”

“I’m not sure who[m] President Obama thinks he’s accountable to,” McClintock said, “but, here in Congress, we think it’s our constituents.”

San Juan County Commissioner Rebecca Benally, a Navajo and PLI proponent, said the federal government has long bullied Native Americans, and now environmentalists and “their corporate benefactors” are doing so.

“The Bears Ears National Monument campaign is a cynical political stunt that, if successful, will deny grass-roots Utah Navajos access to their sacred and spiritual grounds,” Benally testified.

Bishop noted more than 1,200 meetings on the bill as well as discussion with all sides of the public lands debate to come up with the legislation and said it was a much more collaborative effort than any presidential designation.

“This is not the hearing; it is a hearing,” Bishop said. “We’ve had meetings for five years on this bill.”

During the discussion, Chaffetz said it was wrong for outside interests to push for land-management decisions in someone else’s backyard.

“That’s not the way it should be,” Chaffetz said. “It’s arrogant, it’s offensive, and it shouldn’t be tolerated by this Congress.”

The Western Values Project said in a report Wednesday that Bishop’s legislative record shows he cannot pass complex bills in such a short time span. On average, the group said, Bishop has passed about one bill per year and only six

bills during his 14-year tenure have passed in less than six months, including one naming a post office and another transferring a few acres. The bills also included emergency funds after Hurricane Sandy and to address Puerto Rico's debt crisis.

The PLI is 215 pages and isn't simple in the slightest, the group said.

"It is infinitely more complicated than naming post offices, transferring small amounts of lands to local control, or passing urgently needed emergency funding to address natural disasters or financial crises," Western Values Project said in the report.

Bishop says there's plenty of time left.

"There is a helluva long lame-duck session," he said in an interview. "We're going to be here from after the election to Christmas."

He said he doesn't know if movement on the PLI will stop the president from acting on a monument but that the White House would be hard-pressed to explain why it made such a move against a locally driven process.

Bishop said: "It's going to be very difficult to make this monument unless it's simply, 'Screw you, Utah, in your face.' "

**FOR IMMEDIATE RELEASE**

Monday, September 19, 2016

**Utah Navajo to Voice Opposition to Monument Designation**

WASHINGTON - On Wednesday, September 21, at 4:00 p.m. EDT, the Utah congressional delegation, Utah Gov. Gary Herbert, and members of the Navajo Nation from Utah, will hold a press conference at the Capitol Swamp highlighting united state and local opposition to a national monument designation in southwest Utah.

Earlier in the day, members of the Aneth Chapter of the Navajo Nation and the Blue Mountain Dine' will deliver an opposition packet to Interior Secretary Sally Jewell that includes:

- A resolution from the Blue Mountain Dine' opposing the proposed Bears Ears National Monument.
- A petition from the Descendants of Kaayelii opposing the proposed Bears Ears National Monument.
- A resolution from the Aneth Chapter of the Navajo Nation opposing the proposed Bears Ears National Monument
- A resolution from the City of Blanding, Utah opposing the proposed Bears Ears National Monument.
- A resolution from the City of Monticello opposing the proposed Bears Ears National Monument.
- A resolution from the San Juan County Board of Commissioners opposing the proposed Bears Ears National Monument.
- A letter from the Utah Wildlife Board opposing the proposed Bears Ears National Monument.
- A resolution from the Utah State Legislature opposing the unilateral use of the Antiquities Act in Utah.

**Members of the media wishing to attend the event must RSVP to Emily Long  
(Emily\_Long@lee.senate.gov).**

**Who**

Navajo residents of Utah Lewis and Donna Singer, Susie Philemon, and Danielle Shirley  
Utah Governor Gary Herbert  
Senator Orrin Hatch (R-UT)

Senator Mike Lee (R-UT)  
Representative Rob Bishop (R-UT)  
Representative Chris Stewart (R-UT)  
Representative Mia Love (R-UT)

**What**

Local resident opposition to national monument designation in southwest Utah.

**When**

Wednesday, Sept. 21, 2016 at 4:00 p.m. EDT

**Where**

Capitol Swamp

*Communications Director*

Conn Carroll

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###

**Statement of  
Neil Kornze  
Director  
Bureau of Land Management, U.S. Department of the Interior  
House Committee on Natural Resources  
Subcommittee on Federal Lands  
H.R. 5780, Utah Public Lands Initiative Act  
September 14, 2016**

Thank you for the opportunity to testify on H.R. 5780, the Utah Public Lands Initiative Act, which is a sweeping bill that provides direction for the future management and use of Federal lands within Summit, Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties in eastern Utah. H.R. 5780 establishes numerous public land units that are somewhat similar to existing conservation designations, including 41 wilderness areas, 11 National Conservation Areas (NCAs), six Special Management Areas (SMAs), a National Monument, approximately 357 miles of Wild and Scenic Rivers, an approximately 120-mile National Historic Trail, and an expansion of Arches National Park on lands currently managed by the Bureau of Land Management (BLM), National Park Service (NPS), and U.S. Forest Service (USFS). The bill also proposes a large-scale land exchange with the State of Utah's School and Institutional Trust Lands Administration (SITLA), directs a number of land conveyances, requires the sale of some public lands, designates 13 recreation zones, and establishes an off-highway vehicle (OHV) trail. Finally, H.R. 5780 includes several land management provisions that would transfer the BLM's permitting authority for all energy development to the State of Utah, require that grazing continue at current permitted levels in perpetuity, restore grazing in areas where it has been reduced or eliminated for resource protection, and grant perpetual, no-cost rights-of-way for certain roads claimed by counties and the State of Utah.

The Department of the Interior (Department) sincerely appreciates the sponsors' efforts to address a broad range of challenging resource and management issues in eastern Utah. Due to the length and complexity of the bill, this testimony will briefly summarize the views of the Department. While the Department supports many of the goals of H.R. 5780, we have significant concerns with numerous provisions and are opposed to the bill as it is currently written. In particular, the Department opposes the nonstandard management language for many of the proposed conservation and special management designations, which are repeated throughout the bill and would result in significantly less protection than in other similarly-designated areas. Additionally, the Department strongly opposes the unprecedented language transferring all energy development and permitting authority within the affected counties from the Federal government to the State of Utah, proposed limits on the BLM's management of grazing, and the automatic granting of Revised Statute (R.S.) 2477 right-of-way claims that are currently subject to active litigation with no showing that they have satisfied applicable legal standards. A number of additional important concerns are detailed below. We defer to the U.S. Department of Agriculture regarding provisions in the bill concerning the lands and interests in lands under their administration.



## **Background**

Eastern Utah is a land of spectacular natural beauty, important historical resources, and areas of special significance to a number of Tribes. The lands managed by the BLM and NPS in this region range from rolling uplands and snow-capped peaks to free-flowing rivers and colorful red-rock canyons. This varied and magnificent terrain provides habitat for a variety of wildlife, including mule deer, pronghorn antelope, bison, and several sensitive bird and fish species. The southeastern portion of this area, in particular, also contains thousands of vulnerable cultural and archaeological sites, including well-preserved cliff dwellings and rock art. Home to premier recreation hubs like Moab, the public lands in eastern Utah provide popular destinations for outdoor enthusiasts, including off-highway vehicle users, hikers, mountain bikers, rock climbers, and hunters. Many of these public lands also provide opportunities for grazing, energy development, and other commercial activities.

## **Division A – Conservation & Special Management Designations**

### ***Wilderness***

Title I of Division A would designate 41 new wilderness areas on over 2.4 million acres of Federal land in Summit, Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties in eastern Utah. The designations are on lands managed primarily by the BLM (over 1.56 million acres), but also include lands managed by the NPS (over 469,000 acres) and the USFS (over 119,000 acres). The BLM-managed lands that would be designated as wilderness by H.R. 5780 include areas of stunning beauty, secluded places offering opportunities for solitude, and important wildlife habitat. For example, the proposed Cedar Mesa Wilderness contains an extensive canyon system that features spectacular sandstone cliffs and pinnacles and an abundance of cliff dwellings and other archeological resources. This area's striking scenery provides an exceptional opportunity for primitive recreation, including hiking, photography, and horse packing. Similarly, the proposed Crack Canyon Wilderness includes colorful badlands of eroded soils, cliffs, and rock monuments, including fins which form a sawtooth sandstone ridge, and knobs, caves, and arches. Scenic, geologic, and archaeological features and wildlife habitat in this area are remarkable, and the narrow, twisting canyons offer outstanding opportunities for primitive recreation.

We recognize the hard work of the sponsors and other members of the Utah delegation in seeking consensus on BLM and NPS wilderness designations and Wilderness Study Area (WSA) releases. We believe that the areas identified in the bill could be managed as wilderness. However, the Department is very concerned that the bill, as currently written, contains language that would prevent the effective management of these areas for their wilderness values. For example, Title I of Division A would permit motorized access within all of the proposed wilderness areas for the maintenance of future water infrastructure, a provision that is ambiguous and could be interpreted to permit broad manipulation of the hydrology of the landscape. The Department strongly opposes this troubling exception to the Wilderness Act of 1964. It is without precedent for BLM- and NPS-managed wildernesses, would undermine each agency's ability to protect, enhance, and maintain wilderness values and opportunities for the public, and is at odds with one of the core values associated with wilderness – to prohibit the use of motorized equipment. The Department notes that the Congressional Grazing Guidelines, outlined in Appendix A of the report accompanying H.R. 2570 of the 101st Congress and H.R.

5487 of the 96th Congress, already provide for a specific, generous management approach that has worked well for grazing within BLM-administered wilderness areas.

Additionally, the bill omits essential, standard language requiring that any wildlife water development structures and facilities within the proposed wilderness areas enhance wilderness values and minimize their visual impacts. Moreover, Title I of Division A includes provisions requiring the BLM to maintain trail and fence lines within proposed wilderness and potentially eliminating the Secretary's discretion to permanently close a trail or remove a fence line for resource protection. The Department opposes this language, which would effectively pass the historic responsibility for maintenance of fences from the authorized grazing permittee to the BLM.

In place of the problematic language on wildlife water developments, motorized access to water infrastructure, and trail and fence maintenance within the proposed wilderness areas, we urge the sponsors and the Subcommittee to instead adopt the standard wilderness management language that has been used by Congress for decades, including in the successful Washington County, Utah, conservation bill included as part of the Omnibus Public Land Management Act of 2009 (Public Law 111-11, Subtitle O). The Department would also like the opportunity to work with the sponsors and Subcommittee on a number of additional amendments, including boundary adjustments for manageability and to eliminate overlapping or incompatible designations, time frames, and clarifications regarding outfitting and guide activities, mapping requirements, the jurisdictional coordination of wildfire management, and the role of the Utah Department of Agriculture in BLM grazing administration. In addition, we would like to work on language addressing legacy Primitive Area classifications for the Grand Gulch and Dark Canyon areas.

Title I of Division A also proposes to release nearly 81,000 acres of BLM-managed land from WSA status. While the Department appreciates the use of standard WSA release language in this title, we believe that the Desolation Canyon and Jack Canyon WSAs contain such extraordinary scenic resources and recreational opportunities that protection of those areas is essential. Together with Turtle Canyon, these areas represent the largest complex of unprotected WSAs in the lower 48 states. The extremely rugged terrain of the Desolation Canyon and Jack Canyon WSAs contributes to their scenic quality, remoteness, and habitat for species such as bighorn sheep and raptors, which are sensitive to development. Moreover, these WSAs have an extensive system of deep canyons and feature arches, pinnacles, and other erosional elements not known to occur elsewhere. In addition, the diversity of wildlife within these areas is unusual compared with the public lands surrounding them. We would like the opportunity to work with the sponsors and the Subcommittee on language and boundaries that would ensure the continued protection of outstanding resources in these areas.

Finally, the Department opposes section 110 of this title, which could be construed to prohibit the designation of Class I airsheds under the Clean Air Act for lands proposed as NPS-administered wilderness in the bill. All NPS-administered wilderness areas are currently managed as Class I airsheds, which means that the wildernesses proposed by the bill would be managed to a lesser standard. The Department is particularly concerned that this language would

eliminate or reduce the existing Class I airsheds associated with both Canyonlands National Park and Arches National Park.

***National Conservation Areas***

Title II of Division A designates 11 new NCAs covering more than 1.35 million acres on BLM-managed lands. The spectacular and diverse landscapes of the BLM's National Conservation Lands currently include 21 NCAs nationwide. All of these designations have certain critical elements in common, which have consistently been followed in a bipartisan manner during the Clinton, George W. Bush, and Obama Administrations. These elements include withdrawal from the public land, mining, and mineral leasing laws; limiting off-highway vehicles to roads and trails designated for their use; language that charges the Secretary of the Interior with allowing only those uses that further the conservation purposes for which the NCA is established; and language ensuring that lands within the NCA are managed at a higher level of conservation than lands outside of such designations.

The management language for all 11 NCAs proposed by this title does not comport with these standards and repeatedly makes exceptions that would conflict with the primary objective of conserving the significant natural and cultural resources within the proposed areas. For example, the purposes for which the NCAs are to be established are overly broad. As a result, the BLM would have to manage these areas for purposes that may prevent effective resource protection. The Department urges the sponsors to clearly define the specific resources, objects, and values to be protected for each of the proposed NCAs consistent with the purposes for which the BLM's National Conservation Lands were established. The Department opposes language in the bill requiring that the BLM "recognize and maintain historic uses" of the NCAs because such uses may be incompatible with the protection of resources for which these areas are to be designated.

Title II of Division A also includes unacceptable grazing language that would make it more difficult to achieve rangeland health standards in the proposed NCAs. In fact, this language would create lower standards for grazing in the proposed NCAs than it would on public rangelands that are outside of the proposed conservation units. The Department opposes this grazing language, which not only represents a significant deviation from all other NCA designation laws, but also from the management of grazing on all other public lands. As with the proposed wilderness designations, the Department strongly recommends that the sponsors and Subcommittee adopt the standard NCA management language that Congress has used for decades, including in the Washington County, Utah, provisions of Public Law 111-11.

For the sake of efficient management, the Department also encourages the sponsors to consider designating a single NCA for the lands surrounding the Dinosaur National Monument, which would include the bill's proposed Beach Draw, Diamond Mountain, Docs Valley, Stone Bridge Draw, and Stuntz Draw NCAs and would consist of approximately 44,000 acres of BLM-managed public lands. Manageability and interagency coordination would be improved by combining these five geographically clustered NCAs into a single NCA managed under a single management plan.

The San Rafael Swell, a portion of which is proposed for NCA designation under the bill, is one of the most spectacular areas managed by the BLM. The terrain of this area varies from sheer cliffs and dazzling canyons to more gently carved badlands broken by shallow washes. The fins and folds of the San Rafael Reef jut through the southeast side of the area and feature dramatic cliffs, pinnacles, the knobs of Goblin Valley, twisted canyons, and valleys of stunning colors. Few canyons can compare to the entrenched, narrow gorges of the Black Boxes of the San Rafael River, which twists and turns through the San Rafael Swell. The Department recognizes and applauds the vision of the sponsors to protect this special area. We believe that this vision would be best reflected through the designation of a single NCA encompassing the approximately 750,000 acres proposed as the San Rafael and Muddy Creek NCAs, the proposed Goblin Valley Cooperative Management Area, as well as other adjacent lands that contain similar resources, such as the currently excluded area between the proposed Cedar Mountain and Muddy Creek Wildernesses. Again, a single management plan for this area, consistent with the goals and purposes for which NCAs are designated, would significantly enhance manageability.

Similarly, the Department notes that the proposed Labyrinth Canyon and San Rafael River NCAs are separated only by the Green River. We believe that manageability for these areas would be improved by combining them into a single NCA under a single management plan.

Finally, the Department would like the opportunity to work with the sponsors on a number of additional amendments to this title, including boundary modifications for manageability, time frames, language addressing potentially incompatible overlapping designations, and clarifications and other edits regarding management plan development, mapping requirements, WSA release, and travel management planning.

### ***Special Management Areas***

Title IV of Division A proposes four new Special Management Area (SMA) designations on approximately 108,200 acres of BLM-managed public lands for the Desolation Canyon, Nine Mile Canyon, White River, and Book Cliffs areas, and two other SMAs on approximately 27,400 acres of national forest land. Under the bill, each of these BLM-managed SMAs would be open to oil and gas development at the Secretary's discretion and subject to surface occupancy restrictions. The management guidance that comes with these new designations does not seem to differ greatly from the BLM's existing authorities and management practices. As a result, we do not see a reason to create this new category of public land designations. However, we recognize the significant wildlife, cultural, and other values contained in these areas and would like to work with the sponsors and Subcommittee on provisions that would ensure meaningful protection for these areas.

### ***Arches National Park Expansion***

Title V of Division A adds approximately 19,000 acres to Arches National Park. The Department supports this expansion because management of these lands in accordance with the park's General Management Plan would enhance visitor enjoyment and protect irreplaceable resources, including paleontological resources. The eastern portion of the expansion would contribute significantly to the ability of the NPS to protect principal views from key points within the park. The small southern addition, while within the exterior park boundary, is a BLM Recreation and Public Purposes Act (R&PP Act) lease held by Grand County. The existing

arrangement works well; however, NPS ownership of this area may require changes to current management and recreational use. The Department would like to work with the sponsors and the Subcommittee on additional amendments to this title, including boundary adjustments to address these management challenges.

***Jurassic National Monument***

The BLM currently manages the Cleveland-Lloyd Dinosaur Quarry in Emery County, Utah, to protect and conserve its unique paleontological resources, which includes the densest concentration of Jurassic resources in the world. Title VI of Division A designates this area as an 867-acre National Monument, and the Department applauds the sponsors for putting forward a vision to permanently protect this special place. To ensure adequate conservation of the world-class paleontological resources of this area, the Department would like to work with the sponsors on amendments to ensure consistency with other National Monument designation laws, language limiting motorized and mechanized vehicles to roads and trails designated for their use, time frames, management plan development, mapping requirements, and clarifications that the BLM would manage the proposed National Monument.

***Wild & Scenic Rivers***

Title VII of Division A appears to designate approximately 357 miles of rivers on lands managed by the BLM and NPS as wild, scenic, or recreational rivers for protection under the Wild and Scenic Rivers Act. The Department supports the designation of the proposed river segments, but we strongly encourage the sponsors and Subcommittee to adopt the standard designation language that has been used by Congress for decades. In addition, we would like to work on time frames, mapping requirements, and technical amendments to this title for consistency with the Wild and Scenic Rivers Act, including language identifying beginning and ending points for individual river segments, ensuring standard protective corridors, and enhancing manageability.

**Division B – Land Management & Economic Development**

***School Trust Land Consolidations***

Title I of Division B proposes the exchange of approximately 328,000 acres of Federal land and approximately 5,700 acres of Federal mineral estate to the State of Utah, and approximately 288,000 acres of State land and approximately 8,000 acres of State mineral estate to the United States. This title, however, is unacceptable as currently drafted as it does not include public interest determinations according to standard practice under FLPMA, complete environmental and cultural review, standard appraisal language, or equalization of values – four provisions that are critical on any land exchange because they provide for public engagement and opportunities to consider mitigation for impacts to environmental and cultural resources, and to help ensure that unknown and unforeseen issues are not overlooked.

While Congress has in the past determined that individual land exchanges are in the public interest, this generally occurs when the BLM has already had an opportunity to identify the parcels as potentially suitable for disposal through the land use planning process. Based on an initial review of the final legislative maps, it is not yet clear whether that is the case in this situation. In addition, some of the lands proposed for exchange out of Federal management in the bill contain sensitive cultural, paleontological, and natural resources and recreational uses, and active oil and gas leases. The BLM does not typically exchange such lands out of Federal



ownership and seeks to ensure continued protection of these important resources. Moreover, the Department is concerned about the potential effects of the proposed exchange on valid existing rights and grandfathered uses. Therefore, the Department opposes the proposed exchange as currently written and urges the sponsors to adopt standard language regarding public interest determinations according to standard practice under FLPMA, complete NEPA and cultural review, appraisals, and equalization of values. The Department would also like to work with the sponsors on additional amendments, including potential boundary adjustments for manageability and to ensure protection of important resources, time frames, and language ensuring that royalties for potash and oil and gas are consistent with existing law. The Department also believes that Federal land should not be used to pay for the administrative costs of the exchange, and we would like to work with Congress to ensure that the BLM has the resources needed to implement this title. Additionally, the Department notes that the Book Cliffs roadless area mineral withdrawal provision is unclear as currently written, and we are unsure if it would achieve its intended purpose. We would like to work with the sponsors to clarify this language to ensure continued protection of the important wildlife habitat and natural resources of this area.

Finally, the Department notes that section 103(g) of this title may threaten the Federal reserved water right for Arches National Park, which was negotiated and finalized by the State of Utah and the NPS a year ago to protect seeps, springs, and streams in the park. The Arches Federal reserved water right extends within the Entrada formation underneath a block of parcels to be exchanged west of Arches. The Department would like to work with the sponsors and Subcommittee on language ensuring that the exchange does not adversely impact this important agreement.

#### ***Land Transfers, Conveyances, & Disposals***

Title II of Division B requires the conveyance, at no cost, of nearly 10,000 acres of BLM-managed lands to the State of Utah to expand the Goblin Valley State Park. It also requires that the BLM, at the State of Utah's request, enter into a cooperative agreement whereby approximately 153,000 acres of BLM-managed land surrounding the enlarged park would appear to be managed by the Utah State Parks and Recreation Division of the Department of Natural Resources.

In the past, the Department has supported minor conveyances for the expansion or establishment of public parks in various western states. We would like the opportunity to work with the sponsors and Subcommittee to address a number of concerns with the proposed Goblin Valley State Park conveyance, including boundaries, the presence of occupied endangered species habitat, conflicts with wild horse herd management areas and unpatented mining claims, and investments made in recent years by the BLM. The Department would also like to work with the sponsors on time frames and language ensuring consistency with the R&PP Act and other applicable laws. The Department also believes that legislation establishing a Cooperative Management Area (CMA) for the lands surrounding Goblin Valley State Park is unnecessary. The BLM has a long record of successfully using cooperative agreements for the management of public lands in Utah, such as the Sand Flats Recreation Area near Moab, without the need for implementing legislation.

Title III of Division B would exchange approximately 13,300 acres of Federal land in Carbon County, Utah, to the State of Utah and approximately 15,000 acres of State land in Grand and San Juan Counties, Utah, to the United States for the purpose of creating the Price Canyon State Forest. The Department opposes this title as drafted because the exchange includes the BLM-managed Price Canyon Recreation Site, located just north of the cities of Helper and Price, Utah, which is popular with the public and has substantial recreation use. The BLM has invested more than \$1 million in recent years to improve access and infrastructure for public use at this site. In addition, the exchange does not include public interest determinations under FLPMA, complete environmental and cultural review, standard appraisal language, or equalization of values. As discussed above, these elements are critical for successful land exchanges. The Department strongly encourages the sponsors to adopt standard language regarding public interest determinations under FLPMA, complete environmental and cultural review, appraisals, and equalization of values. The Department would also like to work with the sponsors on additional amendments, including boundary adjustments for manageability and to ensure protection of important resources, and time frames.

Title V of Division B deals with longstanding encroachment and reservoir boundary issues on Bureau of Reclamation (BOR) managed lands at Scofield Reservoir. While the requirement to secure properties within the flood surcharge elevation at Scofield is constructive, the bill's language places long-term responsibility on the BOR to monitor and enforce these requirements, which could pose a significant budgetary impact. The Department continues to have concerns about the safety of the facility with the structures located in the surcharge space. Separately, section 503(d)(5)(C) places responsibility for administrative costs to the subject lands with Carbon County; BOR would implement this provision under the terms of a mutual agreement with the county. The Department continues to have concerns with the trust fund as indicated in earlier testimony, and we look forward to working with the Subcommittee to further refine that provision.

Title VI of Division B would transfer 20 parcels of public land – encompassing approximately 18,000 acres – to various State and local governmental entities for a variety of purposes. As discussed above, the Department has previously supported legislated, no-cost public purpose conveyances if they meet standards under the R&PP Act and are determined to be appropriate for transfer out of Federal ownership. While many of these parcels may be appropriate for transfer if additional conditions are satisfied, others may not be for various reasons, including the presence of significant natural and cultural resources, lack of a well-defined public purpose, acreage inappropriate for the intended use, conflicts with wildernesses proposed by Title I of Division A, and conflicts with current uses such as recreation or mineral development. In addition, numerous parcels are encumbered by withdrawals for public water reserves, water supply, and power site reserves. The Department appreciates the sponsors' work to address concerns with other parcels proposed for transfer in earlier public discussion drafts, including the Sand Flats, Fantasy Canyon, and Dugout Ranch areas. The Department would like to work with the sponsors on additional amendments, boundary adjustments for manageability and protection of sensitive resources, time frames, mapping requirements, language ensuring consistency with the R&PP Act and NEPA, including the addition of standard reversionary clause provisions.

Title VII of Division B would require the Secretary to dispose of approximately 5,400 acres of BLM-managed lands, subject to valid existing rights, within two years of enactment. While sale of some of these parcels may be appropriate if undertaken consistent with section 203 of FLPMA (including environmental review, public participation, and appraisals), other parcels should remain in Federal ownership. We encourage the sponsors to consider an approach for land disposals similar to those outlined in the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432) and the Owyhee Public Land Management provisions of Public Law 111-11, and we would like to work with the sponsors on time frames and language ensuring consistency with FLPMA and NEPA, should disposal of some of these parcels be appropriate and consistent with the purposes of FLPMA.

### ***Recreation & Trails***

Title VIII of Division B would designate 13 new recreation zones on approximately 414,500 acres of BLM-managed public lands. The Department notes that the BLM already manages all or major portions of the proposed zones as either Special Recreation Management Areas (SRMAs) or open OHV areas, which were established in the relevant land use plan through a public process. It is unclear how the designation of the proposed zones would differ from the existing administrative designations. Further discussion would be necessary to understand the purpose and need for the proposed zones.

Additionally, Section 815 of this title would designate the Hole-in-the-Rock Trail as a National Historic Trail under the National Trails System Act. This trail would traverse approximately 120 miles of BLM and NPS-managed lands. While the Department supports the designation of this trail as a National Historic Trail, we note that the route depicted on the legislative map accompanying the bill is very general. We would like to work with the sponsors to prepare an updated map depicting the exact location of the trail. Moreover, we are extremely concerned that portions of this trail, which would be designated to “promote motorized and non-motorized uses,” would bisect the proposed Cedar Mesa Wilderness. The Department strongly opposes such a provision on motorized and mechanized use within wilderness as it is counter to the purposes for which wilderness areas were established, and we would like to work with the sponsors and Subcommittee on additional amendments, including boundary adjustments for clarity and language ensuring consistency with the National Trails System Act.

Title VIII of Division B includes language regarding Recapture Canyon (section 816) and the Big Burrito Non-Motorized Trail (section 817). Section 816 would approve San Juan County’s application for a FLPMA Title V right-of-way in Recapture Canyon and outline the purposes for this right-of-way. The BLM is currently going through a public process to evaluate potential trails and routes through this area of rich archaeological treasures that was home to Ancestral Puebloans. A draft environmental assessment for these potential trails and routes was released on September 9, 2016. The Department opposes this section. Section 817 exempts the proposed 9.3-mile Big Burrito Non-Motorized Trail from administrative or judicial review, presumably in perpetuity. The Department notes that the BLM established this trail through a public process and that it is in use today; the purpose of this language is unclear and cannot be supported in its current form.

Title IX of Division B would establish the Red Rock Country Off-Highway Vehicle (OHV) Trail, a 90-mile motorized recreation trail in Grand County, Utah. The Department has supported similar efforts in the past and, with some alterations, could support this effort.

***Tribal Mineral Transfer***

Title X of Division B would transfer minerals beneath a portion of the Uintah and Ouray Indian Reservation to the Ute Tribe and would direct that all split estate lands and minerals that are currently managed by a Federal agency be held in trust for the Tribe. This title also transfers the Federal minerals beneath a portion of the Navajo Nation to the Utah Navajo Trust Fund and modifies the royalty payment due to the State of Utah. The Department notes that the intent of the provisions in this title is unclear, and we would like to work with the sponsors and Subcommittee to get a better understanding of the purpose and vision for this title.

***Energy Permitting & Development***

The Department oversees a robust oil and gas development program on Federal lands in Utah, and we are proud of the BLM's safe and effective management of this important energy source. As of the end of FY 2015, BLM Utah managed nearly 9,000 wells on over 1.1 million acres that are currently producing oil and gas resources in the state. In FY 2015 on BLM-managed lands in Utah, the agency approved three times more drilling permits (847) than were actually drilled (218). As of the end of FY 2015, 2000 drilling permits are ready for use without any further action by the BLM. To date in FY 2016, 243 applications for permit to drill were approved, but only 14 were drilled. In light of this strong performance and the agency's long history of successful management of mineral resources, the Department strongly opposes Title XI of Division B, which authorizes the State of Utah to take over the permitting processes, regulatory requirements, and development of all energy sources on Federal lands within Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties, Utah. This title is also contrary to the BLM's multiple use and sustained yield mission and ignores critical public participation components of the land use planning process, including NEPA and other laws.

***Highway Rights-of-Way***

Title XII of Division B would recognize the existence and validity of certain claims of "Class B" road rights-of-way in Uintah, Carbon, Emery, Grand, Duchesne, and San Juan Counties, Utah, that were paved as of January 1, 2016. In addition, the Secretary would be required to convey to the State of Utah easements across Federal lands for the current disturbed widths of these purported roads. This title would also require the Secretary to grant perpetual, no-cost rights-of-way for certain "Class D" roads claimed by Uintah County.

The Department recognizes the enormous scope and importance of this issue both to the people of Utah and to successful public land management. However, we have broad concerns with this title because most, if not all, of the claimed routes are currently subject to active litigation and many are located in sensitive resource areas, including priority sage-grouse habitat and specially designated areas. As a matter of policy, we do not believe that R.S. 2477 rights-of-way asserted by the State should be automatically recognized as valid and existing rights-of-way. In establishing the validity of an R.S. 2477 claim through the judicial process, the burden of proof is on the claimant to demonstrate that they have satisfied the applicable legal standard. In contrast, this title's recognition of all county assertions as valid would reverse existing legal

precedent and would establish perpetual rights over public lands without applying applicable legal tests. Further dialog and coordination are needed before the Department could consider a legislative approach to this complex issue.

### ***Grazing***

The Department strongly opposes Title XIII of Division B, which would require that grazing on all Federal lands in Summit, Duchesne, Uintah, Grand, Emery, Carbon, and San Juan Counties, Utah, continue at current permitted levels. Although this title includes an exception for “extreme range conditions where water and forage are not available,” this language is unclear and could prevent the BLM from addressing deteriorating range conditions. Given the broad scope of this language, the Department may identify additional concerns as we continue our analysis. The Department also does not support managing rangelands according to arbitrary targets of use, which may be inappropriate depending on resource condition. As we have previously testified, the Department instead supports management of rangelands by adjusting targets of use according to resource conditions and through transparent processes, working with the affected permittees and the public under the principles of multiple use and sustained yield. In addition, this title includes language directing that public grazing lands, including areas outside of those otherwise designated by this title, that have “reduced or eliminated grazing shall be reviewed and managed to support grazing at an economically viable level.” The Department strongly opposes this language because it is inconsistent with the BLM’s multiple use and sustained yield mission and ignores critical public participation components of the land use planning process, including FLPMA, NEPA, and other laws. Furthermore, this language could inadvertently undermine the application of the Congressional Grazing Guidelines to the wildernesses proposed under Title I of Division A.

Title XIII of Division B also includes language on bighorn sheep management. This language is contrary to BLM policy guidance on improving coordination and management of bighorn sheep habitat to minimize conflicts with domestic sheep and goats released in March 2016, which reflects extensive public outreach and input, represents a thoughtful management approach, and is aligned with USFS policy and efforts on this issue. The Department opposes this provision because it would limit the BLM’s efforts to sustain and manage bighorn sheep populations on public lands.

### **Division C – Advisory Committee**

H.R. 5780 would establish a “Public Lands Initiative Planning and Implementation Advisory Committee” (PLI Advisory Council) and would require the Secretary to consult and coordinate with this committee in developing management plans for many of the designations proposed in the bill, including NCAs, SMAs, the Jurassic National Monument, and the Hole-in-the-Rock Trail. Under this title, in the event this council’s recommendations on the management plans are not adopted, the Secretary would be required to provide a written explanation to Congress outlining the reasons for rejecting the recommendations.

The Department has supported advisory councils for many NCAs and National Monuments, and we believe that the local input and involvement that they provide is beneficial in the management of public lands. Based on an initial review of the bill, however, it is unclear if this advisory committee would be consistent with both FACA and with other advisory councils for BLM-



managed NCAs and National Monuments. The Department would like to work with the sponsors and the Subcommittee on language ensuring that the PLI Advisory Council meets these elements, which we believe would be essential for it to function effectively. The Department also encourages the sponsors to consider incorporating other advisory councils established by the bill into the PLI Advisory Council – perhaps through subcommittees or other mechanisms – which we believe will be beneficial for the participants and the agencies involved.

#### **Division D – Bears Ears National Conservation Area**

The Bears Ears area of southeastern Utah is a unique landscape that combines extraordinary natural features, irreplaceable cultural resources, and areas of great importance to a number of Tribes. It has been proposed for protection by members of Congress, Secretaries of the Interior, State and Tribal leaders, and local conservationists for at least 80 years.

This region contains some of the most significant cultural and natural resources anywhere in the West, with thousands of vulnerable cultural and archaeological sites spanning thousands of years – from the Paleoindian Period 12,000 years ago to Mormon pioneers in the 1800s. Visitors to this remarkable area are rewarded with spectacular canyon vistas surrounded by high mesa tops dotted with juniper trees and pinyon pines. Hikes into the canyons reveal ancient cliff dwellings, kivas, and rock art left by the Ancestral Puebloans more than a thousand years ago.

H.R. 5780 establishes two new NCAs encompassing a total of nearly 1.3 million acres of BLM-, NPS-, and USFS-managed lands in this part of San Juan County – the approximately 858,000-acre Bears Ears NCA and the approximately 434,000-acre Indian Creek NCA. The Bears Ears NCA represents the largest of the proposed NCAs in H.R. 5780. The Department notes that the same unacceptable and nonstandard management language that applies to the other proposed NCAs would also apply to the Bears Ears NCA, including the omission of language that permits only those uses compatible with the conservation purposes for which the area is to be designated. While the bill does provide for additional opportunities for Tribal and other stakeholder input into the management planning process, it does not appear to contain the cooperative management language that the Tribes have requested, and we encourage the sponsors to continue to reach out to the Tribes directly for their input. The Department would like the opportunity to work with the sponsors on the care and protection of the world-class cultural and natural resources of the area and on additional amendments regarding definitions, time frames, management plan development, mapping requirements, and boundary adjustments for manageability.

#### **Conclusion**

The Department of the Interior greatly appreciates the sponsors' ambitious effort to address difficult resource and land management issues in eastern Utah and supports many of the goals of H.R. 5780. However, the Department opposes this bill in its current form for the reasons articulated above. The Department has a number of substantive as well as additional modifications to recommend, and we look forward to continuing to work with the sponsor and the Subcommittee to address those issues.

**PROPOSAL TO PRESIDENT BARACK OBAMA FOR THE CREATION OF BEARS EARS NATIONAL MONUMENT**

The Inter-Tribal Coalition has submitted this proposal to give ample time for the President to review and hopefully sign a proclamation under the Antiquities Act, or allow time for Representatives Bishop and Chaffetz to review the proposal and present their own plan. (pg. 19)

**PROPOSALS and ASKS**

**Monument Boundaries:**

- The Inter-Tribal Coalition would like to meet with departmental officials to explain the reasoning and appropriateness behind the proposed boundaries. (pg. 20)

**Collaborative Management:**

- The Agencies and the Tribes shall collaborate jointly on all procedures, decisions, and other activities except as otherwise provided in the Proclamation. (pg. 22)
- In the case of impasse or undue delay, the Agencies and the Tribes shall proceed to appropriate mediation. If such mediation fails, the Secretary of Interior or the Secretary of Agriculture shall in a written opinion explaining the reasons, make the relevant decisions. (pg. 22)

**The Bears Ears Management Commission and the Monument Manager:**

- **Management Commission:** This Commission would be the policy making and planning body for the monument. It would be a federally-created entity but not a federal agency. It would have eight members, one from each Tribe and one from each Federal agency. The Tribal members would receive salaries. The Commission members would choose a chairperson. The Commission would report to the Secretaries annually on the success of administering the monument and on plans and needs for the upcoming year. (pg. 29)
- **Monument Manager:** The Manager would be hired, and could be fired, by the Commission. The Commission will set performance standards for the Manager and conduct annual performance reviews. The Commission chairperson will have the direct supervisory relationship with the Manager. The Manager would report directly to the Commission. Senior staff and operational staff will be hired by the Manager. Monument offices should be located in the best location for visitors to the monument. (pg. 29)
- The Bears Ears presidential proclamation should direct agencies to use their best efforts to provide funding under the Indian Self-Determination statutes and other authorities for collaborative Management at Bears Ears. (pg. 30)
- The BLM, Forest Service, and Park Service should work together with the Tribes and manage Bears Ears as one, with, for example, the management plan and operations generally applying throughout the monument. (pg. 30)

**Monument Planning and Operations:**

- The management plan would be developed by Monument staff, with the Commission providing specific direction to staff regarding plan design and content, as well as review throughout the process of plan development. Members of the public and other key stakeholders would have ample opportunity to contribute to the development of the plan through normal NEPA

processes. Presumably, the proclamation would direct that this plan be completed within the customary three years. (pg. 30)

- Commission members will develop day-to-day operations procedures. The Manager will be responsible for day-to-day operations and designing an organization that accounts for basic functional areas. (pg. 31)
- This proposed monument will be open to all members of the public. (pg. 31)

**Possible Opportunities:**

- Opportunity to develop a world-class program or institute in Traditional Knowledge at the proposed monument. (pg. 31)
- Collaboration in traditional map art. (pg. 32-33)
- Opportunity to truly infuse Native values into public lands administration by pulling upon both indigenous knowledge and Western science. (pg. 33)

**Federal-Tribal Agreements Supplemental to the Proclamation:**

- The Commission and Manager would benefit from MOAs or MOUs, created before or shortly after the proclamation, to chart out the nuts and bolts of their relationship. (pg. 34)
- To secure funding for the Commission over the long term, the proclamation should encourage contracting and compacting under the Tribal Self-Governance Act and other statutes. (pg. 34)

**Threats to the Bears Ears landscape:**

- All existing mineral rights should be honored, but future mining should be prohibited. (pg. 35)
- A major objective of the proclamation should be to keep most of Bears Ears road-less. (pg. 35)
- Monument status would lead to better management of off-road vehicle use, looting, and grave robbing. (pg. 35)

**Uses to be Resolved in the Proclamation:**

(pg. 36-37)

- A permanent withdrawal from the mining laws, for both location and leasing, of all lands within the monument.
- A permanent withdrawal from all other forms of leasing, selections, sales, exchange, and other forms of disposition under the public land laws, other than those exchanges that further the purposes of the monument.
- Motorized vehicle use should be permitted only on designated roads. Non-motorized mechanized vehicle use should be permitted only on roads and trails designated for their use consistent with the purposes of the monument. The management plan directed by the proclamation should include a transportation plan designating the roads and trails available for motorized or nonmotorized vehicle uses.
- State of Utah and Ute Mountain Ute hunting and fishing laws should continue to apply within the monument.
- The Secretaries should be directed, upon request of the State of Utah, to negotiate with the state for an exchange of the state inholdings within the monument.
- The Secretaries should be authorized to draft regulations specifically governing matters related to the monument.
- The proclamation should provide for Collaborative Management, hopefully in the fashion that we have recommended in this proposal.
- The Secretaries should, working jointly with the Bears Ears Inter-Tribal Management Commission, be directed, within three years, to complete a management plan setting forth

requirements for the proper care and management so that all monument uses will proceed in a manner fully consistent with the purposes of the monument. The management plan should, to the maximum extent permitted by law, ensure the protection of Native American sacred and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional and cultural uses, including gathering of minerals, medicines, berries and other vegetation, forest products, and firewood.

- Grazing under existing permits or leases should continue under existing law.
- Firewood gathering should continue under current management proscriptions and then be subject to such provisions as adopted in the management plan.
- The monument should be added to the National Landscape Conservation System.
- There will also be several standard proclamation provisions, mostly relating to protecting existing rights, generally and specifically protecting Tribal rights, Federal withdrawals, rights of inholders, and existing water rights.

**Uses to be Addressed in the Management Plan:**

- With management standards in place, the Secretaries and the Commission will collaboratively administer and enforce the standards in the management plan. The management plan would also address non-regulatory matters such as scientific studies, including archaeology. (pg. 38)

## Herbert Looking for Options to Stop Bears Ears Monument

Written by Bob Bernick, Contributing Editor

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Watch for GOP Gov. Gary Herbert to take some kind of compromise land use plan to Democrat President Barack Obama soon to stop the president from declaring the Bears Ears area of southeastern Utah a national monument.

“I have a plan,” said Herbert at the end of his half-hour news conference. “But I want to talk to (Obama administration officials) first before (they) see it in the press.”

Herbert declined to be specific about his plan at his monthly KUED Channel 7 press conference with local reporters.

But Herbert said he would “soon” go back to Washington, D.C., to meet with Interior Secretary Sally Jewell and Bureau of Land Management Director Neil Kornze “face to face” to present some kind of alternative – most likely a compromise between an Obama 1.9 million acre national monument and the 18 million acre land swap/wilderness protection proposal outlined in Rep. Rob Bishop’s Public Land Initiative, or PLI.

There are only a few more weeks of congressional work before the November election, and there is little chance that Bishop’s and Rep. Jason Chaffetz PLI will even get a House vote, much less pass the Senate.

There will be a lame duck post-election congressional session, but usually, those don’t produce significant legislation.

Obama has the power to create national monuments on his own, and most recently expanded a marine preserve in his native state of Hawaii.

Herbert, Utah’s congressional delegation, and Republican Utah Legislators have been pounding on Obama not to create a national monument in the Bears Ears area before the president leaves office in early January.

While national conservation groups and some Native American organizations want the monument.

Many federal watchers say the national monument is coming – as Obama is not well liked in deep red Utah and has nothing to lose politically here.

“There are better ways to approach” the protection of Bears Ears, Herbert told reporters.

“I want to ameliorate the confrontation aspect” of the Bears Ears issue – which has pitted some Native Americans against each other, rural Utah against the Wasatch Front and so on.



A recent UtahPolicy poll by Dan Jones & Associates finds that only 19 percent of Utahns want Obama to create a national monument, while several out-of-state, environmentalist surveys show just the opposite – that most Utahns want a Bears Ears national monument.

To say the least, the issue has divided many Utahns, for and against the monument.

But politically speaking Herbert has little leverage with Obama – and basically must rely on the president to agree to some sort of compromise that falls short of a national monument designation.

Perhaps Herbert could offer that Utah state government pick up some of the costs of monument designation – which includes more federal oversight than regular BLM operations.

The governor could also attempt to give local Native Americans – many who see Bears Ears as a spiritual domain – some governance of a “conservation area” – a designation distinction that is allowed under current BLM rules, but which has rarely been used by the Bureau before.

“Hopefully, the PLI can be passed” before Congress adjourns in December, said Herbert. “Then we would (protect) 18 million acres” across eastern and southeastern Utah, “not just 1.9 million acres” in the Obama suggested national monument.

Another national monument in Utah “just creates more problems” of land management, said Herbert.

Former Democratic President Bill Clinton created the Grand Staircase-Escalante National Monument in south-central Utah in 1996 – much to the dislike of many Utah GOP officials.

Last year there were a reported 1,400 “violations” within Grand Staircase by visitors and others, said Herbert, while there were only five violations in the Bears Ears area – mainly because few people visit Bears Ears now because it is not a national monument and is off the beaten path.

Stay tuned, Herbert told reporters as he walked out of the KUED studios – the issue of Bears Ears is still evolving.

# Congress can still avoid a Bears Ears National Monument, says Rep. Jason Chaffetz

By Thomas Burr The Salt Lake Tribune  
Published: September 15, 2016 08:24AM  
Updated: September 14, 2016 09:05PM

## **Public Lands Initiative • Despite protests by environmentalists and federal agencies, GOP congressmen push an alternate plan.**

Washington • Congress still has time to pass legislation to preserve parts of the Bears Ears region in southeastern Utah — and halt a national monument designation — before year's end, one of the sponsors said Wednesday.

“We’re moving at a record pace for Congress,” Rep. Jason Chaffetz, R-Utah, said as a House Natural Resources subcommittee took up the bill. “We’ll be back in November and December, and there’s lots of legislation that will move at that time.”

The Public Lands Initiative (PLI), sponsored by Chaffetz and Rep. Rob Bishop, who heads the Natural Resources Committee, would preserve 4.6 million acres of federal land as conservation areas, open more than 1.1 million acres for recreation and mineral development, consolidate more than 300,000 acres of state lands and expand Arches National Park by nearly 20,000 acres.

The proposal, which has earned a strong rebuke from environmental groups and opposition from federal agencies, is aimed at stopping President Barack Obama from using his unilateral power to name a national monument to protect some 1.8 million acres of federal land as some tribal leaders and conservationists have requested.

But time is running out.

Congress has only a few weeks left before adjourning so its members can campaign for re-election. And the PLI has yet to receive a full committee hearing, let alone votes in the House or Senate.

Democrats say the PLI is more of a distraction than an actual solution.

“This is not a legislative proposal that is going to be passed by the Senate or signed by the president,” said Rep. Niki Tsongas, D-Mass., adding, “It could be said that this is a wolf in sheep’s clothing.”

Rep. Raul Grijalva, D-Ariz., and the top Democrat on the committee, praised the concept of the PLI, bringing groups together to negotiate public land policy, but said the resulting legislation “tilts the scale dramatically” in favor of development and motorized-vehicle access.

“Unfortunately,” Grijalva said, “this bill that resulted from this process is a nonstarter.”

In Wednesday’s hearing, officials from the Bureau of Land Management and the U.S. Forest Service said they applauded the effort to create a consensus bill but noted they opposed the legislation as written because it didn’t strike that balance.

BLM Director Neil Kornze said the measure “undermines” the agency’s authority to protect the region.

Republicans on the subcommittee pushed back against PLI foes, at one point questioning a monument supporter about her non-Utah residence.

Rep. Tom McClintock, R-Calif., and chairman of the public lands subcommittee, said a monument designation, should it happen, would be aimed only at appeasing “out of state interests.”

“I’m not sure who[m] President Obama thinks he’s accountable to,” McClintock said, “but, here in Congress, we think it’s our constituents.”

San Juan County Commissioner Rebecca Benally, a Navajo and PLI proponent, said the federal government has long bullied Native Americans, and now environmentalists and “their corporate benefactors” are doing so.

“The Bears Ears National Monument campaign is a cynical political stunt that, if successful, will deny grass-roots Utah Navajos access to their sacred and spiritual grounds,” Benally testified.

Bishop noted more than 1,200 meetings on the bill as well as discussion with all sides of the public lands debate to come up with the legislation and said it was a much more collaborative effort than any presidential designation.

“This is not the hearing; it is a hearing,” Bishop said. “We’ve had meetings for five years on this bill.”

During the discussion, Chaffetz said it was wrong for outside interests to push for land-management decisions in someone else’s backyard.

“That’s not the way it should be,” Chaffetz said. “It’s arrogant, it’s offensive, and it shouldn’t be tolerated by this Congress.”

The Western Values Project said in a report Wednesday that Bishop’s legislative record shows he cannot pass complex bills in such a short time span. On average, the group said, Bishop has passed about one bill per year and only six

bills during his 14-year tenure have passed in less than six months, including one naming a post office and another transferring a few acres. The bills also included emergency funds after Hurricane Sandy and to address Puerto Rico's debt crisis.

The PLI is 215 pages and isn't simple in the slightest, the group said.

"It is infinitely more complicated than naming post offices, transferring small amounts of lands to local control, or passing urgently needed emergency funding to address natural disasters or financial crises," Western Values Project said in the report.

Bishop says there's plenty of time left.

"There is a helluva long lame-duck session," he said in an interview. "We're going to be here from after the election to Christmas."

He said he doesn't know if movement on the PLI will stop the president from acting on a monument but that the White House would be hard-pressed to explain why it made such a move against a locally driven process.

Bishop said: "It's going to be very difficult to make this monument unless it's simply, 'Screw you, Utah, in your face.' "



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

SEP 02 2016

The Honorable Rob Bishop  
The Honorable Jason Chaffetz  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Bishop and Mr. Chaffetz:

In accordance with your July 20, 2016, request, the Department of the Interior has prepared the enclosed technical assistance on H.R. 5780, the Utah Public Lands Initiative.

Please note that this technical assistance is provided only for those provisions of the bill that affect Departmental interests and, in many instances, is intended to ensure consistency with existing laws and improve implementation. In addition to what is noted throughout the draft, the Department would like the opportunity to work with the bill sponsors on the individual boundary modifications both to improve manageability and ensure protection of natural, cultural, and other resources in those areas.

Please also note that this assistance has not been cleared by the Office of Management and Budget. As reflected in the attached comments, with respect to a number of provisions, the Department would seek further discussions before taking a final position as to proposed language. Importantly, this assistance has also not been the subject of, and does not reflect input from, tribal consultation. Upon further conversations with tribal nations, the position of the Department may change on particular matters concerning the tribes.

Sincerely,

Christopher P. Salotti  
Legislative Counsel  
Office of Congressional and Legislative Affairs

Enclosure



**FOR IMMEDIATE RELEASE**

Monday, September 19, 2016

**Utah Navajo to Voice Opposition to Monument Designation**

WASHINGTON - On Wednesday, September 21, at 4:00 p.m. EDT, the Utah congressional delegation, Utah Gov. Gary Herbert, and members of the Navajo Nation from Utah, will hold a press conference at the Capitol Swamp highlighting united state and local opposition to a national monument designation in southwest Utah.

Earlier in the day, members of the Aneth Chapter of the Navajo Nation and the Blue Mountain Dine' will deliver an opposition packet to Interior Secretary Sally Jewell that includes:

- A resolution from the Blue Mountain Dine' opposing the proposed Bears Ears National Monument.
- A petition from the Descendants of Kaayelii opposing the proposed Bears Ears National Monument.
- A resolution from the Aneth Chapter of the Navajo Nation opposing the proposed Bears Ears National Monument
- A resolution from the City of Blanding, Utah opposing the proposed Bears Ears National Monument.
- A resolution from the City of Monticello opposing the proposed Bears Ears National Monument.
- A resolution from the San Juan County Board of Commissioners opposing the proposed Bears Ears National Monument.
- A letter from the Utah Wildlife Board opposing the proposed Bears Ears National Monument.
- A resolution from the Utah State Legislature opposing the unilateral use of the Antiquities Act in Utah.

**Members of the media wishing to attend the event must RSVP to Emily Long  
(Emily\_Long@lee.senate.gov).**

**Who**

Navajo residents of Utah Lewis and Donna Singer, Susie Philemon, and Danielle Shirley  
Utah Governor Gary Herbert  
Senator Orrin Hatch (R-UT)

Senator Mike Lee (R-UT)  
Representative Rob Bishop (R-UT)  
Representative Chris Stewart (R-UT)  
Representative Mia Love (R-UT)

**What**

Local resident opposition to national monument designation in southwest Utah.

**When**

Wednesday, Sept. 21, 2016 at 4:00 p.m. EDT

**Where**

Capitol Swamp

*Communications Director*

Conn Carroll

[Conn\\_Carroll@lee.senate.gov](mailto:Conn_Carroll@lee.senate.gov)

202-224-5444

*Press Secretary*

Emily Long

[Emily\\_Long@lee.senate.gov](mailto:Emily_Long@lee.senate.gov)

202-224-5444

###

## Conversation Contents

Fwd: DRAFT Bears Ears presser

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

---

**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Mon Sep 19 2016 14:57:02 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: DRAFT Bears Ears presser

Whelp.

Begin forwarded message:

**From:** "Prandoni, Chris (Lee)" <Chris\_Prandoni@lee.senate.gov>  
**Date:** September 19, 2016 at 1:29:20 PM PDT  
**To:** "nicole\_buffa@ios.doi.gov" <nicole\_buffa@ios.doi.gov>  
**Subject:** DRAFT Bears Ears presser

Hey Nikki,

Another fun email...

This press event, which at one point seemed unlikely to occur, is coming to fruition. It is a *draft* release but has all the important details you are sure to love. Not sure when or how the local Utah participants will deliver the resolutions/petitions/letter to you all — happy to find out if you would like.

Again, just trying to be candid and open.

Chris

**FOR IMMEDIATE RELEASE**  
Monday, September 19, 2016

**Utah Navajo to Voice Opposition to Monument Designation**

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- A resolution from the Utah State Legislature opposing the unilateral use of the Antiquities Act in Utah.

**Members of the media wishing to attend the event must RSVP to Emily Long (Emily\_Long@lee.senate.gov).**

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Senator Mike Lee (R-UT)  
Representative Rob Bishop (R-UT)  
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Representative Mia Love (R-UT)

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Wednesday, Sept. 21, 2016 at 4:00 p.m. EDT

### **Where**

Capitol Swamp

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*Communications Director*

Conn Carroll

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202-224-5444

*Press Secretary*

Emily Long

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202-224-5444

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## Conversation Contents

**URGENT LEGISLATIVE COUNSEL REFERRAL: (DUE: 9/12/16 @ 4:30PM)  
H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands  
Initiative Act**

**Attachments:**

/28. URGENT LEGISLATIVE COUNSEL REFERRAL: (DUE: 9/12/16 @ 4:30PM)  
H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands Initiative  
Act/1.1 OMB\_HR5780\_PLI\_draft.docx

/28. URGENT LEGISLATIVE COUNSEL REFERRAL: (DUE: 9/12/16 @ 4:30PM)  
H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands Initiative  
Act/2.1 OMB\_HR5780\_PLI\_draft.docx

**"Galloway, Duane" <duane\_galloway@ios.doi.gov>**

---

**From:** "Galloway, Duane" <duane\_galloway@ios.doi.gov>  
**Sent:** Mon Sep 12 2016 09:01:27 GMT-0600 (MDT)  
Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Sarah Greenberger <Sarah\_Greenberger@ios.doi.gov>, "A/S-PMB" <amy\_holley@ios.doi.gov>, "A/S-PMB" <olivia\_ferriter@ios.doi.gov>, "A/S-PMB" <debra\_sonderman@ios.doi.gov>, "A/S-PMB" <abigail\_miller@ios.doi.gov>, "A/S-PMB" <kristen\_sarri@ios.doi.gov>, "A/S-PMB" <david\_downes@ios.doi.gov>, "A/S-PMB" <denise\_flanagan@ios.doi.gov>, "A/S-PMB" <abigail\_d\_miller@ios.doi.gov>, POB <jason\_freihage@ios.doi.gov>, POB <tiffany\_taylor@ios.doi.gov>, "Milakofsky, Ben E" <benjamin\_milakofsky@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, DS-Klein <Elizabeth\_Klein@ios.doi.gov>, OCO <blake\_androff@ios.doi.gov>, OCO <jessica\_kershaw@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, Felipe Mendoza <felipe\_mendoza@ios.doi.gov>, Chelsea Welch <chelsea\_welch@ios.doi.gov>, "Salotti, Christopher" <Chris\_Salotti@ios.doi.gov>, Pamela Barkin <pamela\_barkin@ios.doi.gov>, Dominic Maione <Dominic\_Maione@ios.doi.gov>, Joshua Mahan <Joshua\_Mahan@ios.doi.gov>, PPA <Tamera\_Bassford@ios.doi.gov>, PPA

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**Subject:** URGENT LEGISLATIVE COUNSEL REFERRAL: (DUE: 9/12/16 @ 4:30PM) H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands Initiative Act

**Attachments:** OMB\_HR5780\_PLI\_draft.docx

**DEADLINE: MONDAY, September 12, 2016 @4:30PM**

**DEPARTMENT OF THE INTERIOR  
LEGISLATIVE COUNSEL REFERRAL**

**Date: September 12, 2016**  
**To: Legislative Liaison**  
**From: Jill Ralston (208-3146)**  
**Contact: Duane Galloway (208-4395)**  
**Subject: H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands Initiative Act**

**Please send agency comments or respond with a "no comment" to [jralston@blm.gov](mailto:jralston@blm.gov) and [Duane\\_Galloway@ios.doi.gov](mailto:Duane_Galloway@ios.doi.gov) by the deadline above.**

Attachment(s): 1

Duane R. Galloway  
Supervisory Legislative Assistant  
U.S. Department of the Interior  
Office of Congressional and  
Legislative Affairs  
w 202-208-4395

**"Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>**

---

**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Mon Sep 12 2016 09:42:41 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: URGENT LEGISLATIVE COUNSEL REFERRAL:  
(DUE: 9/12/16 @ 4:30PM) H.R. 5780 - AGRICULTURE  
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**Attachments:** OMB\_HR5780\_PLI\_draft.docx

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

From: **Galloway, Duane** <duane\_galloway@ios.doi.gov>  
Date: Mon, Sep 12, 2016 at 11:01 AM  
Subject: URGENT LEGISLATIVE COUNSEL REFERRAL: (DUE: 9/12/16 @ 4:30PM)  
H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands Initiative Act  
To: Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Sarah Greenberger  
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<Kathleen.Aiken@sol.doi.gov>, SOL-PW <Barry.Roth@sol.doi.gov>, SOL-PW  
<Carolyn.Burch@sol.doi.gov>, SOL-MR <thomas.Bovard@sol.doi.gov>, SOL-MR  
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**DEADLINE: MONDAY, September 12, 2016 @4:30PM**

**DEPARTMENT OF THE INTERIOR  
LEGISLATIVE COUNSEL REFERRAL**

**Date:** September 12, 2016  
**To:** Legislative Liaison  
**From:** Jill Ralston (208-3146)  
**Contact:** Duane Galloway (208-4395)  
**Subject:** H.R. 5780 - AGRICULTURE Testimony 9/14/16 Re: Utah Public Lands Initiative Act

**Please send agency comments or respond with a "no comment" to jralston@blm.gov and Duane <wbr>Galloway@ios.doi.gov by the deadline above.**

Attachment(s): 1

Duane R. Galloway  
Supervisory Legislative Assistant  
U.S. Department of the Interior  
Office of Congressional and  
Legislative Affairs  
w 202-208-4395



## Conversation Contents

**Fwd: Memo: Problematic SITLA trades proposed in PLI**

**Attachments:**

/31. Fwd: Memo: Problematic SITLA trades proposed in PLI/1.1 Introduced PLI-SITLA trade problems V4-lowrez.pdf

/31. Fwd: Memo: Problematic SITLA trades proposed in PLI/1.2 land trades memo vF.pdf

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Fri Sep 09 2016 12:41:37 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Memo: Problematic SITLA trades proposed in PLI  
**Attachments:** Introduced PLI-SITLA trade problems V4-lowrez.pdf land trades memo vF.pdf

Fascinating timing. Take a look when you can, but not urgent.

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

**From:** **Josh Ewing** <josh@cedarmesafriends.org>  
**Date:** Fri, Sep 9, 2016 at 2:34 PM  
**Subject:** Memo: Problematic SITLA trades proposed in PLI  
**To:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Cc:** David Ure <dure@utah.gov>, Kim Christy <kimchristy@utah.gov>, nkornze@blm.gov, WhitlockJenna <jwhitloc@blm.gov>, Ferguson Fred <Fred.Ferguson@mail.house.gov>, "Snider, Casey" <Casey.Snider@mail.house.gov>, ryan\_wilcox@lee.senate.gov

Dear Ms. Buffa: I have attached a memo for consideration by the Secretary regarding a significant issue raised by the Public Lands Initiative legislation (although not limited to the PLI) regarding proposed SITLA trades that would likely accompany any conservation designation in southeastern Utah.

Please let me know if you have any questions or need any further information on this important issue.

Sincerely,

FOR COMMITTEE USE ONLY

**Josh Ewing**

***Executive Director, Friends of Cedar Mesa***

(o) 435.414.0343 (m) 801.410.0773

300 E. Main Street, PO Box 338 | Bluff, UT 84512

web:[CedarMesaFriends.org](http://CedarMesaFriends.org) twitter: [@joshewing](https://twitter.com/joshewing) facebook: [@cedarmesafriends](https://facebook.com/cedarmesafriends)

--

Nikki Buffa

Deputy Chief of Staff

US Department of the Interior

202-219-3861

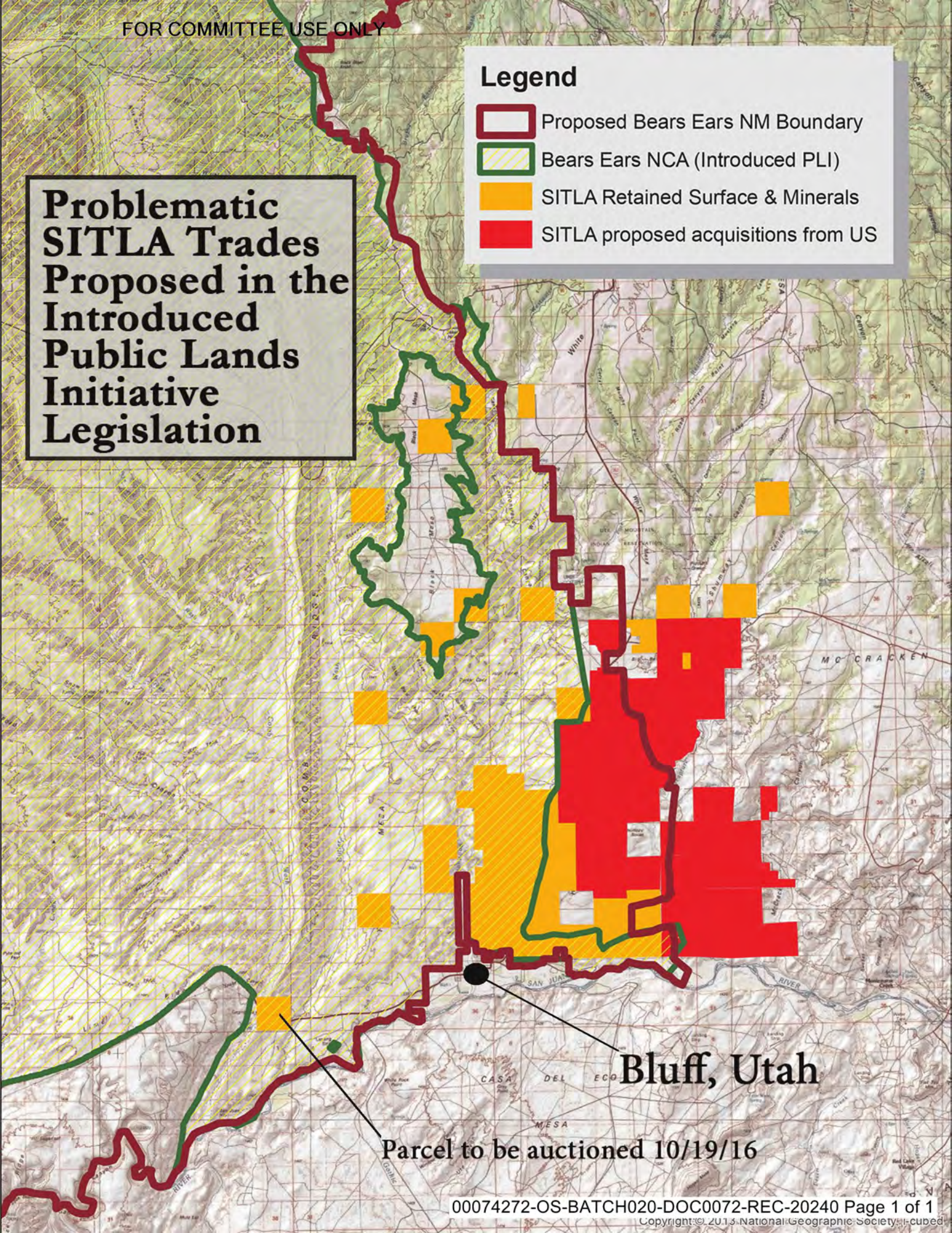
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



# Problematic SITLA Trades Proposed in the Introduced Public Lands Initiative Legislation

**Legend**

- Proposed Bears Ears NM Boundary
- Bears Ears NCA (Introduced PLI)
- SITLA Retained Surface & Minerals
- SITLA proposed acquisitions from US



Bluff, Utah

Parcel to be auctioned 10/19/16





PO Box 338, Bluff, UT 84512

MEMORANDUM

**To:** Secretary Sally Jewell, US Department of the Interior

**From:** Josh Ewing, Executive Director

**Subject:** Problematic land trades near Bluff, Utah proposed by SITLA in connection with conservation proposals in southeastern Utah

**Date:** September 9, 2016

---

**Background**

Friends of Cedar Mesa has previously shared with your office our concerns about the proposed Public Lands Initiative (PLI) Legislation, which would impact DOI administered lands in San Juan County, Utah. This memo focuses on an important but little publicized portion of that legislation with new information.

The PLI proposes a very large land trade between the State of Utah and the United States government, exchanging SITLA lands for DOI lands. A similar land trade would likely be triggered by any use of the Antiquities Act to designate a National Monument in the Bears Ears region.

This memo highlights a specific geography of problematic trades proposed by SITLA, overlapping both the Bears Ears National Conservation Area that would be created by the passage of the PLI and the footprint of the National Monument proposed by the Bears Ears Inter-Tribal Coalition. The trades discussed are visualized on the attached map.

In general, the principle of consolidating land ownership is an excellent idea. Conservation areas are best managed when small dispersed Trust Land holdings are removed, providing continuity of management. Likewise, the Utah State Institutional Trust Lands Administration (SITLA) can accomplish its mission of maximizing returns for beneficiaries far more efficiently when lands under the Trust's management are consolidated away from sensitive cultural and natural resources.

Unfortunately, trades proposed in the Bluff area are highly problematic for the reasons outlined below. We have shared these concerns directly, in person, with SITLA leadership.

**Conservation and scenic values of the area**

Many of the lands proposed to be retained or acquired by SITLA in the Bluff area are highly scenic and contain important cultural resources. The Bluff Bench is a viewshed prized by the people of Bluff and the surrounding lands provide the gateway for tourists from around the world who come to Bluff to visit nearby Monument Valley, Valley of the Gods, Comb Ridge, and Hovenweep National Monument.

Although little of the area has been documented by rigorous professional surveys, local archaeologists have identified many unique archaeological sites, including ancient Ancestral Pueblo roads, shrines and pueblos. Importantly, this area contains what may be Utah's highest concentration of Navajo and Ute archaeology, including rare petroglyph panels.

This area has been involved in significant controversy over possible oil and gas leases, which were protested by the Hopi Tribe in the early 2000s and most recently by the National Trust for Historic Preservation and Friends of Cedar Mesa in 2014. The Bureau of Land Management deferred leasing in this area in 2015 after this most recent protest. Significantly, this area is covered in the upcoming San Juan Master Leasing Plan boundaries, which will seek to balance cultural resource protection and oil and gas development.

**Potential for development, privatization and extraction within proposed conservation areas**

As one can see from inspecting the attached map, SITLA is proposing to retain ownership of surface and mineral rights on significant lands within the Bears Ears National Conservation Area. This creates the very real scenario of oil drilling, residential/commercial development, or privatization of lands that are specifically proposed for conservation in the PLI. Even more lands are proposed to be acquired by SITLA within the boundaries of a National Monument proposed by the Bears Ears Inter-Tribal Coalition.

Combined, the retention by SITLA of lands within the two proposed conservation areas and their proposed acquisition in the area creates the scenario of a major block of SITLA land in Bluff's backyard. The residents of Bluff are very concerned with the possibility of mass industrialization or even large-scale tourism development in this region. While perhaps not imminent due to current market conditions, future industrialization could dramatically impact Bluff's tourism-based economy and devastate the way of life enjoyed by residents. Such industrialization could also have significant impacts on cultural resources in the area. Despite best efforts, subtle archaeology, such as many of the Ute sites in the area, are easily missed and damaged by work crews. And the "setting" of these sites, which is protected by the National Historic Preservation Act, would change forever.

**Recommendations and conclusion**

If a conservation designation is created in the area, be it NCA or Monument, Friends of Cedar Mesa recommends that federal land managers and SITLA work with local residents and conservation experts to identify lands more suitable for SITLA ownership outside of any designated areas. Proper thought should be given to not creating the scenario for development just outside of a designated area, which would certainly engender significant future controversy.

**CC:**

- Dave Ure, Director, Utah State Institutional Trust Lands Administration
- Kim Christy, Deputy Director, Utah State Institutional Trust Lands Administration
- Neil Kornze, Director, Bureau of Land Management
- Jenna Whitlock, UT Acting State Director, Bureau of Land Management
- Rep. Jason Chaffetz
- Rep. Rob Bishop
- Senator Mike Lee

## Conversation Contents

**LEGISLATIVE REFERRAL: (DUE 9/9/16 @ 2 PM) H.R. 5780 - INTERIOR (BLM)  
Proposed Testimony 9/14/16 Re: Utah Public Lands Initiative Act**

**Attachments:**

/32. LEGISLATIVE REFERRAL: (DUE 9/9/16 @ 2 PM) H.R. 5780 - INTERIOR (BLM) Proposed Testimony 9/14/16 Re: Utah Public Lands Initiative Act/1.1 BLM Testimony - HR 5780 Utah PLI.docx

/32. LEGISLATIVE REFERRAL: (DUE 9/9/16 @ 2 PM) H.R. 5780 - INTERIOR (BLM) Proposed Testimony 9/14/16 Re: Utah Public Lands Initiative Act/1.2 HR 5780.pdf

**"Nevils, Joseph" <joseph\_nevils@ios.doi.gov>**

---

**From:** "Nevils, Joseph" <joseph\_nevils@ios.doi.gov>  
**Sent:** Thu Sep 08 2016 12:54:58 GMT-0600 (MDT)  
Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Sarah Greenberger <sarah\_greenberger@ios.doi.gov>, Benjamin Milakofsky <benjamin\_milakofsky@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>, DS-KLEIN <Elizabeth\_Klein@ios.doi.gov>, DS-KLEIN <elizabeth\_washburn@ios.doi.gov>, "Communications (OCO)" <blake\_androff@ios.doi.gov>, "Communications (OCO)" <jessica\_kershaw@ios.doi.gov>, "Communications (OCO)" <OS\_OCO@ios.doi.gov>, OCL Office <Pamela\_Barkin@ios.doi.gov>, OCL Office <Dominic\_Maione@ios.doi.gov>, OCL Office <Joshua\_Mahan@ios.doi.gov>, OCL Office <sarah\_neimeyer@ios.doi.gov>, OCL Office <Chris\_Salotti@ios.doi.gov>, OCL Office <Jeremy\_Bratt@ios.doi.gov>, OCL Office <felipe\_mendoza@ios.doi.gov>, OCL Office <chelsea\_welch@ios.doi.gov>, "A/S-PMB" <David\_Downes@ios.doi.gov>, "A/S-PMB" <Amy\_Holley@ios.doi.gov>, "A/S-PMB" <Debra\_Sonderman@ios.doi.gov>, "A/S-PMB" <Denise\_Flanagan@ios.doi.gov>, "A/S-PMB" <kristen\_sarri@ios.doi.gov>, "A/S-PMB" <Abigail\_D\_Miller@ios.doi.gov>, "A/S-PMB" <Olivia\_Ferriter@ios.doi.gov>, PPA <Catherine\_Gulac@ios.doi.gov>, POB <adrienne\_moss@ios.doi.gov>, POB



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**CC:** OIG <bruce\_delaplaine@doioig.gov>, OIG  
<nancy\_dipaolo@doioig.gov>, OIG  
<Lori\_Vassar@doioig.gov>

**Subject:** LEGISLATIVE REFERRAL: (DUE 9/9/16 @ 2 PM) H.R.  
5780 - INTERIOR (BLM) Proposed Testimony 9/14/16 Re:  
Utah Public Lands Initiative Act

**Attachments:** BLM Testimony - HR 5780 Utah PLI.docx HR 5780.pdf

**DEADLINE: FRIDAY, SEPTEMBER 9, 2016 @ 2 PM**  
**DEPARTMENT OF THE INTERIOR**  
**LEGISLATIVE COUNSEL REFERRAL**

**Date:** September 8, 2016  
**To:** Legislative Liaison  
**From:** Jill Ralston (208-3146)  
**Contact:** Joe Nevils (208-4580)  
**Subject:** H.R. 5780 - INTERIOR (BLM) Proposed Testimony 9/14/16  
Re: Utah Public Lands Initiative Act

**This draft testimony on H.R. 5780, the Utah Public Lands Initiative Act, is for a hearing before House Natural Resources Committee on September 14.**

**Please note the tight timeline for review and provide any comments by the deadline above.**

**Also attached is a copy of the bill text**

**Please send agency comments or respond with a "no comment" to [Jill Ralston \(JRalston@blm.gov\)](mailto:Jill.Ralston@blm.gov) and [Joseph Nevils@ios.doi.gov](mailto:Joseph.Nevils@ios.doi.gov) by the deadline above.**

Attachment(s): 2

--

**Joseph Nevils**

FOR COMMITTEE USE ONLY

Legislative Assistant

Department of the Interior  
1849 C St, NW 20240  
(202) 208-4580 (O)  
(202) 208-7619 (F)

114TH CONGRESS  
2D SESSION

# H. R. 5780

To provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. BISHOP of Utah (for himself and Mr. CHAFFETZ) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 The Act may be cited as the “Utah Public Lands Ini-  
5 tiative Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

DIVISION A—CONSERVATION

TITLE I—WILDERNESS

- Sec. 101. Wilderness designations.
- Sec. 102. Maps and legal descriptions.
- Sec. 103. Wilderness administration.
- Sec. 104. Water rights.
- Sec. 105. Military overflights.
- Sec. 106. Adjacent management.
- Sec. 107. Indian rights.
- Sec. 108. Acquisition of land and interests in land.
- Sec. 109. Wilderness release.
- Sec. 110. Airsheds.

TITLE II—NATIONAL CONSERVATION AREAS

- Sec. 201. National Conservation Areas.
- Sec. 202. Map and legal description.
- Sec. 203. Administration of National Conservation Areas.
- Sec. 204. General provisions.
- Sec. 205. Additional purpose for Does Valley, Stone Bridge Draw, Stuntz Draw, Beach Draw, and Diamond Mountain National Conservation Areas.
- Sec. 206. Additional purpose for Colorado River National Conservation Area.

TITLE III—WATERSHED MANAGEMENT AREAS

- Sec. 301. Watershed Management Areas.
- Sec. 302. Administration of Watershed Management Areas.
- Sec. 303. General provisions.

TITLE IV—SPECIAL MANAGEMENT AREAS

- Sec. 401. High Uintas Special Management Area.
- Sec. 402. High Uintas Special Management Area map and legal description.
- Sec. 403. Administration of the High Uintas Special Management Area.
- Sec. 404. High Uintas Special Management Area general provisions.
- Sec. 405. Little West Fork Blacks Fork Special Management Area.
- Sec. 406. Administration of Little West Fork Blacks Fork Special Management Area.
- Sec. 407. Little West Fork Blacks Fork Special Management Area general provisions.
- Sec. 408. Desolation Canyon, Nine Mile Canyon, White River and Books Cliffs Sportsmen's Special Management Areas.
- Sec. 409. Desolation Canyon, Nine Mile Canyon, White River and Books Cliffs Sportsmen's Special Management Area map and legal description.
- Sec. 410. Administration of the Desolation Canyon, Nine Mile Canyon, and White River Special Management Areas.
- Sec. 411. Desolation Canyon, Nine Mile Canyon, and White River Special Management Area general provisions.
- Sec. 412. Book Cliffs Sportsmens Special Management Area additional provisions.
- Sec. 413. Book Cliffs Sportsmen's Special Management Area Advisory Committee.

TITLE V—ARCHES NATIONAL PARK EXPANSION

Sec. 501. Arches National Park expansion.

TITLE VI—JURASSIC NATIONAL MONUMENT

Sec. 601. Jurassic National Monument.

TITLE VII—WILD AND SCENIC RIVERS

Sec. 701. Wild and scenic rivers.

TITLE VIII—ASHLEY KARST NATIONAL GEOLOGIC AND  
RECREATION AREA

Sec. 801. Ashley Karst National Geologic and Recreation Area.

Sec. 802. Map and legal description.

Sec. 803. Administration.

Sec. 804. General provisions.

DIVISION B—INNOVATIVE LAND MANAGEMENT, RECREATION  
AND ECONOMIC DEVELOPMENT

TITLE I—SCHOOL TRUST LAND CONSOLIDATIONS

Sec. 101. Findings and purpose.

Sec. 102. Definitions.

Sec. 103. Exchange of land; reservation of interests.

Sec. 104. Withdrawal of Federal lands prior to exchange.

Sec. 105. National Environmental Policy Act of 1969 and Federal Land Policy  
and Management Act of 1976 compliance.

Sec. 106. Status and management of land after exchange.

Sec. 107. Book Cliffs Conservation Area.

TITLE II—GOBLIN VALLEY STATE PARK

Sec. 201. Land conveyance.

Sec. 202. Cooperative Management of Goblin Valley.

TITLE III—PRICE CANYON STATE FOREST

Sec. 301. Definitions.

Sec. 302. Exchange of land.

Sec. 303. Livestock grazing.

TITLE IV—DEER LODGE LAND EXCHANGE

Sec. 401. Definitions.

Sec. 402. Land exchange.

TITLE V—SCOFIELD LAND TRANSFER

Sec. 501. Short title.

Sec. 502. Definitions.

Sec. 503. Conveyance of Scofield Project Land.

TITLE VI—LAND CONVEYANCES

Sec. 601. Land conveyances.

TITLE VII—LAND DISPOSALS



Sec. 701. Land disposals.

TITLE VIII—RECREATION ZONES

- Sec. 801. Establishment.
- Sec. 802. Map and legal description.
- Sec. 803. Goldbar Recreation Zone management.
- Sec. 804. Monitor and Merrimac Recreation Zone management.
- Sec. 805. Klondike Recreation Zone management.
- Sec. 806. Big Flat Recreation Zone management.
- Sec. 807. Mineral Canyon Recreation Zone management.
- Sec. 808. Dee Pass and Utah Rims Recreation Zone management.
- Sec. 809. Yellow Circle and Cameo Cliffs Recreation Zone management.
- Sec. 810. Jensen Hills Recreation Zone additional provisions.
- Sec. 811. Red Mountain Recreation Zone management.
- Sec. 812. Devils Hole Recreation Zone management.
- Sec. 813. Bourdette Draw Recreation Zone additional provisions.
- Sec. 814. Red Wash Recreation Zone additional provisions.
- Sec. 815. Hole-in-the-Rock Trail.
- Sec. 816. Recapture Canyon.
- Sec. 817. Big Burrito Non-Motorized Trail.

TITLE IX—RED ROCK COUNTRY OFF-HIGHWAY VEHICLE TRAIL

- Sec. 901. Definitions.
- Sec. 902. Designation.
- Sec. 903. Management.

TITLE X—LONG-TERM INDIAN ECONOMIC DEVELOPMENT  
CERTAINTY

- Sec. 1001. Indian economic development in San Juan County, Utah.
- Sec. 1002. Ute Indian Tribe Economic Development Area.
- Sec. 1003. Water study for Uintah and Duchesne Counties.

TITLE XI—LONG-TERM ENERGY DEVELOPMENT CERTAINTY IN  
UTAH

- Sec. 1101. Sense of Congress.
- Sec. 1102. Actions to expedite energy-related projects.
- Sec. 1103. Permitting and regulatory programs.
- Sec. 1104. Judicial review.
- Sec. 1105. Completion of administrative land exchange process.

TITLE XII—LONG-TERM TRAVEL MANAGEMENT CERTAINTY

- Sec. 1201. Rights-of-way for certain roads.
- Sec. 1202. Grand County Council recommendations for certain roads.
- Sec. 1203. Uintah County road certainty.

TITLE XIII—LONG-TERM GRAZING CERTAINTY

- Sec. 1301. Current permitted use.
- Sec. 1302. Bighorn sheep.
- Sec. 1303. Protection of grazing lands.

DIVISION C—LOCAL PARTICIPATION

TITLE I—LOCAL PARTICIPATION AND PLANNING

Sec. 101. Public Lands Initiative Planning and Implementation Advisory Committee.

DIVISION D—BEAR EARS NATIONAL CONSERVATION AREA

TITLE I—BEARS EARS NATIONAL CONSERVATION AREA

- Sec. 101. Findings.
- Sec. 102. Establishment.
- Sec. 103. Map and legal description.
- Sec. 104. Administration of Bear Ears National Conservation Area.
- Sec. 105. General provisions.
- Sec. 106. Cooperating agencies.
- Sec. 107. Bears Ears Tribal Commission.
- Sec. 108. Tribal employment.
- Sec. 109. Tribal liaison.
- Sec. 110. Bears Ears Advisory Committee.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) FEDERAL LAND.—The term “Federal land”  
4 means the lands or interests in land under the juris-  
5 diction of the Department of the Interior or the De-  
6 partment of Agriculture, except such term does not  
7 include land the title to which is held in trust by the  
8 United States for the benefit of a tribe or an indi-  
9 vidual or is held in fee by a tribe or individual sub-  
10 ject to a restriction by the United States against  
11 alienation.

12 (2) TRIBE.—The term “Tribe” means a feder-  
13 ally recognized Indian tribe (including a pueblo).

14 (3) TRIBAL.—The term “Tribal” means of or  
15 pertaining to a tribe.

16 (4) WATER RESOURCE FACILITIES.—The term  
17 “water resource facilities” means irrigation and

1       pumping facilities, reservoirs, water conservation  
2       works, aqueducts, canals, ditches, pipelines, wells,  
3       hydropower projects, transmission and other ancil-  
4       lary facilities, and other water diversion, storage,  
5       and carriage structures.

## 6       **DIVISION A—CONSERVATION**

### 7               **TITLE I—WILDERNESS**

#### 8       **SEC. 101. WILDERNESS DESIGNATIONS.**

9           In furtherance of the purposes of the Wilderness Act,  
10       and subject to valid existing rights, including the rights  
11       of a tribe, the following areas of the State of Utah are  
12       designated as wilderness and as components of the Na-  
13       tional Wilderness Preservation System pursuant to the  
14       Wilderness Act (16 U.S.C. 1131 et seq.).

15               (1) **CANDLAND MOUNTAIN.**—Certain Federal  
16       land in Emery County managed by the United  
17       States Forest Service comprising approximately  
18       12,330 acres, as generally depicted on the Utah PLI  
19       Wilderness Map dated June 30, 2016, which shall be  
20       known as the “Candland Mountain Wilderness”.

21               (2) **DESOLATION CANYON.**—Certain Federal  
22       land in Duchesne, Uintah, Carbon, Emery, and  
23       Grand Counties managed by the Bureau of Land  
24       Management comprising approximately 458,413  
25       acres, as generally depicted on the Utah PLI Wilder-

1       ness Map dated June 30, 2016, which shall be  
2       known as the “Desolation Canyon Wilderness”.

3           (3) HIGH UINTA.—Certain Federal land in  
4       Duchesne, Summit, and Uintah Counties, managed  
5       by the United States Forest Service comprising ap-  
6       proximately 28,293 acres, as generally depicted on  
7       the Utah PLI Wilderness Map dated June 30, 2016,  
8       which shall be known as the “High Uinta Wilder-  
9       ness”.

10          (4) MANCOS MESA.—Certain Federal land in  
11       San Juan County, managed by the Bureau of Land  
12       Management and the National Park Service com-  
13       prising approximately 95,605 acres, as generally de-  
14       picted on the Utah PLI Wilderness Map dated June  
15       30, 2016, which shall be known as the “Mancos  
16       Mesa Wilderness”.

17          (5) CHEESEBOX CANYON.—Certain Federal  
18       land in San Juan County managed by the Bureau  
19       of Land Management comprising approximately  
20       14,441 acres, as generally depicted on the Utah PLI  
21       Wilderness Map dated June 30, 2016, which shall be  
22       known as the “Cheesebox Canyon Wilderness”.

23          (6) BUTLER WASH.—Certain Federal land in  
24       San Juan County managed by the Bureau of Land  
25       Management comprising approximately 27,813

1        acres, as generally depicted on the Utah PLI Wilder-  
2        ness Map dated June 30, 2016, which shall be  
3        known as the “Butler Wash Wilderness”.

4            (7) DARK CANYON.—Certain Federal land in  
5        San Juan County managed by the Bureau of Land  
6        Management comprising approximately 72,990  
7        acres, as generally depicted on the Utah PLI Wilder-  
8        ness Map dated June 30, 2016, which shall be  
9        known as the “Dark Canyon Wilderness”.

10           (8) BEHIND THE ROCKS.—Certain Federal land  
11        in San Juan and Grand Counties managed by the  
12        Bureau of Land Management comprising approxi-  
13        mately 13,024 acres, as generally depicted on the  
14        Utah PLI Wilderness Map dated June 30, 2016,  
15        which shall be known as the “Behind the Rocks Wil-  
16        derness”.

17           (9) BRIDGER JACK MESA.—Certain Federal  
18        land in San Juan County managed by the Bureau  
19        of Land Management comprising approximately  
20        6,009 acres, as generally depicted on the Utah PLI  
21        Wilderness Map dated June 30, 2016, which shall be  
22        known as the “Bridger Jack Mesa Wilderness”.

23           (10) CEDAR MESA.—Certain Federal land in  
24        San Juan County managed by the Bureau of Land  
25        Management comprising approximately 223,566



1        acres, as generally depicted on the Utah PLI Wilder-  
2        ness Map dated June 30, 2016, which shall be  
3        known as the “Cedar Mesa Wilderness”.

4            (11) MIKES CANYON.—Certain Federal land in  
5        San Juan County managed by the Bureau of Land  
6        Management and the National Park Service com-  
7        prising approximately 30,549 acres, as generally de-  
8        picted on the Utah PLI Wilderness Map dated June  
9        30, 2016, which shall be known as the “Mikes Can-  
10       canyon Wilderness”.

11           (12) MULE CANYON.—Certain Federal land in  
12       San Juan County, Utah managed by the Bureau of  
13       Land Management comprising approximately 5,858  
14       acres, as generally depicted on the Utah PLI Wilder-  
15       ness Map and dated June 30, 2016, which shall be  
16       known as the “Mule Canyon Wilderness”.

17           (13) MARSH PEAK.—Certain Federal land in  
18       Uintah County managed by the United States For-  
19       est Service comprising approximately 15,031 acres,  
20       as generally depicted on the Utah PLI Wilderness  
21       Map dated June 30, 2016, which shall be known as  
22       the “Marsh Peak Wilderness”.

23           (14) CLIFF PEAK.—Certain Federal land in  
24       Uintah and Duchesne Counties managed by the  
25       United States Forest Service comprising approxi-

1       mately 9,153 acres, as generally depicted on the  
2       Utah PLI Wilderness Map dated June 30, 2016,  
3       which shall be known as the “Cliff Peak Wilder-  
4       ness”.

5           (15) BULL CANYON.—Certain Federal land in  
6       Uintah County, Utah managed by the Bureau of  
7       Land Management comprising approximately 599  
8       acres, as generally depicted on the Utah PLI Wilder-  
9       ness Map and dated June 30, 2016, which shall be  
10      known as the “Bull Canyon Wilderness”.

11          (16) WHITE CANYON.—Certain Federal land in  
12      San Juan County managed by the Bureau of Land  
13      Management comprising approximately 18,886  
14      acres, as generally depicted on the Utah PLI Wilder-  
15      ness Map dated June 30, 2016, which shall be  
16      known as the “White Canyon Wilderness”.

17          (17) MEXICAN MOUNTAIN.—Certain Federal  
18      land in Emery County managed by the Bureau of  
19      Land Management comprising approximately 84,976  
20      acres, as generally depicted on the Utah PLI Wilder-  
21      ness Map dated June 30, 2016, which shall be  
22      known as the “Mexican Mountain Wilderness”.

23          (18) SIDS MOUNTAIN.—Certain Federal land in  
24      Emery County managed by the Bureau of Land  
25      Management comprising approximately 82,406

1        acres, as generally depicted on the Utah PLI Wilder-  
2        ness Map dated June 30, 2016, which shall be  
3        known as the “Sids Mountain Wilderness”.

4            (19) MUDDY CREEK.—Certain Federal land in  
5        Emery County managed by the Bureau of Land  
6        Management comprising approximately 72,400  
7        acres, as generally depicted on the Utah PLI Wilder-  
8        ness Map dated June 30, 2016, which shall be  
9        known as the “Muddy Creek Wilderness”.

10           (20) SAN RAFAEL REEF.—Certain Federal land  
11        in Emery County managed by the Bureau of Land  
12        Management comprising approximately 54,284  
13        acres, as generally depicted on the Utah PLI Wilder-  
14        ness Map dated June 30, 2016, which shall be  
15        known as the “San Rafael Reef Wilderness”.

16           (21) CRACK CANYON WILDERNESS.—Certain  
17        Federal land in Emery County managed by the Bu-  
18        reau of Land Management comprising approximately  
19        27,191 acres, as generally depicted on the Utah PLI  
20        Wilderness Map dated June 30, 2016, which shall be  
21        known as the “Crack Canyon Wilderness”.

22           (22) DEVILS CANYON.—Certain Federal land in  
23        Emery County managed by the Bureau of Land  
24        Management comprising approximately 8,652 acres,  
25        as generally depicted on the Utah PLI Wilderness

1 Map dated June 30, 2016, which shall be known as  
2 the “Devils Canyon Wilderness”.

3 (23) NELSON MOUNTAIN.—Certain Federal  
4 land in Emery County managed by the United  
5 States Forest Service comprising approximately  
6 12,856 acres, as generally depicted on the Utah PLI  
7 Wilderness Map dated June 30, 2016, which shall be  
8 known as the “Nelson Mountain Wilderness”.

9 (24) WILLIAM GRANSTAFF CANYON.—Certain  
10 Federal land in Grand County managed by the Bu-  
11 reau of Land Management comprising approximately  
12 8,420 acres, as generally depicted on the Utah PLI  
13 Wilderness Map dated June 30, 2016, which shall be  
14 known as the “William Granstaff Canyon Wilder-  
15 ness”.

16 (25) MILL CREEK CANYON.—Certain Federal  
17 land in Grand County managed by the Bureau of  
18 Land Management comprising approximately 12,357  
19 acres, as generally depicted on the Utah PLI Wilder-  
20 ness Map dated June 30, 2016, which shall be  
21 known as the “Mill Creek Canyon Wilderness”.

22 (26) LABYRINTH CANYON.—Certain Federal  
23 land in Grand and Emery Counties managed by the  
24 Bureau of Land Management comprising approxi-  
25 mately 56,688 acres, as generally depicted on the

1 Utah PLI Wilderness Map dated June 30, 2016,  
2 which shall be known as the “Labyrinth Canyon  
3 Wilderness”.

4 (27) CANYONLANDS.—Certain Federal land in  
5 San Juan County managed by the National Park  
6 Service comprising approximately 257,606 acres, as  
7 generally depicted on the Utah PLI Wilderness Map  
8 dated June 30, 2016, which shall be known as the  
9 “Canyonlands Wilderness”.

10 (28) ARCHES.—Certain Federal land in Grand  
11 County managed by the National Park Service com-  
12 prising approximately 63,808 acres, as generally de-  
13 picted on the Utah PLI Wilderness Map dated June  
14 30, 2016, which shall be known as the “Arches Wil-  
15 derness”.

16 (29) FISHER TOWERS.—Certain Federal land in  
17 Grand County managed by the Bureau of Land  
18 Management comprising approximately 1,190 acres,  
19 as generally depicted on the Utah PLI Wilderness  
20 Map dated June 30, 2016, which shall be known as  
21 the “Fisher Towers Wilderness”.

22 (30) MARY JANE CANYON.—Certain Federal  
23 land in Grand County managed by the Bureau of  
24 Land Management comprising approximately 13,574  
25 acres, as generally depicted on the Utah PLI Wilder-



1       ness Map dated June 30, 2016, which shall be  
2       known as the “Mary Jane Canyon Wilderness”.

3           (31) GRANITE CREEK.—Certain Federal land in  
4       Grand County managed by the Bureau of Land  
5       Management comprising approximately 25,104  
6       acres, as generally depicted on the Utah PLI Wilder-  
7       ness Map dated June 30, 2016, which shall be  
8       known as the “Granite Creek Wilderness”.

9           (32) BOOK CLIFFS.—Certain Federal land in  
10      Grand County managed by the Bureau of Land  
11      Management comprising approximately 175,490  
12      acres, as generally depicted on the Utah PLI Wilder-  
13      ness Map dated June 30, 2016, which shall be  
14      known as the “Book Cliffs Wilderness”.

15          (33) WESTWATER.—Certain Federal land in  
16      Grand County, Utah managed by the Bureau of  
17      Land Management comprising approximately 32,954  
18      acres, as generally depicted on the Utah PLI Wilder-  
19      ness Map and dated June 30, 2016, which shall be  
20      known as the “Westwater Wilderness”.

21          (34) BEAVER CREEK.—Certain Federal land in  
22      Grand County managed by the Bureau of Land  
23      Management comprising approximately 48,416  
24      acres, as generally depicted on the Utah PLI Wilder-

1       ness Map dated June 30, 2016, which shall be  
2       known as the “Beaver Creek Wilderness”.

3           (35) MOUNT PEALE.—Certain Federal land in  
4       San Juan County managed by the United States  
5       Forest Service comprising approximately 4,302  
6       acres, as generally depicted on the Utah PLI Wilder-  
7       ness Map dated June 30, 2016, which shall be  
8       known as the “Mount Peale Wilderness”.

9           (36) HAMMOND CANYON.—Certain Federal  
10      land in San Juan County managed by the United  
11      States Forest Service comprising approximately  
12      7,593 acres, as generally depicted on the Utah PLI  
13      Wilderness Map dated June 30, 2016, which shall be  
14      known as the “Hammond Canyon Wilderness”.

15          (37) ARCH CANYON.—Certain Federal land in  
16      San Juan County managed by the United States  
17      Forest Service comprising approximately 4,376  
18      acres, as generally depicted on the Utah PLI Wilder-  
19      ness Map dated June 30, 2016, which shall be  
20      known as the “Arch Canyon Wilderness”.

21          (38) DINOSAUR.—Certain Federal land in  
22      Uintah County managed by the National Park Serv-  
23      ice comprising approximately 52,348 acres, as gen-  
24      erally depicted on the Utah PLI Wilderness Map

1       dated June 30, 2016, which shall be known as the  
2       “Dinosaur Wilderness”.

3               (39) CEDAR MOUNTAIN.—Certain Federal land  
4       in Emery County managed by the Bureau of Land  
5       Management comprising approximately 17,355  
6       acres, as generally depicted on the Utah PLI Wilder-  
7       ness Map dated June 30, 2016, which shall be  
8       known as the “Cedar Mountain Wilderness”.

9               (40) INDIAN CREEK.—Certain Federal land in  
10       San Juan County managed by the Bureau of Land  
11       Management and the United States Forest Service  
12       comprising approximately 6,562 acres, as generally  
13       depicted on the Utah PLI Wilderness Map dated  
14       June 30, 2016, which shall be known as the “Indian  
15       Creek Wilderness”.

16               (41) STEER GULCH.—Certain Federal land in  
17       San Juan County managed by the United States  
18       Forest Service comprising approximately 25,094  
19       acres, as generally depicted on the Utah PLI Wilder-  
20       ness Map dated June 30, 2016, which shall be  
21       known as the “Steer Gulch Wilderness”.

22 **SEC. 102. MAPS AND LEGAL DESCRIPTIONS.**

23       (a) IN GENERAL.—Not later than two years from the  
24       date of enactment of this Act, the Secretary of the Interior  
25       and the Secretary of Agriculture as appropriate shall file

1 a map and legal description of each of the wilderness areas  
2 with the Committee on Natural Resources of the House  
3 of Representatives and the Committee on Energy and  
4 Natural Resources of the Senate.

5 (b) FORCE AND EFFECT.—Each map and legal de-  
6 scription submitted under this section shall have the same  
7 force and effect as if included in this title, except that  
8 the Secretary of the Interior and the Secretary of Agri-  
9 culture as appropriate may make any minor modifications  
10 of any clerical or typographical errors in the map or legal  
11 description provided that prior to any modifications, cler-  
12 ical or typographical changes, these changes are reported  
13 to the State of Utah and the affected county.

14 (c) PUBLIC AVAILABILITY.—A copy of the map and  
15 legal description shall be on file and available for public  
16 inspection in the appropriate offices of the Bureau of In-  
17 dian Affairs, the Bureau of Land Management, the Na-  
18 tional Park Service, and the United States Forest Service.

19 **SEC. 103. WILDERNESS ADMINISTRATION.**

20 (a) IN GENERAL.—Subject to valid existing rights,  
21 including the rights of a tribe, each wilderness area estab-  
22 lished under section 101 shall be administered by the Sec-  
23 retary of the Interior or the Secretary of Agriculture as  
24 appropriate in accordance with the Wilderness Act (16  
25 U.S.C. 1131 et seq.), except that—

1           (1) any reference in that Act to the effective  
2           date shall be considered to be a reference to the date  
3           of enactment of this Act; and

4           (2) with respect to wilderness areas that are ad-  
5           ministered by the Secretary of the Interior, any ref-  
6           erence in the Wilderness Act to the Secretary of Ag-  
7           riculture shall be considered to be a reference to the  
8           Secretary of the Interior.

9           (b) FIRE, INSECTS, AND DISEASE.—In accordance  
10          with section 4(d)(1) of the Wilderness Act, the relevant  
11          Secretary may take such measures in each wilderness area  
12          necessary to control of fire, insects, and disease (including,  
13          as the relevant Secretary determines to be appropriate, the  
14          coordination of such activities with a State, tribe, or local  
15          agency).

16          (c) WILDFIRE MANAGEMENT OPERATIONS.—Noth-  
17          ing in this title precludes a Federal, State, tribal, or local  
18          agency from conducting wildfire management operations  
19          (including operations using aircraft or mechanized equip-  
20          ment).

21          (d) LIVESTOCK.—

22                 (1) GRAZING.—The grazing of livestock in each  
23          wilderness area, if established before the date of en-  
24          actment of this Act, shall continue, subject to rea-

1       sonable rules and regulations as prescribed by the  
2       relevant Secretary, in accordance with—

3               (A) section 4(d)(4) of the Wilderness Act  
4               (16 U.S.C. 1133(d)(4)); and

5               (B) the guidelines set forth in Appendix A  
6               of the report of the Committee on Interior and  
7               Insular Affairs of the House of Representatives  
8               accompanying H.R. 2570 of the 101st Congress  
9               (House Report 101–405).

10              (2) UTAH DEPARTMENT OF AGRICULTURE AND  
11       FOOD.—In instances in which historic grazing areas,  
12       access, or use is disputed by the grazing permittee,  
13       data and information provided by the Utah Depart-  
14       ment of Agriculture shall be given consideration by  
15       the relevant Secretary to establish historic grazing  
16       areas, locations, or use.

17       (e) OUTFITTING AND GUIDE ACTIVITIES.—In accord-  
18       ance with section 4(d)(6) of the Wilderness Act (16 U.S.C.  
19       1133(d)(5)), commercial services (including authorized  
20       outfitting and guide activities) within the wilderness areas  
21       are authorized to the extent necessary to realize the rec-  
22       reational purposes of the areas.

23       (f) ACCESS.—In accordance with section 5(a) of the  
24       Wilderness Act (16 U.S.C. 1134(a)), the relevant Sec-  
25       retary shall provide the owner of State, tribal or private



1 property within the boundary of a wilderness area access  
2 to the property.

3 (g) WILDLIFE WATER DEVELOPMENT PROJECTS.—

4 The relevant Secretary shall allow existing water struc-  
5 tures and facilities for wildlife water development projects,  
6 including guzzlers, in the wilderness areas designated by  
7 this title.

8 (h) FISH AND WILDLIFE.—Nothing in this title af-  
9 fects the jurisdiction of the State of Utah with respect  
10 to the management of fish and wildlife on Federal land  
11 in the State, including the regulation of hunting, fishing,  
12 and trapping within the wilderness areas.

13 (i) WITHDRAWALS.—Subject to valid existing rights,  
14 all public land within the areas established as wilderness  
15 under this title, including any land or interest in land that  
16 is acquired by the United States within the wilderness  
17 areas after the date of enactment of this Act, is withdrawn  
18 from—

19 (1) entry, appropriation or disposal under the  
20 public land laws;

21 (2) location, entry, and patent under the mining  
22 laws; and

23 (3) operation of the mineral leasing, mineral  
24 materials, and geothermal leasing laws.

1 (j) TRAIL AND FENCE MAINTENANCE.—The relevant  
2 Secretary shall maintain trails and fence lines located  
3 within the wilderness areas designated by this title, in ac-  
4 cordance with the Wilderness Act (16 U.S.C. 1131 et  
5 seq.).

6 **SEC. 104. WATER RIGHTS.**

7 (a) STATUTORY CONSTRUCTION.—Nothing in this  
8 title—

9 (1) shall constitute either an express or implied  
10 reservation by the United States of any water rights  
11 with respect to the wilderness areas designated by  
12 section 101;

13 (2) affects any water rights in the State of  
14 Utah existing on the date of enactment of this Act,  
15 including any water rights held by the United  
16 States;

17 (3) establishes a precedent with regard to any  
18 future wilderness designations; or

19 (4) shall restrict or prohibit the upstream diver-  
20 sion of water rights held under Utah State law.

21 (b) EXISTING WATER INFRASTRUCTURE.—Nothing  
22 in this title shall be construed to limit motorized access  
23 and road maintenance by local municipalities, including ir-  
24 rigation districts, and other water right holders for main-  
25 tenance activities necessary to guarantee the continued vi-

1 ability of water resource facilities that currently exist or  
2 which may be necessary in the future to prevent the deg-  
3 radation of the water supply in wilderness areas des-  
4 ignated by section 101.

5 **SEC. 105. MILITARY OVERFLIGHTS.**

6 Nothing in this title restricts or precludes—

7 (1) low-level overflights of military aircraft over  
8 wilderness areas designated by section 101, includ-  
9 ing military overflights that can be seen or heard  
10 within wilderness areas;

11 (2) flight testing and evaluation; or

12 (3) the designation or creation of new units of  
13 special use airspace, or the establishment of military  
14 flight training routes, over wilderness areas.

15 **SEC. 106. ADJACENT MANAGEMENT.**

16 (a) IN GENERAL.—Nothing in this title creates a pro-  
17 tective perimeter or buffer zone around a wilderness area  
18 designated by section 101.

19 (b) ACTIVITIES OUTSIDE WILDERNESS AREA.—The  
20 fact that an activity or use on land outside a wilderness  
21 area can be seen, heard or smelled within the wilderness  
22 area shall not preclude the activity or use outside the  
23 boundary of the wilderness area.

1 **SEC. 107. INDIAN RIGHTS.**

2 Nothing in this title diminishes the rights of any In-  
3 dian tribe.

4 **SEC. 108. ACQUISITION OF LAND AND INTERESTS IN LAND.**

5 (a) ACQUISITION.—

6 (1) IN GENERAL.—The relevant Secretary may  
7 acquire land or interest in land within the bound-  
8 aries of the wilderness areas designated by section  
9 101 only by donation, exchange, transfer from an-  
10 other Federal agency, or purchase from a willing  
11 seller.

12 (2) LAND EXCHANGE.—At the request of the  
13 State of Utah, not later than two years after the  
14 date of enactment of this Act, the relevant Secretary  
15 shall complete exchanges for State land located with-  
16 in the boundaries of the wilderness areas designated  
17 by this title.

18 (3) NO CONDEMNATION.—Within the areas des-  
19 igned as wilderness by this title, the use of emi-  
20 nent domain or condemnation shall be prohibited.

21 (b) INCORPORATION IN WILDERNESS AREA.—Any  
22 land or interest in land located inside the boundary of a  
23 wilderness area that is acquired by the United States after  
24 the date of enactment of this Act, except land acquired  
25 by the United States in trust for the benefit of a tribe,

1 shall be added to, and administered as part of the wilder-  
2 ness area.

3 **SEC. 109. WILDERNESS RELEASE.**

4 (a) PUBLIC LAND.—

5 (1) FINDING.—Congress finds that, for pur-  
6 poses of section 603 of the Federal Land Policy and  
7 Management Act of 1976 (43 U.S.C. 1782), the  
8 public land administered by the Bureau of Land  
9 Management in the following wilderness study areas,  
10 as depicted on the map entitled Utah PLI Wilder-  
11 ness map dated June 30, 2016, have been ade-  
12 quately studied for wilderness designation—

13 (A) the 43,322-acre area known as Winter  
14 Ridge Wilderness Study Area;

15 (B) the 7,051-acre area known as Jack  
16 Canyon Wilderness Study Area;

17 (C) the 6,557-acre area known as Squaw  
18 and Papoose Wilderness Study Area;

19 (D) the 20,404-acre area known as Desola-  
20 tion Canyon Wilderness Study Area included  
21 within the Desolation Canyon Special Manage-  
22 ment Area as designated by this title and as de-  
23 picted on the map;

24 (E) the 2,516-acre area known as Daniels  
25 Canyon Wilderness Study Area; and

1 (F) the 945-acre area known as Cross  
2 Canyon Wilderness Study Area.

3 (2) RELEASE.—Any land managed by the Bu-  
4 reau of Land Management within the areas de-  
5 scribed in paragraph (1) that is not designated as  
6 wilderness by this title—

7 (A) shall not be subject to section 603(c)  
8 of the Federal Land Policy and Management  
9 Act of 1976 (43 U.S.C. 1782(c));

10 (B) shall be managed in accordance with  
11 land management plans adopted under section  
12 202 of that Act (43 U.S.C. 1712); and

13 (C) shall no longer be subject to Secre-  
14 tarial Order No. 3310 issued by the Secretary  
15 of the Interior on December 22, 2010.

16 **SEC. 110. AIRSHEDS.**

17 (a) DESIGNATIONS.—Except as provided in sub-  
18 section (b), it is the intent of Congress that wilderness  
19 areas designated under section 101 shall not be designated  
20 as Class I airsheds under the Clean Air Act (42 U.S.C.  
21 7401–7661) unless Class I status is agreed by the State  
22 of Utah under existing authorities.

23 (b) EXCEPTIONS.—The lands within the wilderness  
24 designated by section 101(K), (AA), and (BB) shall con-  
25 tinue to be managed as Class I airsheds.



1                   **TITLE II—NATIONAL**  
2                   **CONSERVATION AREAS**

3 **SEC. 201. NATIONAL CONSERVATION AREAS.**

4           Subject to valid existing rights, including the rights  
5 of a tribe, the following areas in the State of Utah are  
6 hereby established as National Conservation Areas:

7                   (1) BEACH DRAW.—Certain Federal land, com-  
8                   prising approximately 658 acres administered by the  
9                   Bureau of Land Management in Uintah County as  
10                  generally depicted on the map entitled Utah PLI  
11                  National Conservation Area Map dated June 30,  
12                  2016, to be known as the “Beach Draw National  
13                  Conservation Area”.

14                  (2) DIAMOND MOUNTAIN.—Certain Federal  
15                  land, comprising approximately 30,390 acres admin-  
16                  istered by the Bureau of Land Management in  
17                  Uintah County as generally depicted on the map en-  
18                  titled Utah PLI National Conservation Area Map  
19                  dated June 30, 2016, to be known as the “Diamond  
20                  Mountain National Conservation Area”.

21                  (3) DOCS VALLEY.—Certain Federal land, com-  
22                  prising approximately 8,544 acres administered by  
23                  the Bureau of Land Management in Uintah County  
24                  as generally depicted on the map entitled Utah PLI  
25                  National Conservation Area Map dated June 30,

1 2016, to be known as the “Does Valley National  
2 Conservation Area”.

3 (4) STONE BRIDGE DRAW.—Certain Federal  
4 land, comprising approximately 2,415 acres adminis-  
5 tered by the Bureau of Land Management in Uintah  
6 County as generally depicted on the map entitled  
7 Utah PLI National Conservation Area Map dated  
8 June 30, 2016, to be known as the “Stone Bridge  
9 Draw National Conservation Area”.

10 (5) STUNTZ DRAW.—Certain Federal land,  
11 comprising approximately 2,284 acres administered  
12 by the Bureau of Land Management in Uintah  
13 County as generally depicted on the map entitled  
14 Utah PLI National Conservation Area Map dated  
15 June 30, 2016, to be known as the “Stuntz Draw  
16 National Conservation Area”.

17 (6) SAN RAFAEL SWELL.—Certain Federal  
18 land, comprising approximately 530,380 acres ad-  
19 ministered by the Bureau of Land Management in  
20 Emery County as generally depicted on the map en-  
21 titled Utah PLI National Conservation Area Map  
22 dated June 30, 2016, to be known as the “San  
23 Rafael Swell National Conservation Area”.

24 (7) LABYRINTH CANYON.—Certain Federal  
25 land, comprising approximately 61,723 acres admin-

1       istered by the Bureau of Land Management in  
2       Emery County and Grand County as generally de-  
3       picted on the map entitled Utah PLI National Con-  
4       servation Area Map dated June 30, 2016, to be  
5       known as the “Labyrinth Canyon National Con-  
6       servation Area”.

7           (8) MUDDY CREEK.—Certain Federal land,  
8       comprising approximately 53,804 acres administered  
9       by the Bureau of Land Management in Emery  
10      County, Utah, as generally depicted on the map en-  
11      titled Utah PLI National Conservation Area Map  
12      and dated June 30, 2016, to be known as the  
13      “Muddy Creek National Conservation Area”.

14          (9) COLORADO RIVER.—Certain Federal land,  
15      comprising approximately 166,949 acres adminis-  
16      tered by the Bureau of Land Management in Grand  
17      County as generally depicted on the map entitled  
18      Utah PLI National Conservation Area Map dated  
19      June 30, 2016, to be known as the “Colorado River  
20      National Conservation Area”.

21          (10) INDIAN CREEK.—Certain Federal land,  
22      comprising approximately 434,354 acres adminis-  
23      tered by the Bureau of Land Management and  
24      United States Forest Service in San Juan County,  
25      Utah, as generally depicted on the map entitled

1 Utah PLI National Conservation Area Map and  
2 dated June 30, 2016, to be known as the “Indian  
3 Creek National Conservation Area”.

4 (11) SAN RAFAEL RIVER.—Certain Federal  
5 land, comprising approximately 33,935 acres admin-  
6 istered by the Bureau of Land Management in  
7 Emery County as generally depicted on the map en-  
8 titled Utah PLI National Conservation Area Map  
9 dated June 30, 2016, to be known as the “San  
10 Rafael River National Conservation Area”.

11 **SEC. 202. MAP AND LEGAL DESCRIPTION.**

12 (a) IN GENERAL.—Not later than two years from the  
13 date of enactment of this Act, the relevant Secretary shall  
14 file a map and legal description of the National Conserva-  
15 tion Areas established by section 201 of this title with the  
16 Committee on Natural Resources of the House of Rep-  
17 resentatives and the Committee on Energy and Natural  
18 Resources of the Senate.

19 (b) FORCE AND EFFECT.—Each map and legal de-  
20 scription submitted under this section shall have the same  
21 force and effect as if included in this title, except that  
22 the relevant Secretary may make minor modifications of  
23 any clerical or typographical errors in the map or legal  
24 description provided that prior to any modifications, cler-

1 ical or typographical changes, these changes are reported  
2 to the State of Utah and the affected county.

3 (c) PUBLIC AVAILABILITY.—A copy of the map and  
4 legal description shall be on file and available for public  
5 inspection in the appropriate offices of the Bureau of In-  
6 dian Affairs, the Bureau of Land Management, and the  
7 United States Forest Service.

8 **SEC. 203. ADMINISTRATION OF NATIONAL CONSERVATION**  
9 **AREAS.**

10 (a) PURPOSES.—In accordance with this title, the  
11 Federal Land Policy and Management Act of 1976 (43  
12 U.S.C. 1701 et seq.), and other applicable laws, the rel-  
13 evant Secretary shall manage the National Conservation  
14 Areas established by section 201 in a manner that—

15 (1) protects, conserves, and enhances the  
16 unique and nationally important historic, cultural,  
17 scientific, scenic, recreational, archaeological, nat-  
18 ural, and educational resources of the Conservation  
19 Area;

20 (2) maintains and enhances cooperative and in-  
21 novative management practices between resource  
22 managers, private landowners, and the public in the  
23 Conservation Area; and

24 (3) recognizes and maintains historic uses of  
25 the Conservation Area.

1 (b) MANAGEMENT PLANS.—

2 (1) PLAN REQUIRED.—Not later than two years  
3 after the date of enactment of this Act, the relevant  
4 Secretary shall develop a management plan for the  
5 long-term management of each Conservation Area.

6 (2) RECOMMENDATIONS AND CONSULTATION.—

7 The relevant Secretary shall prepare the manage-  
8 ment plan in consultation and coordination with  
9 local and tribal governments, the public, and the  
10 Public Lands Initiative Planning and Implementa-  
11 tion Advisory Committee established under Division  
12 C of this Act. If the relevant Secretary does not in-  
13 corporate recommendations submitted by the State,  
14 local governments, and Indian tribes into the man-  
15 agement plans, the relevant Secretary shall submit a  
16 written explanation before the effective date of the  
17 management plan to the House Committee on Nat-  
18 ural Resources and Senate Committee on Energy  
19 and Natural Resources outlining the reasons for re-  
20 jecting the recommendations.

21 **SEC. 204. GENERAL PROVISIONS.**

22 (a) WITHDRAWALS.—Subject to valid existing rights,  
23 all Federal land within the National Conservation Areas  
24 established under section 201 including any land or inter-  
25 est in land that is acquired by the United States within



1 the Conservation Areas after the date of enactment of this  
2 Act, is withdrawn from—

3 (1) entry, appropriation or disposal under the  
4 public land laws;

5 (2) location, entry, and patent under the mining  
6 laws; and

7 (3) operation of the mineral leasing, mineral  
8 materials, and geothermal leasing laws.

9 (b) FIRE, INSECTS, AND DISEASE.—In accordance  
10 with this title, the relevant Secretary may take such meas-  
11 ures in each Conservation Area necessary to control fire,  
12 insects, and disease (including the coordination of such ac-  
13 tivities with a State, tribal, or local agency).

14 (c) WILDLAND FIRE OPERATIONS.—Nothing in this  
15 title precludes a Federal, State, tribal, or local agency  
16 from conducting wildfire management operations (includ-  
17 ing operations using aircraft or mechanized equipment) in  
18 Conservation Areas designated under section 201.

19 (d) LIVESTOCK.—

20 (1) IN GENERAL.—Within the Conservation  
21 Areas established under section 201 the grazing of  
22 livestock established before the date of enactment of  
23 this Act shall continue subject to reasonable regula-  
24 tions as prescribed by the relevant Secretary.

1           (2) PROTECTION OF EXISTING USES.—Existing  
2           livestock grazing shall continue in accordance with  
3           the following guidelines:

4                   (A) There shall be no reductions of grazing  
5                   in the areas designated by this title simply be-  
6                   cause an area is, or has been designated by this  
7                   title.

8                   (B) The number of livestock permitted to  
9                   graze in areas designated by this title shall con-  
10                  tinue at approximate stocking levels prescribed  
11                  in the grazing permit that existed on January  
12                  1, 2016, and additional or suspended animal  
13                  unit months shall be allowed to graze as range  
14                  conditions allow or if range treatments improve  
15                  conditions. Animal Unit Months shall only be  
16                  diminished as a result of revisions in the nor-  
17                  mal grazing and land management planning  
18                  and policy setting process.

19                  (C) The maintenance of existing grazing  
20                  supporting facilities in an area prior to its des-  
21                  ignation by this title (including fences, place-  
22                  ment of salt and minerals, line cabins, water  
23                  wells and pipelines, stock tanks and ponds),  
24                  shall continue. Such maintenance may include

1 the use of off-highway vehicles or mechanized  
2 tools and equipment.

3 (D) The construction of new grazing im-  
4 provements or replacement of deteriorated live-  
5 stock facilities in areas designated by this title  
6 is authorized if in accordance with the applica-  
7 ble management plan.

8 (E) The use of off-highway vehicles for  
9 emergency purposes such as care of sick ani-  
10 mals or the placement of feed and water in  
11 emergency situations is authorized by the appli-  
12 cable grazing permit holder or an employee or  
13 agent thereof.

14 (F) Access to historic and traditional water  
15 sources for the purpose of watering livestock  
16 shall be maintained.

17 (G) The trailing of domestic livestock shall  
18 continue and shall not be limited by the des-  
19 ignations made under section 201.

20 (3) UTAH DEPARTMENT OF AGRICULTURE AND  
21 FOOD.—In instances in which historic grazing areas,  
22 access, or use is disputed by the grazing permittee,  
23 data and information provided by the Utah Depart-  
24 ment of Agriculture shall be given consideration by

1 the relevant Secretary to determine historic grazing  
2 areas or use.

3 (e) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—

4 Nothing in this title precludes the relevant Secretary from  
5 renewing easements or rights-of-way in Conservation  
6 Areas established under section 201 in existence on the  
7 date of enactment of this Act, in accordance with this divi-  
8 sion and existing law.

9 (f) ADJACENT MANAGEMENT.—

10 (1) IN GENERAL.—Nothing in this title creates  
11 a protective perimeter or buffer zone around a Con-  
12 servation Area designated by section 201.

13 (2) ACTIVITIES OUTSIDE CONSERVATION  
14 AREA.—An activity or use on land outside of a Con-  
15 servation Area established under section 201 that  
16 can be seen, heard, felt, or smelled within the Con-  
17 servation Area shall not preclude the activity or use  
18 outside the boundary of the Conservation Area.

19 (g) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
20 cial services (including authorized outfitting and guide ac-  
21 tivities) within the Conservation Areas established under  
22 section 201 are authorized to the extent necessary to real-  
23 ize the recreational purposes of the areas.

24 (h) FISH AND WILDLIFE.—Nothing in this title af-  
25 fects the jurisdiction of the State of Utah with respect

1 to the management of fish and wildlife on Federal land  
2 in the State, including the regulation of hunting, fishing,  
3 and trapping and use of helicopters to maintain healthy  
4 wildlife populations, within the Conservation Areas estab-  
5 lished under section 201.

6 (i) ACCESS.—The relevant Secretary shall provide the  
7 owner of State, tribal or private property within the  
8 boundary of a Conservation Area established under section  
9 201 access to the property.

10 (j) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
11 Structures and facilities, including future and existing  
12 structures and facilities, for wildlife water development  
13 projects (including guzzlers) in the Conservation Areas es-  
14 tablished under section 201 are authorized.

15 (k) WATER RIGHTS.—

16 (1) STATUTORY CONSTRUCTION.—Nothing in  
17 this title—

18 (A) shall constitute either an express or  
19 implied reservation by the United States of any  
20 water rights with respect to the Conservation  
21 Areas designated by this title;

22 (B) affects any water rights in the State of  
23 Utah existing on the date of enactment of this  
24 title, including any water rights held by the  
25 United States;

1 (C) establishes a precedent with regard to  
2 any future National Conservation Area designa-  
3 tions; or

4 (D) shall restrict or prohibit the upstream  
5 diversion of water rights held under Utah State  
6 law.

7 (2) EXISTING WATER INFRASTRUCTURE.—  
8 Nothing in this title shall be construed to limit mo-  
9 torized access and road maintenance by local municipi-  
10 palities, including irrigation districts, and other  
11 water right holders for maintenance activities nec-  
12 essary to guarantee the continued viability of water  
13 resource facilities that currently exist or which may  
14 be necessary in the future to prevent the degrada-  
15 tion of the water supply in Conservation Areas des-  
16 igned by this title.

17 (I) WILDERNESS RELEASE.—Congress finds that the  
18 Conservation Areas designated by section 201 have been  
19 adequately studied for wilderness character and wilderness  
20 designation pursuant to section 603 of the Federal Land  
21 Policy and Management Act of 1976 (43 U.S.C. 1782)  
22 and are no longer subject to the requirement of subsection  
23 (c) of such section pertaining to the management of wil-  
24 derness study areas in a manner that does not impair the  
25 suitability of such areas for preservation as wilderness.



1 (m) PROHIBITION.—The relevant Secretary may not  
2 promulgate or issue any system-wide regulation, directive,  
3 instruction memorandum or order that would direct man-  
4 agement of the Federal lands designated as Conservation  
5 Areas by section 201 in a manner contrary to this title.

6 (n) VEGETATION MANAGEMENT.—Nothing in this  
7 title prevents the relevant Secretary from conducting vege-  
8 tation management projects within the Conservation  
9 Areas established under section 201 in a manner con-  
10 sistent with the purposes for the Conservation Area pursu-  
11 ant to section 203(a).

12 (o) OFF-HIGHWAY VEHICLES.—

13 (1) IN GENERAL.—Except in cases in which off-  
14 highway vehicles are needed for administrative pur-  
15 poses, including project construction and mainte-  
16 nance, response to an emergency or as outlined in  
17 section 204(d)(2), the use of off-highway vehicles  
18 shall be permitted only on designated routes within  
19 the Conservation Areas designated under section  
20 201.

21 (2) DESIGNATED ROUTES FOR OFF-HIGHWAY  
22 VEHICLES.—

23 (A) IN GENERAL.—The relevant Secretary  
24 shall manage existing designated routes in a  
25 manner that—

1 (i) is consistent with off-highway vehi-  
2 cle and mechanized use of the designated  
3 routes that is authorized under the appli-  
4 cable travel management plan;

5 (ii) does not significantly damage des-  
6 ignated critical habitat or cultural re-  
7 sources; and

8 (iii) does not interfere with private  
9 property or water rights.

10 (B) CLOSURE.—The relevant Secretary, in  
11 consultation with the State and affected Coun-  
12 ty, may temporarily close or permanently re-  
13 route, subject to subparagraph (C), a route if  
14 the relevant Secretary determines that—

15 (i) the route is significantly damaging  
16 designated critical habitat or cultural re-  
17 sources;

18 (ii) the route threatens public safety;

19 (iii) closure of the route is necessary  
20 to repair damage to the designated route;  
21 or

22 (iv) closure of the route is necessary  
23 to repair resource damage.

24 (C) REROUTING.—Portions of the des-  
25 ignated route that are temporarily closed may

1 be permanently rerouted by utilizing a pre-  
2 viously closed route or constructing a new  
3 route.

4 (D) NOTICE.—The relevant Secretary shall  
5 provide information to the public regarding any  
6 designated routes that are open, have been re-  
7 routed, or are temporarily or permanently  
8 closed through—

9 (i) use of appropriate signage within  
10 the Conservation Area; and

11 (ii) use of the Internet and Web re-  
12 sources.

13 (p) TEMPORARY ROAD CONSTRUCTION.—The rel-  
14 evant Secretary shall be permitted to construct temporary  
15 passenger vehicle roads for administrative or emergency  
16 purposes. The relevant Secretary shall decommission any  
17 temporary road constructed under this paragraph not  
18 later than three years after the date the project is com-  
19 pleted.

20 (q) NO EFFECT ON NON-FEDERAL LAND OR INTER-  
21 ESTS IN NON-FEDERAL LAND.—Nothing in this title af-  
22 fects ownership, management, or other rights relating to  
23 non-Federal land or interests in non-Federal land.

24 (r) SCIENTIFIC INVESTIGATIONS.—The relevant Sec-  
25 retary shall provide opportunities, including through part-

1 nerships with colleges, universities, schools, tribes, sci-  
2 entific institutions, nonprofit organizations, researchers,  
3 and scientists to conduct research and provide educational  
4 and interpretive services of the historical, cultural, sci-  
5 entific, archeological, and natural resources within the  
6 Conservation Areas designated by section 201. Research  
7 findings from the Conservation Areas may be used to de-  
8 velop land use solutions that meet human needs while  
9 maintaining ecological and economic viability in the re-  
10 gion.

11 (s) RESEARCH AND INTERPRETIVE FACILITIES.—

12 (1) IN GENERAL.—The Secretary of the Inte-  
13 rior and Secretary of Agriculture may establish fa-  
14 cilities for—

15 (A) the conduct of scientific research; and

16 (B) the interpretation of the historical, cul-  
17 tural, scientific, archeological, biological, nat-  
18 ural and educational resources of the Conserva-  
19 tion Areas designated under section 201.

20 (2) GRANTS AND COOPERATIVE AGREE-  
21 MENTS.—In carrying out subsection (r), the Sec-  
22 retary of the Interior and Secretary of Agriculture  
23 may make grants to, or enter into cooperative agree-  
24 ments with the State of Utah, local governmental  
25 entities, tribes, other institutions and organizations,

1 and private entities to conduct research, conduct sci-  
2 entific analyses, and carry out any other initiative  
3 relating to the restoration or conservation of the  
4 Conservation Areas.

5 (t) PARTNERSHIPS.—In carrying out subsections (r)  
6 and (s) and in recognition of the value of collaboration  
7 to foster innovation and enhance research and develop-  
8 ment efforts, the Secretary of the Interior and the Sec-  
9 retary of Agriculture shall encourage partnerships, includ-  
10 ing public-private partnerships, between and among Fed-  
11 eral, State, tribal and local agencies, academic institu-  
12 tions, nonprofit organizations and private entities.

13 (u) RECREATION.—The relevant Secretary shall con-  
14 tinue to authorize, maintain, and enhance the recreational  
15 use of the Conservation Areas designated under section  
16 201, including hunting, fishing, camping, hiking, back-  
17 packing, cross-country skiing, hang gliding, paragliding,  
18 rock climbing, canyoneering, sightseeing, nature study,  
19 horseback riding, mountain biking, rafting, off-highway  
20 vehicle recreation on designated routes, and other rec-  
21 reational activities.

22 (v) ACQUISITION.—

23 (1) IN GENERAL.—The relevant Secretary may  
24 acquire land or interest in land within the bound-  
25 aries of the Conservation Areas designated by sec-

1       tion 201 only by donation, exchange, transfer from  
2       another Federal agency, or purchase from a willing  
3       seller.

4           (2) LAND EXCHANGE.—At the request of the  
5       State, not later than two years after the date of en-  
6       actment of this Act, the relevant Secretary shall  
7       complete exchanges for State land located within the  
8       boundaries of the Conservation Areas designated by  
9       section 201.

10          (3) NO CONDEMNATION.—Within the Conserva-  
11       tion Areas designated by section 201 the use of emi-  
12       nent domain or condemnation shall be prohibited.

13          (4) INCORPORATION IN NATIONAL CONSERVA-  
14       TION AREA.—Any land or interest in land located in-  
15       side the boundary of a Conservation Area designated  
16       under section 201 that is acquired by the United  
17       States after the date of enactment of this Act shall  
18       be added to and administered as part of the Con-  
19       servation Area.

20 **SEC. 205. ADDITIONAL PURPOSE FOR DOCS VALLEY, STONE**  
21                   **BRIDGE DRAW, STUNTZ DRAW, BEACH DRAW,**  
22                   **AND DIAMOND MOUNTAIN NATIONAL CON-**  
23                   **SERVATION AREAS.**

24       Nothing in this title shall effect existing or future  
25       sage grouse conservation projects, including the manage-



1 ment of vegetation through mechanical means within the  
2 Docs Valley, Stone Bridge Draw, Stuntz Draw, Beach  
3 Draw, and Diamond Mountain National Conservation  
4 Areas designated under section 201.

5 **SEC. 206. ADDITIONAL PURPOSE FOR COLORADO RIVER**  
6 **NATIONAL CONSERVATION AREA.**

7 To provide for the management, development, protec-  
8 tion, and use of drinking water within the Colorado River  
9 National Conservation Area.

10 **TITLE III—WATERSHED**  
11 **MANAGEMENT AREAS**

12 **SEC. 301. WATERSHED MANAGEMENT AREAS.**

13 (a) ESTABLISHMENT.—The following Watershed  
14 Management Areas are hereby established in the State of  
15 Utah, subject to valid existing rights:

16 (1) ASHLEY SPRING.—The “Ashley Spring Wa-  
17 tershed Management Area”, consisting of approxi-  
18 mately 10,951 acres of the Ashley National Forest  
19 in Uintah County as generally depicted on the map  
20 entitled Utah PLI Special Management Area Map  
21 dated June 30, 2016.

22 (2) DRY FORK.—The “Dry Fork Watershed  
23 Management Area”, consisting of approximately  
24 9,640 acres of the Ashley National Forest in Uintah  
25 County as generally depicted on the map entitled

1 Utah PLI Special Management Area Map dated  
2 June 30, 2016.

3 (3) CASTLE VALLEY.—The “Castle Valley Wa-  
4 tershed Management Area”, consisting of approxi-  
5 mately 34,247 acres of the Manti-La Sal National  
6 Forest in Grand County as generally depicted on the  
7 map entitled Utah PLI Special Management Area  
8 Map dated June 30, 2016.

9 (4) WIDDOP MOUNTAIN.—The “Widdop Moun-  
10 tain Watershed Management Area”, consisting of  
11 approximately 8,025 acres of the Ashley National  
12 Forest in Summit County as generally depicted on  
13 the map entitled Utah PLI Special Management  
14 Area Map dated June 30, 2016.

15 (5) EAST FORK SMITHS FORK.—The “East  
16 Fork Smiths Fork Watershed Management Area”,  
17 consisting of approximately 3,178 acres of the Ash-  
18 ley National Forest in Summit County as generally  
19 depicted on the map entitled Utah PLI Special Man-  
20 agement Area Map dated June 30, 2016.

21 (b) MAP AND LEGAL DESCRIPTION.—

22 (1) IN GENERAL.—Two years after the date of  
23 enactment of this Act, the Secretary of Agriculture  
24 (hereinafter “Secretary” in this title) shall file a  
25 map and legal description of the Watershed Manage-

1       ment Areas with the Committee on Natural Re-  
2       sources of the House of Representatives and the  
3       Committee on Energy and Natural Resources of the  
4       Senate.

5           (2) EFFECT.—The map and legal description  
6       prepared under paragraph (1) shall have the same  
7       force and effect as if included in this title, except  
8       that the Secretary of Agriculture may correct minor  
9       errors in the map or legal description provided that  
10      prior to any modifications, clerical or typographical  
11      changes, these changes are reported to the State of  
12      Utah and the affected county.

13          (3) PUBLIC AVAILABILITY.—A copy of the map  
14      and legal description shall be on file and available  
15      for public inspection in the appropriate offices of the  
16      U.S. Forest Service and the Bureau of Indian Af-  
17      fairs.

18   **SEC. 302. ADMINISTRATION OF WATERSHED MANAGEMENT**

19                   **AREAS.**

20          (a) PURPOSES.—The purposes of the Watershed  
21      Management Areas are—

22              (1) to ensure the protection of the quality of  
23      water in the Watershed Management Areas;

1           (2) to allow visitors to enjoy the scenic, natural,  
2           cultural, recreational, and wildlife values of the Wa-  
3           tershed Management Areas;

4           (3) to provide for the management, develop-  
5           ment, and use of drinking water within the Water-  
6           shed Management Areas;

7           (4) to allow for the reintroduction of beavers in  
8           appropriate Watershed Management Areas;

9           (5) to allow for reintroduction of native flora  
10          (land and aquatic), bird, fish and animal fauna in  
11          Watershed Management Areas;

12          (6) to provide for the restoration of watersheds  
13          and re-establish ecosystem health in areas damaged  
14          or threatened by insects, disease or prior land use;  
15          and

16          (7) to provide for the restoration of ecosystems  
17          damaged or threatened by overpopulation of any  
18          plant, aquatic or animal species.

19          (b) MANAGEMENT.—The Secretary shall manage the  
20          Watershed Management Areas—

21                 (1) in a manner consistent with the purposes  
22                 described in subsection (a); and

23                 (2) in accordance with—

24                         (A) the laws generally applicable to the  
25                         National Forest System;

1 (B) this title; and

2 (C) any other applicable law.

3 (c) MANAGEMENT PLAN.—

4 (1) PLAN REQUIRED.—Not later than two years  
5 after the date of enactment of this Act, the Sec-  
6 retary shall develop a management plan for the long-  
7 term management of each Watershed Management  
8 Area.

9 (2) RECOMMENDATIONS AND CONSULTATION.—

10 The Secretary shall prepare the management plan in  
11 consultation and coordination with local and tribal  
12 governments, the public, and the Public Lands Ini-  
13 tiative Planning and Implementation Advisory Com-  
14 mittee established under Division C of this Act. If  
15 the Secretary does not incorporate recommendations  
16 submitted by the State, local governments, and In-  
17 dian tribes into the management plans, the Sec-  
18 retary shall submit a written explanation before the  
19 effective date of the management plan to the House  
20 Committee on Natural Resources and Senate Com-  
21 mittee on Energy and Natural Resources outlining  
22 the reasons for rejecting the recommendations.

23 **SEC. 303. GENERAL PROVISIONS.**

24 (a) MOTORIZED VEHICLES.—Except in cases in  
25 which motorized vehicles are needed for administrative

1 purposes or to respond to an emergency, the use of motor-  
2 ized vehicles shall be permitted only on designated routes  
3 within the Watershed Management Areas.

4 (b) NO EFFECT ON NON-FEDERAL LAND OR INTER-  
5 ESTS IN NON-FEDERAL LAND.—Nothing in this title af-  
6 fects ownership, management, or other rights relating to  
7 non-Federal land or interests in non-Federal land.

8 (c) ROAD CONSTRUCTION.—The Secretary shall be  
9 permitted to construct roads for administrative or emer-  
10 gency purposes, or if a temporary road is needed to facili-  
11 tate forest management projects to protect or enhance wa-  
12 tersheds. The Secretary shall decommission any tem-  
13 porary road constructed under a project under this section  
14 not later than three years after the date on which the for-  
15 est management project is completed.

16 (d) OVERSNOW VEHICLES.—Where permitted prior  
17 to the date of enactment of this Act, the Secretary shall  
18 authorize the use of snowmobiles and other over snow ve-  
19 hicles within the Watershed Management Areas when  
20 there is at least six inches of snow coverage.

21 (e) FIRE, INSECTS, AND DISEASE.—In accordance  
22 with this title and in consultation with State, tribal, and  
23 local government and water or irrigation districts who own  
24 or control water resources within Watershed Management  
25 Areas, the Secretary may carry out measures to prevent



1 wildland fire and reduce hazardous fuels, insects, and dis-  
2 eases in the Watershed Management Areas to protect or  
3 improve water quality or to maintain or restore the char-  
4 acteristics of ecosystem composition and structure.

5 (f) WILDLAND FIRE OPERATIONS.—Nothing in this  
6 title precludes a Federal, State, or local agency from con-  
7 ducting wildfire management operations (including oper-  
8 ations using aircraft or mechanized equipment) in Water-  
9 shed Management Areas designated under section 301.

10 (g) POST-FIRE REHABILITATION.—The Secretary  
11 may conduct post-fire rehabilitation in the Watershed  
12 Management Areas, consistent with this title and in ac-  
13 cordance with applicable law.

14 (h) VEGETATION MANAGEMENT.—The Secretary  
15 shall conduct vegetation management projects within the  
16 Watershed Management Areas if projects protect or im-  
17 prove water quality or maintain or restore the characteris-  
18 ties of ecosystem composition and structure.

19 (i) FOREST MANAGEMENT.—Within the Watershed  
20 Management Areas, timber harvesting may be used if the  
21 primary purpose is to restore or improve forest health and  
22 watershed function or to further the purposes described  
23 in this title.

24 (j) LIVESTOCK.—

1           (1) IN GENERAL.—Within the Watershed Man-  
2           agement Areas designated under section 301, the  
3           grazing of livestock established before the date of  
4           enactment of this Act shall continue subject to rea-  
5           sonable regulations as prescribed by the relevant  
6           Secretary.

7           (2) PROTECTION OF EXISTING USES.—Existing  
8           livestock grazing shall continue in accordance with  
9           the following guidelines:

10                   (A) There shall be no reductions of grazing  
11                   in the areas designated by this title simply be-  
12                   cause an area is, or has been designated by this  
13                   title.

14                   (B) The number of livestock permitted to  
15                   graze in areas designated by this title shall con-  
16                   tinue at approximate stocking levels prescribed  
17                   in the grazing permit that existed on January  
18                   1, 2016, and additional or suspended animal  
19                   unit months shall be authorized to graze as  
20                   range conditions allow or if range treatments  
21                   improve conditions. Animal Unit Months shall  
22                   only be diminished as a result of revisions in  
23                   the normal grazing and land management plan-  
24                   ning and policy setting process.

1           (C) The maintenance of existing grazing  
2 supporting facilities in an area prior to its des-  
3 ignated by this title (including fences, place-  
4 ment of salt and minerals, line cabins, water  
5 wells and pipelines, stock tanks and ponds),  
6 shall continue. Such maintenance may include  
7 the use of off-highway vehicles or mechanized  
8 tools and equipment.

9           (D) The construction of new grazing im-  
10 provements or replacement of deteriorated fa-  
11 cilities in areas designated by this title is au-  
12 thorized if in accordance with the applicable  
13 land management plan.

14           (E) The use of off-highway vehicles for  
15 emergency purposes such as care of sick ani-  
16 mals or the placement of feed and water in  
17 emergency situations is authorized by the appli-  
18 cable grazing permit holder or an employee or  
19 agent thereof.

20           (F) Access to historic and traditional water  
21 sources for the purpose of watering livestock  
22 shall be maintained.

23           (G) The trailing of domestic livestock shall  
24 continue and shall not be limited by the des-  
25 ignations made under section 301.

1           (3) UTAH DEPARTMENT OF AGRICULTURE AND  
2           FOOD.—In instances in which historic grazing loca-  
3           tions, access, or use is disputed by the grazing per-  
4           mittee, data and information provided by the Utah  
5           Department of Agriculture shall be given consider-  
6           ation by the Secretary to establish historic access,  
7           locations, or use.

8           (k) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—  
9           Nothing in this title precludes the Secretary from renew-  
10          ing easements or rights-of-way in existence as of the date  
11          of enactment of this Act, in accordance with this title and  
12          existing law.

13          (l) ADJACENT MANAGEMENT.—Nothing in this title  
14          creates a protective perimeter or buffer zone around a Wa-  
15          tershed Management Area designated by section 301.

16          (m) ACTIVITIES OUTSIDE WATERSHED MANAGE-  
17          MENT AREA.—The fact that an activity or use on land  
18          outside a Watershed Management Area can be seen,  
19          heard, felt or smelled within the Watershed Management  
20          Area shall not preclude the activity or use outside the  
21          boundary of the Watershed Management Area.

22          (n) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
23          cial services (including authorized outfitting and guide ac-  
24          tivities) within the Watershed Management Areas are au-

1 thORIZED to the extent necessary to realize the recreational  
2 purposes of the areas.

3 (o) FISH AND WILDLIFE.—Nothing in this title af-  
4 fects the jurisdiction of the State of Utah with respect  
5 to the management of fish and wildlife on Federal land  
6 in the State, including the regulation of hunting, fishing,  
7 and trapping within the Watershed Management Areas.

8 (p) ACCESS.—The Secretary shall provide the owner  
9 of State, tribal or private property within the boundary  
10 of a Watershed Management Areas access to the property.

11 (q) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
12 Structures and facilities, including future and existing  
13 structures and facilities, for wildlife water development  
14 projects (including guzzlers) in the Watershed Manage-  
15 ment Areas are authorized.

16 (r) WATER RIGHTS.—Nothing in this title—

17 (1) shall constitute either an express or implied  
18 reservation by the United States of any water rights  
19 with respect to the Watershed Management Areas  
20 designated by this title;

21 (2) affects any water rights in the State of  
22 Utah existing on the date of enactment of this Act,  
23 including any water rights held by the United  
24 States;

1           (3) establishes a precedent with regard to any  
2           future Watershed Management Area designations; or

3           (4) shall restrict or prohibit the upstream diver-  
4           sion of water rights held under Utah State law.

5           (s) EXISTING WATER INFRASTRUCTURE.—Nothing  
6           in this title shall be construed to limit motorized access  
7           and road maintenance by local municipalities or irrigation  
8           districts and other water right holders for those mainte-  
9           nance activities necessary to guarantee the continued via-  
10          bility of water resource facilities that currently exist or  
11          which may be necessary in the future to prevent the deg-  
12          radation of the water supply in Watershed Management  
13          Areas designated by section 301 subject to such reason-  
14          able regulations deemed necessary by the Secretary.

15          (t) WITHDRAWAL.—Subject to valid rights in exist-  
16          ence on the date of enactment of this title, the Federal  
17          land within the Watershed Management Areas designated  
18          by section 301 are withdrawn from—

19                 (1) all forms of entry, appropriation, and dis-  
20                 posal under the Federal land laws;

21                 (2) location, entry, and patent under the mining  
22                 laws; and

23                 (3) operation of the mineral leasing, mineral  
24                 materials, and geothermal leasing laws.



1 (u) ASHLEY SPRING AND DRY FORK.—The manage-  
2 ment plans for the Ashley Spring and Dry Fork manage-  
3 ment areas shall include provisions for the development  
4 of containment ponds, water pipes, and other improve-  
5 ments to deliver water to the Ashley Valley should the flow  
6 of Ashley Spring become diminished or impaired.

7 (v) WILDERNESS REVIEW.—The Secretary may not  
8 promulgate or issue any system-wide regulation, directive,  
9 instruction memorandum or order that would direct man-  
10 agement of the Federal lands designated as Watershed  
11 Management Areas in section 301 in a manner contrary  
12 to this title.

## 13 **TITLE IV—SPECIAL** 14 **MANAGEMENT AREAS**

### 15 **SEC. 401. HIGH Uintas SPECIAL MANAGEMENT AREA.**

16 (a) ESTABLISHMENT.—Subject to valid existing  
17 rights, the approximately 19,191 acres of the Ashley Na-  
18 tional Forest in Uintah and Duchesne County, Utah, as  
19 generally depicted on the map entitled “Utah PLI High  
20 Uintas Special Management Area Map” dated June 24,  
21 2016, is established as the High Uintas Special Manage-  
22 ment Area.

23 (b) PURPOSES.—The purpose of the High Uintas  
24 Special Management Area (hereinafter referred to in this  
25 title as the “Area”) are to maintain the natural values

1 of the area and to allow for the continued use of oversnow  
2 vehicles.

3 **SEC. 402. HIGH UINTAS SPECIAL MANAGEMENT AREA MAP**  
4 **AND LEGAL DESCRIPTION.**

5 (a) **IN GENERAL.**—Not later than two years after the  
6 date of enactment of this Act, the Secretary of Agriculture  
7 (hereinafter “Secretary” in this title) shall file a map and  
8 legal description of the Area with the Committee on Nat-  
9 ural Resources of the House of Representatives and the  
10 Committee on Energy and Natural Resources of the Sen-  
11 ate.

12 (b) **EFFECT.**—The map and legal description pre-  
13 pared under paragraph (1) shall have the same force and  
14 effect as if included in this title, except that the Secretary  
15 may correct minor errors in the map or legal description  
16 provided that prior to any modifications, clerical or typo-  
17 graphical changes, these changes are reported to the State  
18 of Utah and the affected county.

19 (c) **PUBLIC AVAILABILITY.**—A copy of the map and  
20 legal description shall be on file and available for public  
21 inspection in the appropriate offices of the United States  
22 Forest Service.

1 **SEC. 403. ADMINISTRATION OF THE HIGH UINTAS SPECIAL**  
2 **MANAGEMENT AREA.**

3 (a) ADMINISTRATION.—The Secretary shall admin-  
4 ister the Area in accordance with—

5 (1) the National Forest Management Act of  
6 1976 (16 U.S.C. 1600 et seq.);

7 (2) this title; and

8 (3) other applicable laws.

9 (b) MANAGEMENT PLAN.—

10 (1) PLAN REQUIRED.—Not later than two years  
11 after the date of enactment of this Act, the Sec-  
12 retary shall develop a management plan for the long-  
13 term management of the Area.

14 (2) RECOMMENDATIONS AND CONSULTATION.—

15 The Secretary shall prepare the management plan in  
16 consultation and coordination with State, local and  
17 tribal governments, the public, and the Public Lands  
18 Initiative Planning and Implementation Advisory  
19 Committee established under Division C of this Act.  
20 If the Secretary does not incorporate recommenda-  
21 tions submitted by the State, local governments, and  
22 Indian tribes into the management plans, the Sec-  
23 retary shall submit a written explanation before the  
24 effective date of the management plan to the House  
25 Committee on Natural Resources and Senate Com-

1        mittee on Energy and Natural Resources outlining  
2        the reasons for rejecting the recommendations.

3            (3) USES.—The Secretary shall allow only such  
4        uses of the Area that would further the purposes  
5        outlined in subsection 401(b) and the following  
6        guidelines:

7            (A) Maintain the existing, outstanding nat-  
8        ural values of the Area.

9            (B) Allow for the continued use and access  
10       of oversnow vehicles, including snowmobiles.

11           (C) Allow for non-motorized recreational  
12       opportunities to occur within the Area including  
13       skiing, biking, hiking, fishing, hunting, horse-  
14       back riding, snowshoeing, and camping.

15           (D) Prohibit mineral development.

16           (E) Prohibit new permanent road construc-  
17       tion.

18           (F) Prohibit commercial timber harvesting.

19       **SEC. 404. HIGH UINTAS SPECIAL MANAGEMENT AREA GEN-**  
20       **ERAL PROVISIONS.**

21           (a) WITHDRAWALS.—Subject to valid existing rights,  
22       all Federal land within the Area established under section  
23       401 is withdrawn from—

24            (1) entry, appropriation or disposal under the  
25       public land laws;

1           (2) location, entry, and patent under the mining  
2       laws; and

3           (3) operation of the mineral leasing, mineral  
4       materials, and geothermal leasing laws.

5       (b) FIRE, INSECTS, AND DISEASE.—In accordance  
6       with this title, the Secretary may take such measures in  
7       the Area as are necessary for the control of fire, insects,  
8       and disease (including the coordination of the activities  
9       with a State or local agency).

10       (c) WILDLAND FIRE OPERATIONS.—Nothing in this  
11       title precludes a Federal, State, or local agency from con-  
12       ducting wildfire management operations (including oper-  
13       ations using aircraft or mechanized equipment) in the  
14       Area designated under section 401.

15       (d) LIVESTOCK.—

16           (1) IN GENERAL.—Within the Area designated  
17       under section 401, the grazing of livestock estab-  
18       lished before the date of enactment of this Act shall  
19       continue subject to reasonable regulations as pre-  
20       scribed by the relevant Secretary.

21           (2) PROTECTION OF EXISTING USES.—Existing  
22       livestock grazing shall continue in accordance with  
23       the following guidelines:

24           (A) There shall be no reductions of grazing  
25       in the areas designated by this section simply

1           because an area is, or has been designated by  
2           this title.

3           (B) The number of livestock permitted to  
4           graze in areas designated by this title shall con-  
5           tinue at approximate stocking levels prescribed  
6           in the grazing permit that existed on January  
7           1, 2016, and additional or suspended animal  
8           unit months shall be authorized to graze as  
9           range conditions allow or if range treatments  
10          improve conditions. Animal Unit Months shall  
11          only be diminished as a result of revisions in  
12          the normal grazing and land management plan-  
13          ning and policy setting process.

14          (C) The maintenance of existing grazing  
15          supporting facilities in an area prior to its des-  
16          ignated by this section (including fences, place-  
17          ment of salt and minerals, line cabins, water  
18          wells and pipelines, stock tanks and ponds),  
19          shall continue. Such maintenance may include  
20          the use of off-highway vehicles or mechanized  
21          tools and equipment.

22          (D) The construction of new grazing im-  
23          provements or replacement of deteriorated fa-  
24          cilities in areas designated by this section is au-



1           thorized if in accordance with the applicable  
2           land management plan.

3           (E) The use of off-highway vehicles for  
4           emergency purposes such as care of sick ani-  
5           mals or the placement of feed and water in  
6           emergency situations is authorized by the appli-  
7           cable grazing permit holder or an employee or  
8           agent thereof.

9           (F) Access to historic and traditional water  
10          sources for the purpose of watering livestock  
11          shall be maintained.

12          (G) The trailing of domestic livestock shall  
13          continue and shall not be limited by the des-  
14          ignations made under section 401.

15          (3) UTAH DEPARTMENT OF AGRICULTURE AND  
16          FOOD.—In instances in which historic grazing loca-  
17          tions, access, or use is disputed by the grazing per-  
18          mittee, data and information provided by the Utah  
19          Department of Agriculture shall be given consider-  
20          ation by the Secretary to establish historic access,  
21          locations, or use.

22          (e) ADJACENT MANAGEMENT.—

23                 (1) IN GENERAL.—Nothing in this title creates  
24                 a protective perimeter or buffer zone around the  
25                 Area.

1           (2) ACTIVITIES OUTSIDE THE AREA.—The fact  
2           that an activity or use on land outside the Area can  
3           be seen, heard, felt or smelled within the Area shall  
4           not preclude the activity or use outside the boundary  
5           of the Area.

6           (f) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
7           cial services (including authorized outfitting and guide ac-  
8           tivities) within the Area are authorized to the extent nec-  
9           essary to realize the recreational purposes of the areas.

10          (g) FISH AND WILDLIFE.—Nothing in this section  
11          affects the jurisdiction of the State of Utah with respect  
12          to the management of fish and wildlife on Federal land  
13          in the State, including the regulation of hunting, fishing,  
14          and trapping and use of helicopters to maintain healthy  
15          wildlife populations, within the Area.

16          (h) ACCESS.—The Secretary shall provide the owner  
17          of State or private property within the boundary of the  
18          Area.

19          (i) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
20          Structures and facilities, including future and existing  
21          structures and facilities, for wildlife water development  
22          projects (including guzzlers) in the Area are authorized.

23          (j) WATER RIGHTS.—

24                 (1) STATUTORY CONSTRUCTION.—Nothing in  
25                 this title—

1 (A) shall constitute either an express or  
2 implied reservation by the United States of any  
3 water rights with respect to the High Uintas  
4 Special Management Area;

5 (B) affects any water rights in the State of  
6 Utah existing on the date of enactment of this  
7 Act;

8 (C) establishes a precedent with regard to  
9 any future special management areas designa-  
10 tions; or

11 (D) shall restrict or prohibit the upstream  
12 diversion of water rights held under Utah State  
13 law.

14 (2) UTAH WATER LAW.—The Secretary shall  
15 follow the procedural and substantive requirements  
16 of State law to obtain and hold any water rights not  
17 in existence on the date of the enactment of this Act  
18 with respect to the Area.

19 (3) EFFECTS ON STATE WATER RIGHTS.—The  
20 Secretary shall not take any action that adversely  
21 affects—

22 (A) any water rights granted by the State;

23 (B) the authority of the State in adjudi-  
24 cating water rights;

1 (C) definitions established by the State  
2 with respect to the term “beneficial use” or  
3 “priority of rights”;

4 (D) terms and conditions for groundwater  
5 withdrawal;

6 (E) the use of groundwater resources that  
7 are in accordance with State law; or

8 (F) other rights or obligations of the State  
9 as established under State law.

10 (4) EXISTING WATER INFRASTRUCTURE.—

11 (A) Nothing in this title shall be construed  
12 to limit off-highway vehicle access and road  
13 maintenance by local municipalities, water dis-  
14 tricts or irrigation districts, for those mainte-  
15 nance activities necessary to guarantee the con-  
16 tinued viability of water resource facilities that  
17 currently exist or which may be necessary in  
18 the future to prevent the degradation of the  
19 water supply in the Area.

20 (B) Nothing in this title shall be construed  
21 to encumber, transfer, impair, or limit any  
22 water right, or recognized beneficial use, includ-  
23 ing access to, development, and use of livestock  
24 water rights as defined by State law.

1       (k) PERMANENT ROAD CONSTRUCTION.—After the  
2 date of enactment of this Act, except as necessary for ad-  
3 ministrative purposes or to respond to an emergency, the  
4 Secretary shall not construct any permanent road within  
5 the Area.

6       (l) TEMPORARY ROAD CONSTRUCTION.—The Sec-  
7 retary is authorized to construct temporary passenger ve-  
8 hicle roads for administrative or emergency purposes. The  
9 Secretary shall decommission any temporary road con-  
10 structed under this subsection not later than 3 years after  
11 the date the road is constructed.

12       (m) USE OF OFF-HIGHWAY OR MOTORIZED VEHI-  
13 CLES.—Except as necessary to meet the minimum require-  
14 ments for the administration of the Area and to protect  
15 public health and safety, the use of off-highway vehicle  
16 or motorized vehicles is prohibited.

17       (n) COMMERCIAL TIMBER HARVESTING.—Commer-  
18 cial timber harvesting within the Area is prohibited.

19       (o) OVERSNOW VEHICLES.—The Secretary of Agri-  
20 culture shall authorize the use of snowmobiles and other  
21 oversnow vehicles within the High Uintas Special Manage-  
22 ment Area when there is at least six inches of snow cov-  
23 erage.

1 **SEC. 405. LITTLE WEST FORK BLACKS FORK SPECIAL MAN-**  
2 **AGEMENT AREA.**

3 (a) ESTABLISHMENT.—Subject to valid existing  
4 rights, the approximately 8,231 acres of the Wasatch  
5 Cache National Forest in Summit County, Utah as gen-  
6 erally depicted on the map entitled “Utah PLI Little West  
7 Fork Blacks Special Management Area Map” dated June  
8 24, 2016, is established as the “Little West Fork Blacks  
9 Fork Special Management Area”.

10 (b) MAP AND LEGAL DESCRIPTION.—

11 (1) IN GENERAL.—Two years after the date of  
12 enactment of this Act, the shall file a map and legal  
13 description of the Little West Fork Blacks Fork  
14 Special Management Area with the Committee on  
15 Natural Resources of the House of Representatives  
16 and the Committee on Energy and Natural Re-  
17 sources and the Committee on Agriculture, Nutri-  
18 tion, and Forestry of the Senate.

19 (2) EFFECT.—The map and legal description  
20 prepared under paragraph (1) shall have the same  
21 force and effect as if included in this title, except  
22 that the Secretary may correct minor errors in the  
23 map or legal description provided that prior to any  
24 modifications, clerical or typographical changes,  
25 these changes are reported to the State of Utah and  
26 the affected county.



1           (3) PUBLIC AVAILABILITY.—A copy of the map  
2           and legal description shall be on file and available  
3           for public inspection in the appropriate offices of the  
4           United States Forest Service.

5 **SEC. 406. ADMINISTRATION OF LITTLE WEST FORK BLACKS**  
6                                   **FORK SPECIAL MANAGEMENT AREA.**

7           (a) PURPOSE.—The purpose of the Little West Fork  
8           Blacks Fork Special Management Area is to manage,  
9           maintain, and restore watershed and ecosystem function  
10          and aquatic habitat within the Area.

11          (b) ADMINISTRATION.—The Secretary shall admin-  
12          ister the Little West Fork Blacks Fork Special Manage-  
13          ment Area—

14                 (1) in a manner that promotes, protects, and  
15                 manages the resources of the Little West Fork  
16                 Blacks Fork Special Management Area described in  
17                 subsection (a); and

18                 (2) in accordance with—

19                         (A) the National Forest Management Act  
20                         of 1976 (16 U.S.C. 1600 et seq.);

21                         (B) this title; and

22                         (C) other applicable laws.

23          (c) MANAGEMENT PLAN.—

24                 (1) PLAN REQUIRED.—Not later than two years  
25                 after the date of enactment of this Act, the Sec-

1       retary shall develop a management plan for the long-  
2       term management of the Little West Fork Blacks  
3       Fork Special Management Area.

4               (2) RECOMMENDATIONS AND CONSULTATION.—

5       The Secretary shall prepare the management plan in  
6       consultation and coordination with local and tribal  
7       governments, the public, and the Public Lands Ini-  
8       tiative Planning and Implementation Advisory Com-  
9       mittee established under Division C of this Act. If  
10      the Secretary of the Interior does not incorporate  
11      recommendations submitted by the State, local gov-  
12      ernments, and Indian tribes into the management  
13      plans, the Secretary shall submit a written expla-  
14      nation before the effective date of the management  
15      plan to the House Committee on Natural Resources  
16      and Senate Committee on Energy and Natural Re-  
17      sources outlining the reasons for rejecting the rec-  
18      ommendations of the State, local governments and  
19      tribes.

20      (d) USES.—The Secretary shall allow only such uses  
21      of the special management area that would further the  
22      purposes outlined in subsection (a) and the following:

23               (1) Include skiing, biking, hiking, fishing, hunt-  
24      ing, horseback riding, snowmobiling, motorcycle

1 riding, off-highway vehicle use, snowshoeing, and  
2 camping.

3 (2) Allow for reintroduction of native flora  
4 (land and aquatic), bird, fish and animal fauna in  
5 Little West Fork Blacks Fork Special Management  
6 Area.

7 (3) Restore watershed function and health and  
8 re-establish ecosystem health in areas damaged or  
9 threatened by insects and disease.

10 (4) Restore the balance of the ecosystem health  
11 damaged or threatened by overpopulation of any  
12 plant, aquatic or animal species.

13 (5) Allow hazardous fuels reduction and forest  
14 health treatments to restore watershed and eco-  
15 system function, reduce hazardous fuels, and to pro-  
16 tect property in the wildland urban interface.

17 **SEC. 407. LITTLE WEST FORK BLACKS FORK SPECIAL MAN-**  
18 **AGEMENT AREA GENERAL PROVISIONS.**

19 (a) OFF-HIGHWAY VEHICLES.—

20 (1) IN GENERAL.—Except in cases in which off-  
21 highway vehicles are needed for administrative pur-  
22 poses or to respond to an emergency, the use of off-  
23 highway vehicles shall be permitted only on des-  
24 ignated routes within the Little West Fork Blacks  
25 Fork Special Management Area.

1           (2) MANAGEMENT.—The Secretary shall man-  
2           age existing designated routes in a manner that—

3                   (A) is consistent with off-highway vehicle  
4                   and mechanized use of the designated routes  
5                   authorized under the applicable travel manage-  
6                   ment plan;

7                   (B) does not significantly damage des-  
8                   ignated critical habitat or cultural resources;  
9                   and

10                  (C) does not interfere with private prop-  
11                  erty or water rights.

12           (3) CLOSURE.—The Secretary, in consultation  
13           with the State and affected County, may temporarily  
14           close or permanently reroute, subject to paragraph  
15           (4), a route if the Secretary determines that—

16                   (A) the route is significantly damaging  
17                   designated critical habitat or cultural resources;

18                   (B) the route threatens public safety;

19                   (C) closure of the route is necessary to re-  
20                   pair damage to the designated route; or

21                   (D) closure of the route is necessary to re-  
22                   pair resource damage.

23           (4) REROUTING.—Portions of the designated  
24           route that are temporarily closed may be perma-

1 nently rerouted by utilizing a previously closed route  
2 or constructing a new route.

3 (5) NOTICE.—The Secretary shall provide infor-  
4 mation to the public regarding any designated routes  
5 that are open, have been rerouted, or are tempo-  
6 rarily or permanently closed through—

7 (A) use of appropriate signage within the  
8 Conservation Area; and

9 (B) use of the Internet and Web resources.

10 (b) NO EFFECT ON NON-FEDERAL LAND OR INTER-  
11 ESTS IN NON-FEDERAL LAND.—Nothing in this section  
12 affects ownership, management, or other rights relating  
13 to non-Federal land or interests in non-Federal land.

14 (c) PERMANENT ROAD CONSTRUCTION.—Except as  
15 necessary for administrative purposes or to respond to an  
16 emergency, the Secretary shall not construct any perma-  
17 nent roads within the Little West Fork Blacks Fork Spe-  
18 cial Management Area after the date of enactment of this  
19 Act.

20 (d) TEMPORARY ROAD CONSTRUCTION.—The Sec-  
21 retary shall be permitted to construct temporary roads to  
22 implement the purposes of the area, including constructing  
23 temporary roads for fuel reduction, forest health treat-  
24 ments and prescribed burns. The Secretary shall decom-  
25 mission any temporary road constructed under a project

1 under this section not later than three years after the date  
2 on which the forest management project is completed.

3 (e) OVERSNOW VEHICLES.—The Secretary shall au-  
4 thorize the use of snowmobiles and other oversnow vehicles  
5 within the Little West Fork Blacks Fork Special Manage-  
6 ment Area when there is at least six inches of snow cov-  
7 erage.

8 (f) FIRE, INSECTS, AND DISEASE.—In accordance  
9 with this section, the Secretary may—

10 (1) carry out measures to manage wildland fire  
11 and treat hazardous fuels, insects, and diseases in  
12 the Little West Fork Blacks Fork Special Manage-  
13 ment Area; and

14 (2) coordinate those measures with the appro-  
15 priate State or local agency.

16 (g) WILDLAND FIRE OPERATIONS.—Nothing in this  
17 title precludes a Federal, State, or local agency from con-  
18 ducting wildfire management operations (including oper-  
19 ations using aircraft or mechanized equipment) in the  
20 Area designated under section 405.

21 (h) LIVESTOCK GRAZING.—

22 (1) IN GENERAL.—Within the Little West Fork  
23 Blacks Fork Special Management Area, the grazing  
24 of livestock in which grazing is established before  
25 the date of enactment of this Act shall continue sub-



1       ject to reasonable regulations as prescribed by the  
2       relevant Secretary.

3               (2) PROTECTION OF EXISTING USES.—Existing  
4       livestock grazing shall continue in accordance with  
5       the following guidelines:

6               (A) There shall be no reductions of grazing  
7       in the areas designated by section 405 simply  
8       because an area is or has been designated.

9               (B) The number of livestock permitted to  
10       graze in areas designated by section 405 shall  
11       continue at approximate stocking levels pre-  
12       scribed in the grazing permit that existed on  
13       January 1, 2016, and additional or suspended  
14       animal unit months shall be authorized to graze  
15       as range conditions allow or if range treatments  
16       improve conditions. Animal Unit Months shall  
17       only be diminished as a result of revisions in  
18       the normal grazing and land management plan-  
19       ning and policy setting process.

20              (C) The maintenance of existing grazing  
21       supporting facilities in an area prior to its des-  
22       ignated by section 405 (including fences, place-  
23       ment of salt and minerals, line cabins, water  
24       wells and pipelines, stock tanks and ponds),  
25       shall continue. Such maintenance may include

1 the use of off-highway vehicles or mechanized  
2 tools and equipment.

3 (D) The construction of new grazing im-  
4 provements or replacement of deteriorated fa-  
5 cilities in areas designated by section 405 is au-  
6 thorized if in accordance with the applicable  
7 land management plan.

8 (E) The use of off-highway vehicles for  
9 emergency purposes such as care of sick ani-  
10 mals or the placement of feed and water in  
11 emergency situations is authorized by the appli-  
12 cable grazing permit holder or an employee or  
13 agent thereof.

14 (F) Access to historic and traditional water  
15 sources for the purpose of watering livestock  
16 shall be maintained.

17 (G) The trailing of domestic livestock shall  
18 continue and shall not be limited by the des-  
19 ignations made under section 405.

20 (3) UTAH DEPARTMENT OF AGRICULTURE AND  
21 FOOD.—In instances in which historic grazing loca-  
22 tions, access, or use is disputed by the grazing per-  
23 mittee, data and information provided by the Utah  
24 Department of Agriculture shall be given consider-

1       ation by the Secretary to establish historic access,  
2       locations, or use.

3       (i) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—

4       Nothing in this title precludes the Secretary from renew-  
5       ing easements or rights-of-way in existence as of the date  
6       of enactment of this Act, in accordance with this title and  
7       existing law.

8       (j) ADJACENT MANAGEMENT.—

9             (1) IN GENERAL.—Nothing in this title creates  
10       a protective perimeter or buffer zone around the Lit-  
11       tle West Fork Blacks Fork Special Management  
12       Area designated by section 405.

13            (2) ACTIVITIES OUTSIDE SPECIAL MANAGE-  
14       MENT AREA.—The fact that an activity or use on  
15       land outside the Little West Fork Blacks Fork Spe-  
16       cial Management Area can be seen, heard, felt or  
17       smelled within the Little West Fork Blacks Fork  
18       Special Management Area shall not preclude the ac-  
19       tivity or use outside the boundary of Little West  
20       Fork Blacks Fork Special Management Area.

21       (k) OUTFITTING AND GUIDE ACTIVITIES.—As per-  
22       mitted as of January 1, 2016, commercial services (includ-  
23       ing authorized outfitting and guide activities) within the  
24       Little West Fork Blacks Special Management Area are

1 authorized to the extent necessary to realize the rec-  
2 reational purposes of the areas.

3 (l) FISH AND WILDLIFE.—Nothing in this section af-  
4 fects the jurisdiction of the State of Utah with respect  
5 to the management of fish and wildlife on Federal land  
6 in the State, including the regulation of hunting, fishing,  
7 and trapping within the Little West Fork Blacks Fork  
8 Special Management Area.

9 (m) ACCESS.—Consistent with the purposes of sec-  
10 tion 406(a), and as authorized as of the date of enactment  
11 of this section, the Secretary shall provide the owner of  
12 State, tribal, or private property within the boundary of  
13 the Little West Fork Blacks Fork Special Management  
14 Area access to the property.

15 (n) WATER RIGHTS.—

16 (1) STATUTORY CONSTRUCTION.—Nothing in  
17 this title—

18 (A) shall constitute either an express or  
19 implied reservation by the United States of any  
20 water rights with respect to the Little West  
21 Fork Blacks Fork Special Management Areas  
22 designated by section 405;

23 (B) affects any water rights in the State of  
24 Utah;

1 (C) establishes a precedent with regard to  
2 any future Special Management Areas designa-  
3 tions; or

4 (D) shall restrict or prohibit the upstream  
5 diversion of water rights held under Utah State  
6 law.

7 (2) UTAH WATER LAW.—The Secretary shall  
8 follow the procedural and substantive requirements  
9 of State law to obtain and hold any water rights not  
10 in existence on the date of the enactment of this Act  
11 with respect to the Little West Fork Blacks Fork  
12 Special Management Areas.

13 (3) EFFECTS ON STATE WATER RIGHTS.—The  
14 Secretary shall not take any action that adversely  
15 affects—

16 (A) any water rights granted by the State;

17 (B) the authority of the State in adjudi-  
18 cating water rights;

19 (C) definitions established by the State  
20 with respect to the term “beneficial use” or  
21 “priority of rights”;

22 (D) terms and conditions for groundwater  
23 withdrawal;

24 (E) the use of groundwater resources that  
25 are in accordance with State law; or

1 (F) other rights or obligations of the State  
2 as established under State law.

3 (4) EXISTING WATER INFRASTRUCTURE.—

4 Nothing in this section shall be construed to—

5 (A) limit off-highway vehicle access and  
6 road maintenance by local municipalities, irriga-  
7 tion districts, or water districts for those main-  
8 tenance activities necessary to guarantee the  
9 continued viability of water resource facilities  
10 that currently exist or which may be necessary  
11 in the future to prevent the degradation of the  
12 water supply in the Little West Fork Blacks  
13 Fork Special Management Area designated by  
14 section 405; and

15 (B) encumber, transfer, impair, or limit  
16 any water right, or recognized beneficial use, in-  
17 cluding access to, development, and use of live-  
18 stock water rights as defined by State law.

19 (o) VEGETATION MANAGEMENT.—Consistent with  
20 the purposes of the Little West Fork Blacks Fork Special  
21 Management Area, nothing in this section prevents the  
22 Secretary from conducting vegetation management  
23 projects within the Little West Fork Blacks Fork Special  
24 Management Area.



1 (p) COMMERCIAL TIMBER HARVEST.—Consistent  
2 with the purposes of the Little West Fork Blacks Fork  
3 Special Management Area commercial timber harvest is  
4 authorized if the primary purpose of harvest is to restore  
5 or improve forest resiliency and watershed function or to  
6 further the purposes described in section 405.

7 (q) WITHDRAWAL.—Subject to valid existing rights,  
8 the Federal land within the Little West Fork Blacks Fork  
9 Special Management Area designated by section 405 are  
10 withdrawn from—

11 (1) all forms of entry, appropriation, and dis-  
12 posal under the Federal land laws;

13 (2) location, entry, and patent under the mining  
14 laws; and

15 (3) operation of the mineral leasing, mineral  
16 materials, and geothermal leasing laws.

17 **SEC. 408. DESOLATION CANYON, NINE MILE CANYON,**  
18 **WHITE RIVER AND BOOKS CLIFFS SPORTS-**  
19 **MEN'S SPECIAL MANAGEMENT AREAS.**

20 (a) ESTABLISHMENT.—Subject to valid existing  
21 rights, the following areas in the State of Utah are hereby  
22 established as Special Management Areas:

23 (1) DESOLATION CANYON.—Certain Federal  
24 land, comprising approximately 8,770 acres adminis-  
25 tered by the Bureau of Land Management in Carbon

1 County as generally depicted on the map entitled  
2 Utah PLI Special Management Area Map dated  
3 June 30, 2016, to be known as the “Desolation Can-  
4 yon Special Management Area”.

5 (2) NINE MILE CANYON.—Certain Federal land,  
6 comprising approximately 41,301 acres; 26,210  
7 acres in Carbon County and 15,091 acres in  
8 Duchesne County administered by the Bureau of  
9 Land Management in Carbon County and Duchesne  
10 County as generally depicted on the map entitled  
11 Utah PLI Special Management Area Map dated  
12 June 30, 2016, to be known as the “Nine Mile Can-  
13 yon Special Management Area”.

14 (3) WHITE RIVER.—Certain Federal land, com-  
15 prising approximately 15,790 acres administered by  
16 the Bureau of Land Management in Uintah County  
17 as generally depicted on the map entitled Utah PLI  
18 Special Management Area Map dated June 30,  
19 2016, to be known as the “White River Special  
20 Management Area”.

21 (4) BOOKS CLIFFS SPORTSMENS.—Certain Fed-  
22 eral land, comprising approximately 42,351 acres  
23 administered by the Bureau of Land Management in  
24 Uintah County as generally depicted on the map en-  
25 titled Utah PLI Special Management Area Map

1       dated June 30, 2016, is established as “Book Cliffs  
2       Sportsmens Special Management Area”.

3       (b) PURPOSES.—The purposes of the Desolation  
4 Canyon, Nine Mile Canyon, and White River Special Man-  
5 agement Areas (hereinafter referred to as the “Areas”)  
6 established under subsection (a) is to—

7           (1) protect, conserve, and enhance the unique  
8       and nationally important historic, cultural, scientific,  
9       scenic, recreational, archaeological, natural, and edu-  
10      cational resources of the Areas;

11          (2) maintain and enhance cooperative and inno-  
12      vative management practices between resource man-  
13      agers, private landowners, and the public in the  
14      Areas; and

15          (3) recognize and maintains historic uses of the  
16      Areas.

17      (c) BOOKS CLIFFS SPORTSMENS SPECIAL MANAGE-  
18      MENT AREA PURPOSES.—The purpose of the Book Cliffs  
19      Sportsmens Special Management Area (hereinto referred  
20      to as the “Book Cliffs Area”) is to protect hunting and  
21      fishing opportunities and habitat, manage and restore fish  
22      and wildlife habitat, and facilitate hunting and fishing op-  
23      portunities in a natural environment.

1 **SEC. 409. DESOLATION CANYON, NINE MILE CANYON,**  
2 **WHITE RIVER AND BOOKS CLIFFS SPORTS-**  
3 **MEN'S SPECIAL MANAGEMENT AREA MAP**  
4 **AND LEGAL DESCRIPTION.**

5 (a) **IN GENERAL.**—Not later than two years after the  
6 date of enactment of this Act, the Secretary of the Interior  
7 (hereinafter referred to as the “Secretary”) shall file a  
8 map and legal description of the Areas and the Books  
9 Cliffs Area with the Committee on Natural Resources of  
10 the House of Representatives and the Committee on En-  
11 ergy and Natural Resources of the Senate.

12 (b) **EFFECT.**—The map and legal description pre-  
13 pared under subsection (a) shall have the same force and  
14 effect as if included in this section, except that the Sec-  
15 retary may correct minor errors in the map or legal de-  
16 scription provided that prior to any modifications, clerical  
17 or typographical changes, these changes are reported to  
18 the State of Utah and the affected county.

19 (c) **PUBLIC AVAILABILITY.**—A copy of the map and  
20 legal description shall be on file and available for public  
21 inspection in the appropriate offices of the Bureau of  
22 Land Management.

1 **SEC. 410. ADMINISTRATION OF THE DESOLATION CANYON,**  
2 **NINE MILE CANYON, AND WHITE RIVER SPE-**  
3 **CIAL MANAGEMENT AREAS.**

4 (a) **PLAN REQUIRED.**—Not later than two years after  
5 the date of enactment of this Act, the Secretary shall de-  
6 velop a management plan for the long-term management  
7 of each of the Areas.

8 (b) **RECOMMENDATIONS AND CONSULTATION.**—The  
9 Secretary shall prepare the management plans in consulta-  
10 tion and coordination with the State, local and tribal gov-  
11 ernments, the public, and the Public Lands Initiative  
12 Planning and Implementation Advisory Committee estab-  
13 lished under Division C of this Act. If the Secretary does  
14 not incorporate recommendations submitted by the State,  
15 local, and Indian tribes into the management plans, the  
16 Secretary shall submit a written explanation before the ef-  
17 fective date of the management plan to the House Com-  
18 mittee on Natural Resources and Senate Committee on  
19 Energy and Natural Resources outlining the reasons for  
20 rejecting the recommendations.

21 **SEC. 411. DESOLATION CANYON, NINE MILE CANYON, AND**  
22 **WHITE RIVER SPECIAL MANAGEMENT AREA**  
23 **GENERAL PROVISIONS.**

24 (a) **APPLICABILITY.**—The general provisions of sec-  
25 tion 204 shall apply to the Areas.

1 (b) EXCEPTION.—The withdrawal provided by 204(a)  
2 shall not apply to the Desolation Canyon Special Manage-  
3 ment Area, White River Special Management Area, and  
4 the Nine Mile Canyon Special Management Area.

5 (c) OIL AND GAS LEASING.—The Secretary may  
6 lease oil and gas resources in accordance with the Mineral  
7 Leasing Act (30 U.S.C. 181 et seq.) subject to the fol-  
8 lowing conditions:

9 (1) The minerals may be accessed only by direc-  
10 tional drilling from a lease held on the date of enact-  
11 ment of this Act and accessed through surface estate  
12 that is adjacent to, and outside of, the Areas.

13 (2) The lease shall prohibit surface occupancy  
14 and surface disturbance for any mineral activities  
15 within the Areas.

16 (d) NINE MILE CANYON ADDITIONAL PROVISIONS.—

17 (1) Energy development, including access needs  
18 for energy development, within the Nine Mile Can-  
19 yon Special Management Area shall be allowed  
20 under the terms of the West Tavaputs Plateau  
21 Project Final Environmental Impact Statement and  
22 Record of Decision of July 2, 2010.

23 (2) Upon enactment of this section, the current  
24 Area of Critical Environmental Concern designation  
25 made under FLPMA (site) shall be permanently re-



1 moved from the Nine Mile Canyon Special Manage-  
2 ment Area.

3 **SEC. 412. BOOK CLIFFS SPORTSMENS SPECIAL MANAGE-**  
4 **MENT AREA ADDITIONAL PROVISIONS.**

5 (a) MANAGEMENT PLAN.—Not later than two years  
6 after the date of enactment of this Act, the Secretary of  
7 the Interior (hereinto referred to as the “Secretary”) shall  
8 develop a management plan for the long-term manage-  
9 ment of the Book Cliffs Area.

10 (1) RECOMMENDATIONS AND CONSULTATION.—

11 The Secretary of the Interior shall prepare the man-  
12 agement plan in consultation and coordination with  
13 the Advisory Council described in subsection (d)  
14 below. If the Secretary of the Interior does not in-  
15 corporate the recommendations submitted by the  
16 Advisory Council into the management plan the Sec-  
17 retary of the Interior shall submit a written expla-  
18 nation before the effective date of the management  
19 plan to the House Committee on Natural Resources  
20 and Senate Committee on Energy and Natural Re-  
21 sources outlining the reasons for rejecting the rec-  
22 ommendations of the Advisory Council.

23 (2) REQUIREMENTS.—The management plan  
24 shall be written in accordance with section 408(c).

1           (3) USES.—The Secretary shall only allow such  
2           uses of the Books Cliffs Area that would further the  
3           purposes of the Books Cliffs Area.

4           (b) VEGETATION MANAGEMENT.—Within the Book  
5           Cliffs Area, the Secretary may authorize vegetation man-  
6           agement, including mechanical treatments, to the extent  
7           necessary to control fire, insects, or disease or to promote  
8           and improve wildlife habitat and diversity as consistent  
9           with the purposes of the Book Cliffs Area.

10          (c) MINERAL LEASING.—the Secretary may lease oil  
11          and gas resources in accordance with the Mineral Leasing  
12          Act (30 U.S.C. 181 et seq.) in the Books Cliffs Area sub-  
13          ject to the following conditions:

14                (1) The area may be accessed only by direc-  
15                tional drilling from a lease held on the date of enact-  
16                ment of this Act on surface estate that is adjacent  
17                to, and outside of, the Books Cliffs Area.

18                (2) The Books Cliff Area may be accessed only  
19                by directional drilling if the mineral lease entered  
20                into includes a non-waivable stipulation prohibiting  
21                surface occupancy and surface disturbance for any  
22                mineral activities within the Books Cliffs Area.

23          (d) WILDERNESS REVIEW.—The Secretary may not  
24          promulgate or issue any system-wide regulation, directive,  
25          instruction memorandum or order that would direct man-

1 agement of Federal lands designated under section 408  
2 in a manner contrary to this title.

3 **SEC. 413. BOOK CLIFFS SPORTSMEN'S SPECIAL MANAGE-**  
4 **MENT AREA ADVISORY COMMITTEE.**

5 (a) ESTABLISHMENT AND PURPOSE OF THE BOOK  
6 CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREA AD-  
7 VISORY COMMITTEE.—

8 (1) ESTABLISHMENT.—The Secretary of the In-  
9 terior shall establish and maintain the Book Cliffs  
10 Sportsmen's Special Management Area Advisory  
11 Committee (referred to in this title as the "Book  
12 Cliffs Advisory Committee") to perform the duties in  
13 subsection (b).

14 (2) PURPOSE.—The purpose of the Book Cliffs  
15 Advisory Committee is to advise the Secretary of the  
16 Interior on the Book Cliffs Special Management  
17 Area.

18 (b) DUTIES.—The Book Cliffs Advisory Committee  
19 shall advise the Secretary of the Interior with regard to—

20 (1) implementation of the Book Cliffs Special  
21 Management Area Management Plan; and

22 (2) administration of the Book Cliffs Special  
23 Management Area.

24 (c) APPOINTMENT BY THE SECRETARY.—

1           (1) APPOINTMENT AND TERM.—The Secretary  
2 of the Interior shall appoint the members of the  
3 Book Cliffs Advisory Committee for a term of 5  
4 years beginning on the date of appointment. The  
5 Secretary of the Interior may not reappoint mem-  
6 bers to more than three terms.

7           (2) BASIC REQUIREMENTS.—The Secretary of  
8 the Interior shall ensure that the Book Cliffs Advi-  
9 sory Committee established meets the requirements  
10 of subsection (d).

11           (3) INITIAL APPOINTMENT.—The Secretary of  
12 the Interior shall make initial appointments to the  
13 Book Cliffs Advisory Committee not later than 180  
14 days after the date of the enactment of this Act.

15           (4) VACANCIES.—The Secretary of the Interior  
16 shall make appointments to fill vacancies on the  
17 Book Cliffs Advisory Committee as soon as prac-  
18 ticable after the vacancy has occurred.

19           (5) COMPENSATION.—Members of the Book  
20 Cliffs Advisory Committee shall not receive any com-  
21 pensation.

22           (d) COMPOSITION OF BOOK CLIFFS ADVISORY COM-  
23 MITTEE.—

1           (1) NUMBER.—The Book Cliffs Advisory Com-  
2           mittee shall be comprised of no more than 11 mem-  
3           bers.

4           (2) COMMUNITY INTERESTS REPRESENTED.—  
5           Book Cliffs Advisory Committee members shall re-  
6           side in the State of Utah and be representative of  
7           the following members:

8                   (A) State Division of Wildlife Resources  
9           Director or one designee.

10                   (B) Game bird hunting organization.

11                   (C) Wildlife conservation organization.

12                   (D) Big game hunting organization.

13                   (E) Cold water fishing organization.

14                   (F) Tourism, outfitter, or guiding indus-  
15           try.

16                   (G) Hunting or shooting equipment retail  
17           industry.

18                   (H) Ute Tribe.

19                   (I) Forest or rangeland management spe-  
20           cialist.

21                   (J) Ranching industry in Uintah County.

22                   (K) Uintah County Commission Chairman  
23           or designee.

24           (3) PRESERVATION OF PUBLIC ADVISORY STA-  
25           TUS.—No individual serving under section 402 may

1 be an officer or employee of the Federal Government  
2 or State of Utah Government.

3 (4) BALANCED REPRESENTATION.—In appoint-  
4 ing Book Cliffs Advisory Committee members from  
5 the two categories in section 402, the Secretary of  
6 the Interior shall provide for balanced and broad  
7 representation from within each category.

8 (5) CHAIRPERSON.—The Secretary of the Inte-  
9 rior shall select the chairperson of the Book Cliffs  
10 Advisory Committee for a term of 5 years beginning  
11 on the date of appointment.

12 (e) ANNUAL BOOK CLIFFS ADVISORY COMMITTEE  
13 REPORT.—

14 (1) REPORT SUBMISSION.—The Book Cliffs Ad-  
15 visory Committee shall submit a report no later than  
16 September 30 of each year to the Secretary of the  
17 Interior, the Committee on Natural Resources of the  
18 House of Representatives, and the Committee on  
19 Agriculture, Nutrition, and Forestry of the Senate.  
20 If the Book Cliffs Advisory Committee cannot meet  
21 the September 30 deadline in any year, the Sec-  
22 retary of the Interior shall advise the Chair of each  
23 such Committee of the reasons for such delay and  
24 the date on which the submission of the report is an-  
25 ticipated.



1           (2) CONTENTS.—The report required by para-  
2 graph (1) shall describe—

3           (A) the activities of the Book Cliffs Advi-  
4 sory Committee during the preceding year;

5           (B) the reports and recommendations  
6 made by the Book Cliffs Advisory Committee to  
7 the Secretary of the Interior during the pre-  
8 ceding year; and

9           (C) an accounting of actions taken by the  
10 Secretary of the Interior as a result of the rec-  
11 ommendations.

12       (f) OTHER BOOK CLIFFS ADVISORY COMMITTEE AU-  
13 THORITIES AND REQUIREMENTS.—

14           (1) STAFF ASSISTANCE.—The Book Cliffs Advi-  
15 sory Committee may submit to the Secretary of the  
16 Interior a request for periodic staff assistance from  
17 Federal employees under the jurisdiction of the Sec-  
18 retary.

19           (2) MEETINGS.—

20           (A) FREQUENCY.—The Book Cliffs Advi-  
21 sory Committee shall meet at the call of the  
22 Secretary of the Interior, the Chairperson, or a  
23 majority of the members. Meetings shall be held  
24 no fewer than 1 time a year. A majority must

1 be present to constitute an official meeting of  
2 the Book Cliffs Advisory Committee.

3 (B) OPEN MEETINGS.—All meetings of the  
4 Book Cliffs Advisory Committee shall be an-  
5 nounced at least one week in advance in publi-  
6 cations of general circulation and shall be open  
7 to the public.

8 (3) RECORDS.—The Book Cliffs Advisory Com-  
9 mittee shall maintain records of the meetings of the  
10 Book Cliffs Advisory Committee and make the  
11 records available for public inspection.

12 **TITLE V—ARCHES NATIONAL**  
13 **PARK EXPANSION**

14 **SEC. 501. ARCHES NATIONAL PARK EXPANSION.**

15 Section 1 of Public Law 92–155 is amended—

16 (1) by inserting the following after paragraph  
17 (2)—

18 “(3) Effective on the date of enactment of the  
19 Utah Public Lands Initiative Act, the boundary of  
20 the park shall include the area consisting of approxi-  
21 mately 18,779 acres and depicted as Arches Expans-  
22 sion on the map entitled ‘Utah PLI Park and Monu-  
23 ment Map’ dated June 24, 2016.”;

24 (2) by redesignating paragraph (3) as para-  
25 graph (4); and

1           (3) in paragraph (4), as so designated by para-  
2           graph (2) of this provision, by striking “(1) and (2)”  
3           and inserting instead “(1), (2), and (3)”.

4           **TITLE VI—JURASSIC NATIONAL**  
5           **MONUMENT**

6           **SEC. 601. JURASSIC NATIONAL MONUMENT.**

7           (a) **PURPOSES.**—To conserve, interpret, and enhance  
8           for the benefit of present and future generations the pale-  
9           ontological, scientific, educational, and recreational re-  
10          sources, there is established in Emery County, Utah, sub-  
11          ject to valid existing rights, the Jurassic National Monu-  
12          ment (hereinafter referred to in this title as the “Monu-  
13          ment”).

14          (b) **BOUNDARIES.**—The Monument shall consist of  
15          approximately 867 acres of Federal land in Emery Coun-  
16          ty, Utah as generally depicted on the map entitled “Utah  
17          PLI Park and Monument Map” dated June 24, 2016, to  
18          be known as the “Jurassic National Monument”.

19          (c) **MAP AND LEGAL DESCRIPTION.**—

20                 (1) **IN GENERAL.**—Two years after the date of  
21                 enactment of this Act, the Secretary of the Interior  
22                 (hereinafter referred to as the “Secretary”) shall file  
23                 a map and legal description of the Monument with  
24                 the Committee on Natural Resources of the House

1 of Representatives and the Committee on Energy  
2 and Natural Resources of the Senate.

3 (2) EFFECT.—The map and legal description  
4 prepared under paragraph (1) shall have the same  
5 force and effect as if included in this section, except  
6 that the Secretary may correct minor errors in the  
7 map or legal description provided that prior to any  
8 modifications, clerical or typographical changes,  
9 these changes are reported to the State of Utah and  
10 the affected county.

11 (3) PUBLIC AVAILABILITY.—A copy of the map  
12 and legal description shall be on file and available  
13 for public inspection in the appropriate offices of the  
14 Bureau of Land Management.

15 (d) ACQUISITION OF LAND.—

16 (1) IN GENERAL.—The Secretary may acquire  
17 land or interests in land within the boundaries of the  
18 Monument only by donation, exchange, transfer  
19 from another agency, or purchase from a willing sell-  
20 er.

21 (2) LAND EXCHANGE.—At the request of the  
22 State, not later than two years after the date of en-  
23 actment of this Act, the Secretary shall complete ex-  
24 changes for State land located within the boundaries  
25 of the Monument designated by this title.

1           (3) NO CONDEMNATION.—Within the Monu-  
2           ment designated by this section the use of eminent  
3           domain or condemnation shall be prohibited.

4           (e) WITHDRAWALS.—Subject to valid existing rights,  
5           any land within the Monument or any land or interest in  
6           land that is acquired by the United States for inclusion  
7           in the Monument after the date of enactment of this sec-  
8           tion is withdrawn from—

9           (1) entry, appropriation, or disposal under the  
10          Federal land laws;

11          (2) location, entry, and patent under the mining  
12          laws; and

13          (3) operation of the mineral leasing laws, geo-  
14          thermal leasing laws, and minerals materials laws.

15          (f) MANAGEMENT PLAN.—

16          (1) PLAN REQUIRED.—Not later than two years  
17          after the date of enactment of this Act, the Sec-  
18          retary shall develop a management plan for the long-  
19          term management of the Monument, including con-  
20          sideration of enhanced transportation routes, out-  
21          door recreation planning, and promotion of scientific  
22          research.

23          (2) RECOMMENDATIONS AND CONSULTATION.—  
24          The Secretary shall prepare the management plan in  
25          consultation and coordination with State, local and

1 tribal governments, the public, and the Public Lands  
2 Initiative Planning and Implementation Advisory  
3 Committee established under Division C of this Act.  
4 If the Secretary does not incorporate recommenda-  
5 tions submitted by the State, local governments, and  
6 Indian tribes into the management plans, the Sec-  
7 retary shall submit a written explanation before the  
8 effective date of the management plan to the House  
9 Committee on Natural Resources and Senate Com-  
10 mittee on Energy and Natural Resources outlining  
11 the reasons for rejecting the recommendations of the  
12 State and local governments and tribes.

13 (3) USES.—The Secretary shall allow only such  
14 uses of the Monument that would further the pur-  
15 poses outlined in subsection (a).

16 (g) ADMINISTRATION.—The Secretary shall admin-  
17 ister the Monument in accordance with—

18 (1) the management plan; and

19 (2) any other applicable laws.

20 (h) ADJACENT MANAGEMENT.—

21 (1) IN GENERAL.—Nothing in this title creates  
22 a protective perimeter or buffer zone around the  
23 Monument designated by this section.

24 (2) ACTIVITIES OUTSIDE MONUMENT.—The  
25 fact that an activity or use on land outside the

1 Monument can be seen, heard, felt or smelled within  
2 the Monument shall not preclude the activity or use  
3 outside the boundary of the Monument.

4 **TITLE VII—WILD AND SCENIC**  
5 **RIVERS**

6 **SEC. 701. WILD AND SCENIC RIVERS.**

7 (a) ADDITIONS.—Section 3(a) of the Wild and Scenic  
8 Rivers Act (16 U.S.C. 1274(a)) is amended by adding at  
9 the end the following:

10 “(213) COLORADO RIVER.—The following seg-  
11 ments in the State of Utah, to be administered by  
12 the Secretary of the Interior as follows:

13 “(A) The approximately 12.6 mile segment  
14 in Grand County as generally depicted on the  
15 Utah PLI Wild and Scenic River Map dated  
16 July 11, 2016, as a wild river.

17 “(B) The approximately 12.6 mile segment  
18 in Grand County as generally depicted on the  
19 Utah PLI Wild and Scenic River Map dated  
20 June 11, 2016, as a scenic river.

21 “(C) The approximately 52.2 mile segment  
22 in Grand County as generally depicted on the  
23 Utah PLI Wild and Scenic River Map dated  
24 June 11, 2016, as a recreational river.



1           “(D) The approximately 27.1 mile segment  
2           in Grand County as generally depicted on the  
3           Utah PLI Wild and Scenic River Map dated  
4           June 11, 2016, as a scenic river.

5           “(214) DOLORES RIVER.—The following seg-  
6           ments in the State of Utah, to be administered by  
7           the Secretary of the Interior as follows:

8           “(A) The approximately 5.6 mile segment  
9           in Grand County as generally depicted on the  
10          Utah PLI Wild and Scenic River Map dated  
11          June 11, 2016, as a recreational river.

12          “(B) The approximately 5.8 mile segment  
13          in Grand County as generally depicted on the  
14          Utah PLI Wild and Scenic River Map dated  
15          June 11, 2016, as a scenic river.

16          “(C) The approximately 11.5 mile segment  
17          in Grand County as generally depicted on the  
18          Utah PLI Wild and Scenic River Map dated  
19          June 11, 2016, as a recreational river.

20          “(215) GREEN RIVER.—The following segments  
21          in the State of Utah, to be administered by the Sec-  
22          retary of the Interior as follows:

23          “(A) The approximately 69.5 mile river  
24          segment in Uintah, Carbon, Emery, and Grand  
25          Counties as generally depicted on the Utah PLI

1 Wild and Scenic River Map dated June 11,  
2 2016, as a as a scenic river.

3 “(B) The approximately 19.2 mile river  
4 segment in Emery and Grand Counties as gen-  
5 erally depicted on the Utah PLI Wild and Sce-  
6 nic River Map dated June 11, 2016, as a wild  
7 river.

8 “(C) The approximately 8.5 mile river seg-  
9 ment in Emery and Grand Counties as gen-  
10 erally depicted on the Utah PLI Wild and Sce-  
11 nic River Map dated June 11, 2016, as a rec-  
12 reational river.

13 “(D) The approximately 109.4 mile river  
14 segment in Emery and Grand Counties as gen-  
15 erally depicted on the Utah PLI Wild and Sce-  
16 nic River Map dated July 11, 2016, as a scenic  
17 river.

18 “(216) DARK CANYON.—The approximately 6.3  
19 mile river segment in San Juan County as generally  
20 depicted on the Utah PLI Wild and Scenic River  
21 Map dated July 11, 2016, as a wild river.

22 “(217) SAN JUAN RIVER.—The approximately  
23 17.2 mile river segment in San Juan County as gen-  
24 erally depicted on the Utah PLI Wild and Scenic  
25 River Map dated July 11, 2016, as a wild river.”.

1 (b) ADJACENT MANAGEMENT.—

2 (1) IN GENERAL.—Nothing in this title creates  
3 a protective perimeter or buffer zone around a wild  
4 and scenic river designated by this title.

5 (2) ACTIVITIES OUTSIDE WILD AND SCENIC  
6 RIVER.—The fact that an activity or use on land  
7 outside a wild and scenic river designated under this  
8 title can be seen, heard, felt or smelled within the  
9 wild and scenic river shall not preclude the activity  
10 or use outside the boundary of the wild and scenic  
11 river.

12 (c) ACQUISITION.—The Secretary of the Interior may  
13 acquire land or interest in land within the boundaries of  
14 the wild and scenic river areas designated by this title only  
15 by donation, exchange, or transfer from another agency.

16 (d) NO CONDEMNATION.—Within the areas des-  
17 igned by this title the use of eminent domain or con-  
18 demnation shall be prohibited.

19 (e) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
20 cial services (including authorized outfitting and guide ac-  
21 tivities) within the wild and scenic rivers designated by  
22 this title are authorized to the extent necessary to realize  
23 the recreational purposes of the areas.

24 (f) MAPS AND LEGAL DESCRIPTION.—

1           (1) IN GENERAL.—Not later than two years  
2 after the date of enactment of this Act, the Sec-  
3 retary of the Interior shall file a map and legal de-  
4 scription of the river segments designated by this  
5 title with the Committee on Natural Resources of  
6 the House of Representatives and the Committee on  
7 Energy and Natural Resources of the Senate.

8           (2) EFFECT.—The map and legal description  
9 prepared under paragraph (1) shall have the same  
10 force and effect as if included in this title, except  
11 that the Secretary of the Interior may correct minor  
12 errors in the map or legal description and provided  
13 that prior to any modifications, clerical or typo-  
14 graphical changes, these changes are reported to the  
15 State of Utah and the affected counties.

16           (3) PUBLIC AVAILABILITY.—A copy of the map  
17 and legal description shall be on file and available  
18 for public inspection in the appropriate offices of the  
19 Bureau of Land Management.

1 **TITLE VIII—ASHLEY KARST NA-**  
2 **TIONAL GEOLOGIC AND REC-**  
3 **REATION AREA**

4 **SEC. 801. ASHLEY KARST NATIONAL GEOLOGIC AND REC-**  
5 **REATION AREA.**

6 (a) ESTABLISHMENT.—Subject to valid existing  
7 rights, including the rights of a tribe, the approximately  
8 110,838 acres generally depicted on the map entitled Utah  
9 PLI Special Management Area Map dated June 30, 2016,  
10 are hereby established as the “Ashley Karst National Geo-  
11 logic and Recreation Area”.

12 (b) PURPOSES.—The purposes of the Ashley Karst  
13 National Geologic and Recreation Area (hereinto referred  
14 to in this title as the “Area”) are to provide recreational  
15 opportunities, protection and management of water re-  
16 sources, utilization of commercial forest products and  
17 withdrawal of minerals from development.

18 **SEC. 802. MAP AND LEGAL DESCRIPTION.**

19 (a) IN GENERAL.—Not later than two years after the  
20 date of enactment of this Act, the Secretary of Agriculture  
21 (hereinafter referred to as the “Secretary”) shall file a  
22 map and legal description of the Ashley Karst National  
23 Geologic and Recreation Area (hereinafter referred to as  
24 the “Area” with the Committee on Natural Resources of

1 the House of Representatives and the Committee on En-  
2 ergy and Natural Resources of the Senate.

3 (b) EFFECT.—The map and legal description pre-  
4 pared under subsection (a) shall have the same force and  
5 effect as if included in this title, except that the Secretary  
6 may correct minor errors in the map or legal description  
7 and provided that prior to any modifications, clerical or  
8 typographical changes, these changes are reported to the  
9 State of Utah and the affected county.

10 (c) PUBLIC AVAILABILITY.—A copy of the map and  
11 legal description shall be on file and available for public  
12 inspection in the appropriate offices of the United States  
13 Forest Service and Bureau of Indian Affairs.

14 **SEC. 803. ADMINISTRATION.**

15 (a) ADMINISTRATION.—The Secretary shall admin-  
16 ister the Area in accordance with—

17 (1) the National Forest Management Act of  
18 1976 (16 U.S.C. 1600 et seq.);

19 (2) this title; and

20 (3) other applicable laws.

21 (b) MANAGEMENT.—Not later than two years after  
22 the date of enactment of this Act, the Secretary shall de-  
23 velop a management plan for the long-term management  
24 of the Area.

1           (c) RECOMMENDATIONS AND CONSULTATION.—The  
2 Secretary shall prepare the management plan in consulta-  
3 tion and coordination with local and tribal governments,  
4 the public, and the Public Lands Initiative Planning and  
5 Implementation Advisory Committee established under Di-  
6 vision C of this Act. If the Secretary does not incorporate  
7 recommendations submitted by the State, local, and In-  
8 dian tribes into the management plans, the Secretary shall  
9 submit a written explanation before the effective date of  
10 the management plan to the House Committee on Natural  
11 Resources and Senate Committee on Energy and Natural  
12 Resources outlining the reasons for rejecting the rec-  
13 ommendations of the State, local and tribal governments.

14           (d) USES.—The Secretary shall allow only such uses  
15 of the Area that would further the purposes outlined in  
16 subsection 801(b) of this title and the following guidelines:

17           (1) Provide for recreational opportunities to  
18 occur within the Area including skiing, biking, hik-  
19 ing, fishing, hunting, horseback riding, snowmobil-  
20 ing, designated trails for motorcycle riding and off-  
21 highway vehicle use, snowshoeing, camping, and  
22 other recreational activities consistent with this title.

23           (2) Provide for active forest management, uti-  
24 lizing commercial harvesting for hazardous fuels re-



1       duction, wildfire prevention, control of insects and  
2       disease, and to improve watershed health.

3               (3) Prohibit mineral development.

4               (4) Promote the long-term protection and man-  
5       agement of the water resources and underground  
6       karst system.

7       **SEC. 804. GENERAL PROVISIONS.**

8       (a) OFF-HIGHWAY VEHICLE AND MOTORIZED VEHI-  
9       CLES.—

10              (1) IN GENERAL.—The use of off-highway vehi-  
11       cles and motorized vehicles shall be permitted within  
12       the Area.

13              (2) MANAGEMENT.—The Secretary shall des-  
14       ignate existing routes in a manner that—

15                      (A) uses Forest Service roads and routes  
16       existing as of January 1, 2016, and also new  
17       roads authorized by this title;

18                      (B) does not significantly damage des-  
19       ignated critical habitat or cultural resources;  
20       and

21                      (C) does not interfere with private prop-  
22       erty or water rights.

23              (3) CLOSURE.—The Secretary, in consultation  
24       with the State and affected County, may temporarily

1 close or permanently reroute, subject to paragraph  
2 (4), a route if the Secretary determines that—

3 (A) the route is significantly damaging  
4 designated critical habitat or cultural resources;

5 (B) the route threatens public safety;

6 (C) closure of the route is necessary to re-  
7 pair damage to the designated route; or

8 (D) closure of the route is necessary to re-  
9 pair resource damage.

10 (4) REROUTING.—Portions of the designated  
11 route that are temporarily closed may be perma-  
12 nently rerouted by utilizing a previously closed route  
13 or constructing a new route.

14 (5) NOTICE.—The Secretary shall provide infor-  
15 mation to the public regarding any designated routes  
16 that are open, have been rerouted, or are tempo-  
17 rarily or permanently closed through—

18 (A) use of appropriate signage within the  
19 Conservation Area; and

20 (B) use of the Internet and Web resources.

21 (b) PRIORITY ROUTES.—Marsh Peak South Road  
22 and South Fork Road, as depicted on the Utah PLI Spe-  
23 cial Management Area Map, shall be open for off-highway  
24 vehicle use. Administrative access to Whiterocks Lake for  
25 general and emergency purposes shall be allowed for the

1 United States Forest Service, State and local govern-  
2 ments, and applicable water user association or utility  
3 company.

4 (c) ROUTE CONSTRUCTION.—

5 (1) FEASIBILITY STUDY.—Not later than 180  
6 days after the date of enactment of this Act, the  
7 Secretary shall study the feasibility and public inter-  
8 est of constructing new routes as needed to increase  
9 or enhance hiking and motorized recreational oppor-  
10 tunities and purposes of the area.

11 (2) CONSTRUCTION.—

12 (A) CONSTRUCTION AUTHORIZED.—If the  
13 Secretary determines that the construction of a  
14 route is feasible the may construct the route.

15 (B) USE OF VOLUNTEER SERVICES AND  
16 CONTRIBUTIONS.—A route authorized under  
17 this subsection may be constructed by volun-  
18 teers, with volunteer services and contributions  
19 from non-Federal sources.

20 (d) NO EFFECT ON NON-FEDERAL LAND OR INTER-  
21 ESTS IN NON-FEDERAL LAND.—Nothing in this title af-  
22 fects ownership, management, or other rights relating to  
23 non-Federal land or interests in non-Federal land located  
24 within the Area.

1 (e) OVERSNOW VEHICLES.—The Secretary shall au-  
2 thorize the use of snowmobiles and other oversnow vehicles  
3 in the Area when there is at least six inches of snow cover.

4 (f) FIRE, INSECTS, AND DISEASE.—In accordance  
5 with this title, the Secretary may—

6 (1) carry out any measures to manage wildland  
7 fire and treat hazardous fuels, insects, and diseases  
8 in the Area; and

9 (2) coordinate those measures with the appro-  
10 priate State, tribal, or local agency.

11 (g) WILDLAND FIRE OPERATIONS.—Nothing in this  
12 title precludes a Federal, State, or local agency from con-  
13 ducting wildfire management operations (including oper-  
14 ations using aircraft or mechanized equipment) in the  
15 Area designated under this title.

16 (h) LIVESTOCK GRAZING.—Within the Area des-  
17 igned under section 801, the grazing of livestock estab-  
18 lished before the date of enactment of this Act shall con-  
19 tinue subject to reasonable regulations as prescribed by  
20 the relevant Secretary.

21 (1) PROTECTION OF EXISTING USES.—Existing  
22 livestock grazing shall continue in accordance with  
23 the following guidelines:

24 (A) There shall be no reductions of grazing  
25 in the areas designated by this title simply be-

1           cause an area is, or has been designated by this  
2           title.

3           (B) The number of livestock permitted to  
4           graze in areas designated by this title shall con-  
5           tinue at approximate stocking levels prescribed  
6           in the grazing permit that existed on January  
7           1, 2016, and additional or suspended animal  
8           unit months shall be authorized to graze as  
9           range conditions allow or if range treatments  
10          improve conditions. Animal Unit Months shall  
11          only be diminished as a result of revisions in  
12          the normal grazing and land management plan-  
13          ning and policy setting process.

14          (C) The maintenance of existing grazing  
15          supporting facilities in an area prior to its des-  
16          ignated by this title (including fences, place-  
17          ment of salt and minerals, line cabins, water  
18          wells and pipelines, stock tanks and ponds),  
19          shall continue. Such maintenance may include  
20          the use of off-highway vehicles or mechanized  
21          tools and equipment.

22          (D) The construction of new grazing im-  
23          provements or replacement of deteriorated fa-  
24          cilities in areas designated by this title is au-

1           thorized if in accordance with the applicable  
2           land management plan.

3           (E) The use of off-highway vehicles for  
4           emergency purposes such as care of sick ani-  
5           mals or the placement of feed and water in  
6           emergency situations is authorized by the appli-  
7           cable grazing permit holder or an employee or  
8           agent thereof.

9           (F) Access to historic and traditional water  
10          sources for the purpose of watering livestock  
11          shall be maintained.

12          (G) The trailing of domestic livestock shall  
13          continue and shall not be limited by the des-  
14          ignations made under section 801(b).

15          (2) UTAH DEPARTMENT OF AGRICULTURE AND  
16          FOOD.—In instances in which historic grazing loca-  
17          tions, access, or use is disputed by the grazing per-  
18          mittee, data and information provided by the Utah  
19          Department of Agriculture shall be given consider-  
20          ation by the Secretary to establish historic access,  
21          locations, or use.

22          (i) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—  
23          Nothing in this title precludes the Secretary from renew-  
24          ing easements or rights-of-way in existence on the date

1 of enactment of this Act, in accordance with this title and  
2 existing law.

3 (j) ADJACENT MANAGEMENT.—

4 (1) IN GENERAL.—Nothing in this title creates  
5 a protective perimeter or buffer zone around the  
6 Area designated by section 801.

7 (2) ACTIVITIES OUTSIDE AREA.—The fact that  
8 an activity or use on land outside the Area can be  
9 seen, heard, felt or smelled within the Area shall not  
10 preclude the activity or use outside the boundary of  
11 the Area.

12 (k) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
13 cial services (including authorized outfitting and guide ac-  
14 tivities) within the Area are authorized to the extent nec-  
15 essary to realize the recreational purposes of the areas.

16 (l) FISH AND WILDLIFE.—Nothing in this title af-  
17 fects the jurisdiction of the State of Utah with respect  
18 to the management of fish and wildlife on Federal land  
19 in the State, including the regulation of hunting, fishing,  
20 and trapping within the Area.

21 (m) ACCESS.—The Secretary shall provide the owner  
22 of State, tribal or private property owners within the  
23 boundary of the Area access to the property.

24 (n) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
25 Structures and facilities, including future and existing



1 structures and facilities, for wildlife water development  
2 projects (including guzzlers) in the Area are authorized.

3 (o) WATER RIGHTS.—

4 (1) STATUTORY CONSTRUCTION.—Nothing in  
5 this title—

6 (A) shall constitute either an express or  
7 implied reservation by the United States of any  
8 water rights with respect to the Area des-  
9 ignated by section 801;

10 (B) affects any water rights in the State of  
11 Utah;

12 (C) establishes a precedent with regard to  
13 any future designations; or

14 (D) shall restrict or prohibit the upstream  
15 diversion of water rights held under Utah State  
16 law.

17 (2) UTAH WATER LAW.—The Secretary shall  
18 follow the procedural and substantive requirements  
19 of State law to obtain and hold any water rights not  
20 in existence on the date of the enactment of this Act  
21 with respect to the Area.

22 (3) EFFECTS ON STATE WATER RIGHTS.—The  
23 Secretary shall not take any action that adversely  
24 affects—

25 (A) any water rights granted by the State;

1 (B) the authority of the State in adjudi-  
2 eating water rights;

3 (C) definitions established by the State  
4 with respect to the term “beneficial use” or  
5 “priority of rights”;

6 (D) terms and conditions for groundwater  
7 withdrawal;

8 (E) the use of groundwater resources that  
9 are in accordance with State law; or

10 (F) other rights or obligations of the State  
11 as established under State law.

12 (4) EXISTING WATER INFRASTRUCTURE.—

13 (A) Nothing in this title shall be construed  
14 to limit off-highway vehicle access and road  
15 maintenance by local municipalities or water or  
16 irrigation districts for those maintenance activi-  
17 ties necessary to guarantee the continued viabil-  
18 ity of water resource facilities that currently  
19 exist or which may be necessary in the future  
20 to prevent the degradation of the water supply  
21 in the Area designated by section 801.

22 (B) Nothing in this title shall be construed  
23 to encumber, transfer, impair, or limit any  
24 water right, or recognized beneficial use, includ-

1           ing access to, development, and use of livestock  
2           water rights as defined by State law.

3           (p) VEGETATION MANAGEMENT.—Nothing in this  
4 title prevents the Secretary from conducting vegetation  
5 management projects within the Area.

6           (q) WITHDRAWAL.—Subject to valid rights in exist-  
7 ence on the date of enactment of this Act the Federal land  
8 within the Area is withdrawn from—

9           (1) all forms of entry, appropriation, and dis-  
10          posal under the Federal land laws;

11          (2) location, entry, and patent under the mining  
12          laws; and

13          (3) operation of the mineral leasing, mineral  
14          materials, and geothermal leasing laws.

15          (r) FEES.—Except for improved campgrounds, with-  
16 in the Area the United States Forest Service is prohibited  
17 from the collecting or requiring fees for access or use.

1 **DIVISION B—INNOVATIVE LAND**  
2 **MANAGEMENT, RECREATION**  
3 **AND ECONOMIC DEVELOP-**  
4 **MENT**  
5 **TITLE I—SCHOOL TRUST LAND**  
6 **CONSOLIDATIONS**

7 **SEC. 101. FINDINGS AND PURPOSE.**

8 (a) FINDINGS.—Congress finds that the land ex-  
9 change authorized and directed by this title furthers public  
10 objectives referenced in section 206 of the Federal Land  
11 Policy and Management Act of 1976 (43 U.S.C. 1716)  
12 including—

13 (1) promoting better management of Federal  
14 conservation areas by removing inheld State trust  
15 land sections;

16 (2) securing Federal ownership and protection  
17 of land with significant wildlife, recreational, scenic,  
18 cultural and other public values;

19 (3) assisting the State of Utah and local gov-  
20 ernments in economic development and community  
21 expansion through the consolidation of State trust  
22 lands in manageable blocks near several Utah com-  
23 munities; and

24 (4) advancing public education through in-  
25 creased opportunity for economic development of

1 Utah school trust lands, in furtherance of the land  
2 grants made under the Utah Enabling Act, Act of  
3 July 16, 1894 (28 Stat. 107, chapter 138).

4 (b) PURPOSE.—It is the purpose of this title to au-  
5 thorize, direct, facilitate, and expedite the exchange of  
6 land between the State of Utah and the United States.

7 **SEC. 102. DEFINITIONS.**

8 In this title:

9 (1) FEDERAL LAND.—The term “Federal land”  
10 means the lands identified on the Map as “Federal  
11 Land”, “Federal Land—Minerals Only”, and “Fed-  
12 eral Land—Surface Only” administered by the Bu-  
13 reau of Land Management located in Carbon,  
14 Duchesne, Emery, Grand, San Juan and Uintah  
15 Counties, Utah.

16 (2) MAP.—The term “Map” means the fol-  
17 lowing map prepared by the Bureau of Land Man-  
18 agement and entitled “State and Federal Land Ex-  
19 change Map” dated July 12, 2016.

20 (3) NON-FEDERAL LAND.—The term “non-Fed-  
21 eral land” means the lands identified on the Map as  
22 “State Trust Land Proposed for Transfer to United  
23 States”, “State Trust Lands—Surface Only Pro-  
24 posed for Transfer to United States” and “State  
25 Trust Lands—Minerals Only Proposed for Transfer

1 to United States” located in Carbon, Duchesne,  
2 Emery, Grand, San Juan and Uintah Counties,  
3 Utah, as generally depicted on the Map.

4 (4) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Interior.

6 (5) STATE.—The term “State” means the State  
7 of Utah, acting as trustee under the Utah State  
8 School and Institutional Trust Lands Management  
9 Act (Utah Code Ann. 53C-1-101 et seq.) through  
10 the Utah School and Institutional Trust Lands Ad-  
11 ministration.

12 **SEC. 103. EXCHANGE OF LAND; RESERVATION OF INTER-**  
13 **ESTS.**

14 (a) IN GENERAL.—If the State offers to convey to  
15 the United States title to the non-Federal land, the Sec-  
16 retary shall, subject to the provisions of this title—

17 (1) accept the offer; and

18 (2) on receipt of the right, title, and interest of  
19 the State in and to the non-Federal land, convey to  
20 the State all right, title, and interest of the United  
21 States in and to the Federal land.

22 (b) VALID EXISTING RIGHTS.—The exchange author-  
23 ized under subsection (a) shall be subject to valid existing  
24 rights.

1 (c) COSTS.—Costs of the land exchange shall be allo-  
2 cated in accordance with section 206(f)(2)(B) of the Fed-  
3 eral Land Policy and Management Act of 1976 (43 U.S.C.  
4 1716(f)(2)(B)).

5 (d) TITLE APPROVAL.—Title to the Federal land and  
6 non-Federal land to be exchanged under this section shall  
7 be in a form acceptable to the Secretary and the State.

8 (e) RESERVATION OF INTEREST IN POTASH.—

9 (1) With respect to Federal land that contains  
10 potash resources, the Secretary shall reserve an in-  
11 terest in all potash resources.

12 (2) The interest reserved by the United States  
13 under paragraph (1) shall consist of—

14 (A) 50 percent of any bonus bid or other  
15 payment received by the State as consideration  
16 for securing any lease or authorization to de-  
17 velop potash resources;

18 (B) 50 percent of the amount that would  
19 have been received by the Federal Government  
20 under the royalty rate applicable on July 1,  
21 2015, if the potash resources had been retained  
22 in Federal ownership; and

23 (C) 50 percent of any other payment re-  
24 ceived by the State pursuant to any lease or au-  
25 thorization to develop the potash resources.



1           (3) Upon receipt of any funds from potash leas-  
2           ing and development on lands in which the Secretary  
3           has reserved an interest, the State shall pay the Sec-  
4           retary amounts attributable to the reserved interest  
5           of the United States in accordance with paragraph  
6           (4).

7           (4)(A) Any amounts due under paragraph (3)  
8           shall be paid by the State to the United States not  
9           less than quarterly.

10          (B) The State may deduct an administrative fee  
11          of three per cent from all payments due to the  
12          United States under paragraph (2).

13          (5) NO OBLIGATION TO LEASE.—The State  
14          shall not be obligated to lease or otherwise develop  
15          potash resources in which the United States retains  
16          an interest under this subsection.

17          (f) RESERVATION OF WELLBORE INTEREST IN OIL  
18          AND GAS.—

19                (1) The Secretary shall reserve a wellbore inter-  
20                est in each oil and gas well on Federal land that has  
21                been determined by the Secretary to be capable of  
22                production in paying quantities as of the date of  
23                conveyance.

24                (2) The wellbore interest reserved to the United  
25                States under paragraph (1) shall consist of the

1 amount of all royalties attributable to an oil and gas  
2 well located on Federal land as of the date of con-  
3 veyance.

4 (3) Upon receipt of any funds attributable to  
5 the reserved wellbore interest of the United States,  
6 the State shall pay the Secretary all such amounts  
7 in accordance with paragraph (4).

8 (4)(A) Any amounts due under paragraph (2)  
9 shall be paid by the State to the United States not  
10 less than quarterly.

11 (B) The State may deduct an administrative fee  
12 of three per cent from all payments due to the  
13 United States under paragraph (2).

14 (5) The reserved wellbore interests of the  
15 United States in oil and gas under this section shall  
16 automatically terminate on the date that is 10 years  
17 after the enactment of this Act.

18 (6) The United States shall share all revenue  
19 received with respect to its reserved wellbore mineral  
20 interest in oil and gas with the State of Utah in ac-  
21 cordance with section 35(a) of the Mineral Leasing  
22 Act (30 U.S.C. 191(a)).

23 (g) APPURTENANT WATER RIGHTS.—Any convey-  
24 ance of a parcel of Federal land or non-Federal land under

1 this title shall include the conveyance of water rights ap-  
2 purtenant to the parcel conveyed.

3 (h) CONVEYANCE OF PARCELS IN STAGES.—Parcels  
4 of Federal land and non-Federal land may be exchanged  
5 in phases as mutually determined by the Secretary and  
6 the State.

7 **SEC. 104. WITHDRAWAL OF FEDERAL LANDS PRIOR TO EX-**  
8 **CHANGE.**

9 Subject to valid existing rights, during the period be-  
10 ginning on the date of enactment of this Act and ending  
11 on the date on which the Federal land is conveyed, the  
12 Federal land is withdrawn from mineral location, entry or  
13 patent under the mining laws, from leasing and entry  
14 under the mineral leasing laws, and from mineral material  
15 disposal.

16 **SEC. 105. NATIONAL ENVIRONMENTAL POLICY ACT OF 1969**  
17 **AND FEDERAL LAND POLICY AND MANAGE-**  
18 **MENT ACT OF 1976 COMPLIANCE.**

19 (a) PUBLIC INTEREST.—The land exchange author-  
20 ized and directed by this title is in the public interest.

21 (b) SCOPING AND ANALYSIS.—Notwithstanding any  
22 other law, in preparing an environmental assessment or  
23 environmental impact statement required under section  
24 102 of the National Environmental Policy Act of 1969 (42

1 U.S.C. 4332) with respect to the land exchange con-  
2 templated by this title—

3 (1) the Secretary is not required to identify any  
4 actions other than the proposed action and the no  
5 action alternative; and

6 (2) the Secretary is not required to analyze the  
7 environmental effects of alternative conveyances or  
8 actions other than the offer submitted by the State  
9 under subsection 103(a).

10 (c) PRESUMPTION OF PLAN ADEQUACY.—Convey-  
11 ances of Federal land to the State in accordance with this  
12 title are presumed to comply with any land use plan en-  
13 acted under section 202 of the Federal Land Policy and  
14 Management Act of 1976 (43 U.S.C. 1712).

15 **SEC. 106. STATUS AND MANAGEMENT OF LAND AFTER EX-**  
16 **CHANGE.**

17 (a) ADMINISTRATION OF NON-FEDERAL LAND.—In  
18 accordance with section 206(c) of the Federal Land Policy  
19 and Management Act of 1976 (43 U.S.C. 1716(c)), the  
20 non-Federal land acquired by the United States under this  
21 title shall become part of, and be managed as part of, the  
22 Federal administrative unit or area in which the land is  
23 located.

24 (b) GRAZING PERMITS.—

1           (1) If land conveyed under this title is subject  
2           to a lease, permit, or contract for the grazing of do-  
3           mestic livestock in effect on the date of acquisition,  
4           the entity acquiring the land shall allow the grazing  
5           to continue for the remainder of the term of the  
6           lease, permit, or contract, subject to the related  
7           terms and conditions of user agreements, including  
8           permitted stocking rates, grazing fee levels, access  
9           rights, and ownership and use of range improve-  
10          ments.

11          (2) To the extent allowed by Federal or State  
12          law, on expiration of any grazing lease, permit, or  
13          contract described in paragraph (1), the holder of  
14          the lease, permit, or contract shall be entitled to a  
15          preference right to renew the lease, permit, or con-  
16          tract.

17          (3) If land conveyed by the State under this  
18          title is used by a grazing permittee or lessee to meet  
19          the base property requirements for a Federal graz-  
20          ing permit or lease, the land shall continue to qual-  
21          ify as a base property for the remaining term of the  
22          lease or permit and the term of any renewal or ex-  
23          tension of the lease or permit.

24          (c) HAZARDOUS MATERIALS.—

1           (1) The Secretary and the State shall make  
2           available for review and inspection any record relat-  
3           ing to hazardous materials on the land to be ex-  
4           changed under this title.

5           (2) The costs of remedial actions relating to  
6           hazardous materials on land acquired under this  
7           title shall be paid by those entities responsible for  
8           the costs under applicable law.

9   **SEC. 107. BOOK CLIFFS CONSERVATION AREA.**

10          Subject to valid existing rights, the mineral estate in  
11          the non-Federal lands acquired by the United States  
12          under this title, and the existing mineral estate in the Fed-  
13          eral land, located in Grand County, Utah, as depicted on  
14          the Maps as “Book Cliffs Conservation Area” is with-  
15          drawn from location, entry and patent under the mining  
16          laws and the operation of the mineral leasing, mineral ma-  
17          terials and geothermal leasing laws.

18                   **TITLE II—GOBLIN VALLEY**  
19                           **STATE PARK**

20   **SEC. 201. LAND CONVEYANCE.**

21          At the request of the State of Utah, the Secretary  
22          of the Interior shall convey, without consideration, the ap-  
23          proximately 9,995 acres of Bureau of Land Management  
24          land identified as “Utah PLI Goblin Valley State Park  
25          Map” on the map entitled Utah PLI Goblin Valley State

1 Park Expansion Map and dated June 24, 2016, to the  
2 Utah State Parks and Recreation Division of the Depart-  
3 ment of Natural Resources.

4 **SEC. 202. COOPERATIVE MANAGEMENT OF GOBLIN VAL-**  
5 **LEY.**

6 (a) IN GENERAL.—At the request of the State of  
7 Utah, in accordance with this section, the Secretary of the  
8 Interior shall enter into a cooperative agreement with the  
9 State for the management of the Federal land described  
10 in subsection (b) which shall be known as the “Goblin Val-  
11 ley Cooperative Management Area”.

12 (b) DESCRIPTION OF LAND.—The area subject to the  
13 cooperative agreement is Federal land managed by the  
14 Bureau of Land Management in Emery County, Utah,  
15 comprising approximately 152,678 acres, identified as  
16 “Goblin Valley Cooperative Management Area” on the  
17 map entitled Utah PLI Goblin Valley State Park Map and  
18 dated June 24, 2016.

19 (c) PURPOSE.—The purpose of the Goblin Valley Co-  
20 operative Management Area is to promote outdoor recre-  
21 ation, such as off-highway vehicle use, mountain biking,  
22 rock climbing, and hiking.

23 (d) TERMS.—The cooperative agreement shall—

24 (1) clarify the roles, responsibilities, and limita-  
25 tions, of the Secretary of the Interior and the State



1 of Utah with regard to recreation management with-  
2 in the Goblin Valley Cooperative Management Area;

3 (2) extend only to recreational activities, includ-  
4 ing off-highway vehicle and non-off-highway vehicle  
5 use, within the Goblin Valley Cooperative Manage-  
6 ment Area, and shall not affect other land manage-  
7 ment within the Goblin Valley Cooperative Manage-  
8 ment Area, or recreational activities outside the  
9 Goblin Valley Cooperative Management Area;

10 (3) require that recreational activities within  
11 the Goblin Valley Cooperative Management Area  
12 shall continue to be managed in accordance with—

13 (A) the San Rafael Swell National Con-  
14 servation Area and Crack Canyon Wilderness  
15 established by this title; and

16 (B) applicable Federal laws;

17 (4) require new route and trail construction for  
18 motorized and non-motorized use to further rec-  
19 reational opportunities and minimize resource con-  
20 flict;

21 (5) address the establishment, distribution, and  
22 uses of, any revenues generated by recreational ac-  
23 tivities (including entrance fees) within the Goblin  
24 Valley Cooperative Management Area; and

1           (6) specify that the State agency administering  
2           the Goblin Valley Cooperative Management Area  
3           shall be the Utah State Parks and Recreation Divi-  
4           sion of the Department of Natural Resources.

5           **TITLE III—PRICE CANYON STATE**  
6                                   **FOREST**

7           **SEC. 301. DEFINITIONS.**

8           In this title:

9           (1) MAPS.—The term “Map” means the map  
10           entitled Utah PLI Price Canyon State Forest Map  
11           and dated July 1, 2016.

12           (2) FEDERAL LAND.—The term “Federal land”  
13           means the 13,321 acres identified as “BLM Lands  
14           Proposed for Transfer to State Sovereign Land” lo-  
15           cated in Carbon County, Utah, as generally depicted  
16           on the Map.

17           (3) NON-FEDERAL LAND.—The term “non-Fed-  
18           eral land” means the 14,939 acres identified on the  
19           Map as “State Sovereign Land Proposed for Trans-  
20           fer to BLM” located in Grand and San Juan Coun-  
21           ties, Utah, as generally depicted on the Map.

22           (4) SECRETARY.—The term “Secretary” means  
23           the Secretary of the Interior.

1           (5) STATE.—The term “State” means the State  
2           of Utah’s Division of Forestry, Fire, and State  
3           Lands.

4   **SEC. 302. EXCHANGE OF LAND.**

5           (a) PURPOSE.—It is the purpose of this title to con-  
6           solidate intermingled State sovereign lands in an area of  
7           Carbon County, Utah, to create the State of Utah’s first  
8           State Forest.

9           (b) CONVEYANCE.—If the State offers to convey to  
10          the United States title to the non-Federal land, the Sec-  
11          retary shall—

12                  (1) accept the offer; and

13                  (2) on receipt of the right, title, and interest of  
14          the State in and to the non-Federal land, convey to  
15          the State all right, title, and interest of the United  
16          States in and to the Federal land.

17          (c) VALID EXISTING RIGHTS.—The exchange author-  
18          ized under subsection (a) shall be subject to valid existing  
19          rights.

20          (d) TITLE APPROVAL.—Title to the Federal land and  
21          non-Federal land to be exchanged under this section shall  
22          be in a form acceptable to the Secretary and the State.

23   **SEC. 303. LIVESTOCK GRAZING.**

24          For lands acquired by the State under this title in  
25          which grazing is established before the date of enactment

1 of this Act, the grazing of livestock shall continue at levels  
2 existing as of January 1, 2016.

3 **TITLE IV—DEER LODGE LAND**  
4 **EXCHANGE**

5 **SEC. 401. DEFINITIONS.**

6 In this title:

7 (1) ASSOCIATION.—The term “Association”  
8 means the Deer Lodge Homeowners Association.

9 (2) FEDERAL LAND.—The term “Federal land”  
10 means the approximately 157 acres of National For-  
11 est System land in Daggett County, Utah, identified  
12 as “Deer Lodge Cabin Site” on the map.

13 (3) MAP.—The term “map” means the map en-  
14 titled “Utah PLI Deer Lodge Land Exchange Map”  
15 and dated June 24, 2016.

16 (4) NON-FEDERAL LAND.—The term “non-Fed-  
17 eral land” means the parcel of approximately 77  
18 acres of private land located in Uintah County,  
19 Utah, and identified as “Land to Be Acquired by  
20 USFS” on the map.

21 (5) SECRETARY.—The term “Secretary” means  
22 the Secretary of Agriculture.

23 **SEC. 402. LAND EXCHANGE.**

24 (a) CONVEYANCE OF LAND.—No later than two years  
25 after enactment of this title, if the Association offers to

1 convey to the United States all right, title, and interest  
2 of the Association in and to the non-Federal land, the Sec-  
3 retary shall convey to the Association, without consider-  
4 ation, all right, title, and interest of the United States in  
5 and to the Federal land, subject to valid existing rights.

6 (b) COMPLIANCE WITH EXISTING LAW.—Except as  
7 otherwise provided in this title, the Secretary shall carry  
8 out the land exchange under this title in accordance with  
9 section 206 of the Federal Land Policy and Management  
10 Act of 1976 (43 U.S.C. 1716).

11 (c) TITLE.—As a condition of the land exchange  
12 under this title, title to the non-Federal land to be ac-  
13 quired by the Secretary shall be acceptable to the Sec-  
14 retary.

15 (d) CONDITION.—As a condition of the land exchange  
16 under this title, the Association shall agree to retain as  
17 undeveloped open space the approximately 40 acres of  
18 meadow area identified as “Open Space” as generally de-  
19 picted on the map.

20 **TITLE V—SCOFIELD LAND**  
21 **TRANSFER**

22 **SEC. 501. SHORT TITLE.**

23 This title may be cited as the “Scofield Land Trans-  
24 fer Act”.

1 **SEC. 502. DEFINITIONS.**

2 In this title:

3 (1) **CARBON COUNTY.**—The term “Carbon  
4 County” means Carbon County, Utah, within which  
5 the Scofield Reservoir property is located.

6 (2) **CLAIMANT.**—The term “claimant” means  
7 any person or entity (or a successor in interest to a  
8 person or entity) that, according to the records in  
9 the office of the Recorder for Carbon County, as of  
10 the date of enactment of this Act, claims title to, or  
11 an interest in, the Federal land.

12 (3) **FEDERAL LAND.**—

13 (A) **IN GENERAL.**—The term “Federal  
14 land” means the land acquired by Price River  
15 Water Conservation District and transferred to  
16 the United States for use in the construction  
17 and operation of the Scofield Dam and Res-  
18 ervoir located between the normal water surface  
19 elevation and the property boundary elevation  
20 in the Scofield Reservoir basin.

21 (B) **EXCLUSIONS.**—The term “Federal  
22 land” does not include—

23 (i) any mineral or subsurface rights to  
24 the land described in subparagraph (A); or

25 (ii) the 205 acres of land adjoining  
26 the Scofield Reservoir, as adjudicated in

1                   the case styled United States v. Dunn (557  
2                   F.3d 1165 (10th Cir. 2009)).

3                   (4) FLOOD SURCHARGE ELEVATION.—The term  
4                   “flood surcharge elevation” means the elevation of  
5                   7640.3 in the North American Vertical Datum of  
6                   1988, which corresponds to the elevation of the crest  
7                   of Scofield Dam.

8                   (5) FUND.—The term “Fund” means the Sco-  
9                   field Reservoir Fund established by section  
10                  503(d)(9)(A).

11                  (6) LIFE ESTATE.—The term “life estate”  
12                  means—

13                         (A) if the claimant is a person, an interest  
14                         of the claimant in the Federal land that will re-  
15                         vert to the United States on the date of the  
16                         death of the claimant; and

17                         (B) if the claimant is an entity, an interest  
18                         in the Federal land of a person designated by  
19                         the claimant that will revert to the United  
20                         States on the date of the death of the des-  
21                         ignated person.

22                   (7) NORMAL WATER SURFACE ELEVATION.—  
23                   The term “normal water surface elevation” means  
24                   the contour elevation of 7621.8 in the North Amer-  
25                   ican Vertical Datum of 1988, which corresponds to



1 the elevation of the crest of the spillway of Scofield  
2 Dam.

3 (8) PROPERTY BOUNDARY ELEVATION.—The  
4 term “property boundary elevation” means the con-  
5 tour elevation 7630, as surveyed by McGonagle and  
6 Ulrich, Land Surveyors, in 1926, which was trans-  
7 mitted to the current elevation of 7638.9 in the  
8 North American Vertical Datum of 1988 and which  
9 corresponds to 1.4 vertical feet below the crest of  
10 Scofield Dam.

11 (9) ROADS.—The term “Roads” means the  
12 streets, improved and unimproved, as in existence on  
13 the date of enactment of this Act, that—

14 (A) are located on the Federal land;

15 (B) are intended for public access via mo-  
16 torized vehicle to the Federal land claims of the  
17 claimants; and

18 (C) extend to the shoreline of Scofield Res-  
19 ervoir.

20 (10) SECRETARY.—The term “Secretary”  
21 means the Secretary of the Interior.

22 (11) STRUCTURE.—

23 (A) IN GENERAL.—The term “structure”  
24 means any improvement located on the property

1 of a claimant, as in existence on the date of en-  
2 actment of this Act, including—

- 3 (i) a residence;  
4 (ii) a shed;  
5 (iii) a workshop;  
6 (iv) a garage;  
7 (v) a carport;  
8 (vi) a deck;  
9 (vii) a boathouse; or  
10 (viii) an incidental building.

11 (B) INCLUSION.—The term “structure” in-  
12 cludes any infrastructure associated with a resi-  
13 dence that is not owned by a public or private  
14 utility, including water, power, sewer, and im-  
15 provements to Roads.

16 **SEC. 503. CONVEYANCE OF SCOFIELD PROJECT LAND.**

17 (a) SURVEY.—

18 (1) IN GENERAL.—To facilitate the conveyance  
19 of the Federal land under this title, it shall be the  
20 responsibility of Carbon County—

21 (A) to enter into an agreement with the  
22 Secretary to pay the costs associated with a full  
23 physical and title survey of the Federal land in  
24 order to delineate the boundaries associated

1 with the Federal land, Federal easements, or  
2 other Federal interests in land; and

3 (B) subject to paragraph (2), to initiate  
4 and complete a full physical survey of the  
5 Roads and the parcels located within the Fed-  
6 eral land that are eligible to be conveyed to the  
7 claimants, and, in any case in which a land de-  
8 scription or record of ownership in any record  
9 of Carbon County conflicts with a claim of a  
10 claimant with regard to an existing physical  
11 feature or facility, propose boundaries and land  
12 descriptions to resolve the dispute.

13 (2) UNRESOLVED DISPUTES.—

14 (A) IN GENERAL.—If a claim to a parcel  
15 or portion of a parcel of Federal land cannot be  
16 resolved in accordance with the applicable land  
17 description in the records of Carbon County by  
18 the applicable deadline for an election under  
19 subsection (d)(6), the claimant shall stipulate  
20 to, accept, and submit to the Secretary the land  
21 description developed by Carbon County to re-  
22 solve the dispute in order to meet the election  
23 requirement of subsection (d)(6) by not later  
24 than 180 days after that deadline.

1 (B) FAILURE TO STIPULATE AND AC-  
2 CEPT.—If a claimant fails to stipulate to and  
3 accept the land description of Carbon County  
4 by the date described in subparagraph (A), the  
5 authority to convey the affected parcel or por-  
6 tion of a parcel of Federal land pursuant to this  
7 section shall be terminated with respect to the  
8 disputed claim.

9 (b) APPRAISAL.—

10 (1) IN GENERAL.—As a condition of the con-  
11 veyance under this section, Carbon County shall  
12 enter into an agreement with the Secretary to pay  
13 the costs associated with an appraisal of the fair  
14 market value of each property interest requested by  
15 a claimant relating to the conveyance by the Sec-  
16 retary under this title.

17 (2) DETERMINATION OF FAIR MARKET  
18 VALUE.—The fair market value of a property inter-  
19 est under paragraph (1) shall be determined by the  
20 Secretary in accordance with the Uniform Appraisal  
21 Standards for Federal Land Acquisitions and the  
22 Uniform Standards of Professional Appraisal Prac-  
23 tices.

24 (c) NOTIFICATION.—It shall be the responsibility of  
25 Carbon County to notify each claimant of any trespass or

1 encroachment by the applicable claimant on the Federal  
2 land, including the existence of any trespassing or en-  
3 croaching structure of the claimant.

4 (d) AUTHORIZATION TO CONVEY FEDERAL LAND.—

5 (1) IN GENERAL.—To resolve the issues of tres-  
6 pass and encroachment on the Federal land by the  
7 claimants, the Secretary may, in accordance with  
8 paragraphs (5) and (6)—

9 (A) on an election by a claimant—

10 (i) subject to paragraph (2), convey to  
11 the claimant fee interest in the claimed  
12 portion of the Federal land that is located  
13 above the normal water surface elevation,  
14 as determined by the results of the survey  
15 required under subsection (a), subject to  
16 all valid rights-of-way, licenses, and ease-  
17 ments in existence on the date of enact-  
18 ment of this Act; or

19 (ii) subject to paragraph (3), grant to  
20 the claimant a life estate permitting the  
21 continued occupation of the claimed por-  
22 tion of the Federal land above the normal  
23 water surface elevation, as determined by  
24 the results of the survey required under  
25 subsection (a), subject to all valid rights-

1 of-way, licenses, and easements in exist-  
2 ence on the date of enactment of this Act;  
3 or

4 (B) subject to paragraph (4), on an elec-  
5 tion by Carbon County, convey to Carbon Coun-  
6 ty fee interest in the Roads, as determined by  
7 the survey required under subsection (a), sub-  
8 ject to all valid rights-of-way, licenses, and  
9 easements in existence on the date of enactment  
10 of this Act.

11 (2) CONVEYANCE REQUIREMENTS.—A convey-  
12 ance under paragraph (1)(A)(i) shall be subject to—

13 (A) the claimant paying to the Secretary  
14 the fair market value of the fee interest in the  
15 claimed portion of the Federal land, as deter-  
16 mined by the Secretary under subsection (b),  
17 exclusive of the value of any structures;

18 (B) provisions under which the claimant  
19 shall agree to indemnify and hold harmless the  
20 United States for all claims by the claimant or  
21 others arising from—

22 (i) the design, construction, operation,  
23 maintenance, or replacement of the Sco-  
24 field Dam and Reservoir;

1                   (ii) the survey of claims, description of  
2                   claims, delineation of boundaries, convey-  
3                   ance documents, conveyance process, and  
4                   recording of deeds associated with the con-  
5                   veyance; and

6                   (iii) any damages associated with any  
7                   structure or chattel of the claimant that  
8                   may be displaced in a flood event;

9                   (C) the United States retaining a flood  
10                  easement as well as an access easement for pur-  
11                  poses of monitoring and enforcing the require-  
12                  ments of subparagraph (D) with respect to the  
13                  entire portion of Federal land conveyed; and

14                  (D) deed restrictions requiring that—

15                   (i) to prevent any structure on the  
16                   portion of the Federal land conveyed from  
17                   being displaced during a flood event, the  
18                   claimant shall—

19                   (I) secure or tie down all existing  
20                   structures; and

21                   (II) if replacing or rebuilding  
22                   such a structure, limit the replace-  
23                   ment or rebuilding to the number and  
24                   type of structures in existence on the  
25                   date of enactment of this Act; and



1 (ii) all activities carried out by the  
2 claimant under clause (i) with respect to a  
3 structure be carried out in accordance with  
4 applicable standards for structures that  
5 may be submerged, flooded, or inundated,  
6 as contained in—

7 (I) the International Building  
8 Code (as adopted by Utah Adminis-  
9 trative Code R156–56); or

10 (II) any other building code or  
11 engineering standard that is—

12 (aa) similar to the Inter-  
13 national Building Code;

14 (bb) widely used; and

15 (cc) nationally recognized.

16 (3) LIFE ESTATE REQUIREMENTS.—A life es-  
17 tate granted under paragraph (1)(A)(ii) shall be  
18 subject to—

19 (A) the claimant paying to the Secretary  
20 the fair market value of the life estate on the  
21 claimed portion of the Federal land, as deter-  
22 mined by the Secretary under subsection (b),  
23 but excluding the value of any structures;

24 (B) provisions under which the claimant  
25 agrees to indemnify and hold harmless the

1 United States for all claims by the claimant or  
2 others arising from—

3 (i) the design, construction, operation,  
4 maintenance, or replacement of the Sco-  
5 field Dam and Reservoir;

6 (ii) the survey of claims, description of  
7 claims, delineation of boundaries, convey-  
8 ance documents, conveyance process, and  
9 recording of deeds associated with the con-  
10 veyance; and

11 (iii) any damages associated with any  
12 structure or chattel of the claimant that  
13 may be displaced in a flood event; and

14 (C) restrictions equivalent to the deed re-  
15 strictions described in clauses (i) and (ii) of  
16 paragraph (2)(D), as applicable.

17 (4) CONVEYANCE OF ROADS REQUIREMENTS.—

18 A conveyance under paragraph (1)(B) shall be sub-  
19 ject to—

20 (A) Carbon County paying to the Secretary  
21 a sum determined to be acceptable by the Sec-  
22 retary;

23 (B) provisions under which Carbon County  
24 shall agree to indemnify and hold harmless the

1 United States for all claims by Carbon County  
2 or others arising from—

3 (i) the design, construction, operation,  
4 maintenance, or replacement of the Sco-  
5 field Dam and Reservoir;

6 (ii) the survey of claims, description of  
7 claims, delineation of boundaries, convey-  
8 ance documents, conveyance process, and  
9 recording of deeds associated with the con-  
10 veyance; and

11 (iii) any damages associated with  
12 structures or chattel of Carbon County  
13 that may be displaced in a flood event;

14 (C) the United States retaining a flood  
15 easement as well as an access easement for pur-  
16 poses of monitoring and enforcing the require-  
17 ments of subparagraph (D) with respect to the  
18 entire portion of the Roads conveyed; and

19 (D) restrictions equivalent to the deed re-  
20 strictions described in clauses (i) and (ii) of  
21 paragraph (2)(D), as applicable.

22 (5) COMPLIANCE WITH ENVIRONMENTAL  
23 LAWS.—

24 (A) IN GENERAL.—Before conveying the  
25 Federal land under paragraph (1)(A)(i) or the

1 Roads under paragraph (1)(B) or granting a  
2 life estate under paragraph (1)(A)(ii), the Sec-  
3 retary shall comply with all applicable require-  
4 ments under—

5 (i) the National Environmental Policy  
6 Act of 1969 (42 U.S.C. 4321 et seq.);

7 (ii) the Endangered Species Act of  
8 1973 (16 U.S.C. 1531 et seq.); and

9 (iii) any other applicable law.

10 (B) EFFECT.—Nothing in this title modi-  
11 fies or alters any obligations under—

12 (i) the National Environmental Policy  
13 Act of 1969 (42 U.S.C. 4321 et seq.); or

14 (ii) the Endangered Species Act of  
15 1973 (16 U.S.C. 1531 et seq.).

16 (C) COSTS.—Before the initiation of any  
17 conveyance under this title, Carbon County  
18 shall pay to the Secretary an amount equal to  
19 the costs associated with achieving environ-  
20 mental compliance under this paragraph.

21 (6) DEADLINE FOR ELECTION.—

22 (A) CLAIMANTS.—Not later than 5 years  
23 after the date of enactment of this Act, each  
24 claimant shall notify the Secretary in writing  
25 whether the claimant elects to receive—

1 (i) a fee interest in the claimed por-  
2 tion of the Federal land, in accordance  
3 with paragraph (1)(A)(i); or

4 (ii) a life estate in the claimed portion  
5 of the Federal land, in accordance with  
6 paragraph (1)(A)(ii).

7 (B) CARBON COUNTY.—Not later than 3  
8 years after the date of enactment of this Act,  
9 Carbon County shall notify the Secretary in  
10 writing whether Carbon County elects to receive  
11 a fee interest in the Roads, in accordance with  
12 paragraph (1)(B).

13 (7) FAILURE TO NOTIFY SECRETARY OR COM-  
14 PLETE TRANSFER.—

15 (A) NOTICE OF ELECTION.—If a claimant  
16 fails to submit to the Secretary a notice of an  
17 election in accordance with paragraph (6)(A),  
18 any future claim by the claimant with respect  
19 to the Federal land shall be terminated.

20 (B) TRANSFER.—

21 (i) CLAIMANTS.—If, due to a failure  
22 by the claimant to act in furtherance of  
23 the transfer of fee interest or life estate  
24 under this section, no transfer of the  
25 claimed Federal Land has been recorded

1 with the Recorder of Carbon County by the  
2 date that is 7 years after the date of enact-  
3 ment of this Act, any claim by the claim-  
4 ant with respect to the Federal land shall  
5 be terminated.

6 (ii) CARBON COUNTY.—If, due to a  
7 failure by Carbon County to act in further-  
8 ance of the transfer of fee interest, no  
9 transfer of the Roads has been recorded  
10 with the Recorder of Carbon County by the  
11 date that is 5 years after the date of enact-  
12 ment of this Act, the authority of the Sec-  
13 retary to convey the interest in the Roads  
14 shall be terminated.

15 (C) QUIET TITLE.—On extinguishment of  
16 a claim under subparagraph (A) or (B), the  
17 Secretary shall take such action as is necessary  
18 to quiet title to the applicable portion of the  
19 Federal land, including removal of persons, en-  
20 tities, structures, and materials encumbering  
21 the applicable portion of the Federal land.

22 (8) PAYMENTS IN LIEU OF TAXES.—Any Fed-  
23 eral land transferred to a claimant in fee under  
24 paragraph (1)(A)(i) or to Carbon County under  
25 paragraph (1)(B) shall not be included or taken into

1 consideration in the allocation of any payment in  
2 lieu of taxes under chapter 69 of title 31, United  
3 States Code.

4 (9) TRUST FUND.—

5 (A) ESTABLISHMENT.—There is estab-  
6 lished in the Treasury of the United States a  
7 fund, to be known as the “Scofield Reservoir  
8 Fund”, to be administered by the Secretary and  
9 made available, without fiscal year limitation,  
10 for—

11 (i) monitoring and enforcing the re-  
12 quirements of paragraphs (2)(C) and  
13 (4)(C) regarding maintaining access to,  
14 and eliminating encroachment and private  
15 exclusive use of, the Federal land sur-  
16 rounding the Scofield Reservoir; and

17 (ii) providing enhanced public rec-  
18 reational opportunities at Scofield Res-  
19 ervoir.

20 (B) TRANSFERS TO FUND.—There shall be  
21 deposited in the Fund any amounts received as  
22 consideration for—

23 (i) a conveyance under subparagraph  
24 (A)(i) or (B) of paragraph (1); or



1 (ii) the granting of a life estate under  
2 paragraph (1)(A)(ii).

### 3 **TITLE VI—LAND CONVEYANCES**

#### 4 **SEC. 601. LAND CONVEYANCES.**

5 (a) IN GENERAL.—As outlined in the paragraphs  
6 below, if requested by the specified entity, the Secretary  
7 of the Interior or the Secretary of Agriculture, as appro-  
8 priate, shall convey the following Federal land to that enti-  
9 ty without consideration:

10 (1) CANYONLANDS FIELDS AIRPORT.—The ap-  
11 proximately 561 acres of land depicted as  
12 “Canyonlands Fields Airport”, on the map entitled  
13 Utah PLI Land Conveyances Map and dated June  
14 30, 2016, to Grand County, Utah, for use as an air-  
15 port.

16 (2) MOAB TAILINGS PROJECT.—Upon comple-  
17 tion of the Moab Uranium Mill Tailings Remedial  
18 Action Project, the approximately 474 acres of land  
19 depicted as “UMTRA Conveyance”, on the map en-  
20 titled Utah PLI Land Conveyances Map and dated  
21 June 30, 2016, shall be conveyed to Grand County,  
22 Utah.

23 (3) HUNTINGTON AIRPORT EXPANSION.—The  
24 approximately 1,398 acres generally depicted on the  
25 map entitled Utah PLI Land Conveyances Map and

1       dated June 30, 2016, as “Huntington Airport”, to  
2       Emery County, Utah, for expansion of the Hun-  
3       tington Municipal Airport.

4           (4) EMERY COUNTY RECREATION AREA.—The  
5       approximately 479 acres generally depicted on the  
6       map entitled Utah PLI Land Conveyances Map and  
7       dated June 30, 2016, as “Emery County Recreation  
8       Area”, to Emery County, Utah, for public rec-  
9       reational purposes.

10          (5) EMERY COUNTY SHERIFFS SUBSTATION.—  
11       The approximately 644 acres generally depicted on  
12       the map entitled Utah PLI Land Conveyances Map  
13       and dated June 30, 2016, as “Emery County Sher-  
14       iffs Substation”, to Emery County, Utah, for a sub-  
15       station for the Emery County Sheriff’s Office.

16          (6) BLANDING OUTDOOR RECREATION AREA.—  
17       The approximately 5,197 acres of land depicted on  
18       the map entitled Utah PLI Land Conveyances Map  
19       and dated June 30, 2016, as “Blanding Outdoor  
20       Recreation Area”, to Blanding City, Utah, for use as  
21       an outdoor recreation area.

22          (7) CAL BLACK AIRPORT.—The approximately  
23       1,917 acres generally depicted on the map entitled  
24       Utah PLI Land Conveyances Map and dated June

1       30, 2016, as “Cal Black Airport”, to San Juan  
2       County, Utah, for a municipal airport.

3           (8) BLUFF AIRPORT.—The approximately 403  
4       acres generally depicted on the map entitled Utah  
5       PLI Land Conveyances Map and dated June 30,  
6       2016, as “Bluff Airport”, to San Juan County,  
7       Utah, for a municipal airport.

8           (9) MONTICELLO WATER STORAGE AND TREAT-  
9       MENT PLANT.—The approximately 165 acres gen-  
10      erally depicted on the map entitled Utah PLI Land  
11      Conveyances Map and dated June 30, 2016, as  
12      “Monticello Water Storage and Treatment Plant”,  
13      to Monticello City, Utah, for a water storage and  
14      treatment plant.

15          (10) BLANDING SHOOTING RANGE.—The ap-  
16      proximately 21 acres generally depicted on the map  
17      entitled Utah PLI Land Conveyances Map and  
18      dated June 30, 2016, as “Blanding Shooting  
19      Range”, to San Juan County, Utah, for a public  
20      shooting range.

21          (11) PARK CITY CONVEYANCE I.—The approxi-  
22      mately 2.5 acres generally depicted on the map enti-  
23      tled Utah PLI Land Conveyances Map and dated  
24      June 30, 2016, as “Park City Conveyance I”, to

1 Park City, Utah, for public recreation and open  
2 space.

3 (12) PARK CITY CONVEYANCE II.—The approxi-  
4 mately 1 acre generally depicted on the map entitled  
5 Utah PLI Land Conveyances Map and dated June  
6 30, 2016, as “Park City Conveyance II”, to Park  
7 City, Utah, for public recreation and open space.

8 (13) LISBON VALLEY.—The approximately 398  
9 acres generally depicted on the map entitled Utah  
10 PLI Land Conveyances Map and dated June 30,  
11 2016, as “Lisbon Valley”, to Utah State University  
12 for education and research.

13 (14) WELLINGTON.—The approximately 645  
14 acres generally depicted on the map entitled Utah  
15 PLI Land Conveyances Map and dated June 30,  
16 2016, as “Wellington”, to Utah State University for  
17 education and research.

18 (15) RANGE CREEK RESEARCH STATION EX-  
19 PANSION.—The approximately 1,663 acres depicted  
20 on the map entitled Utah PLI Land Conveyances  
21 Map and dated June 30, 2016, as “Range Creek Re-  
22 search Station Expansion”, to the University of  
23 Utah for education and research.

24 (16) ASHLEY SPRING.—The approximately  
25 1,103 acres generally depicted on the map entitled

1 Utah PLI Land Conveyances Map and dated June  
2 30, 2016, as “Ashley Spring”, to Uintah County,  
3 Utah, for use as open space and for watershed pro-  
4 tection and drinking water development.

5 (17) SEEP RIDGE UTILITY CORRIDOR.—The ap-  
6 proximately 2,633 acres in Uintah County generally  
7 depicted on the map entitled Utah PLI Land Con-  
8 veyances Map and dated June 30, 2016, as “Seep  
9 Ridge Utility Corridor”, to the State of Utah, for  
10 use as rights-of-way for public utilities.

11 (18) BLUFF RIVER RECREATION AREA.—The  
12 approximately 177 acres generally depicted on the  
13 map entitled Utah PLI Land Conveyances Map and  
14 dated June 30, 2016, as “Bluff River Recreation  
15 Area”, to Bluff Service Area, for use as recreation  
16 and municipal facilities.

17 (19) EMERY INFORMATION CENTER.—The ap-  
18 proximately 80 acres generally depicted on the map  
19 entitled Utah PLI Land Conveyances Map and  
20 dated June 30, 2016, as “Emery County Informa-  
21 tion Center”, to Emery County, Utah, for an infor-  
22 mation and visitor center to promote public lands.

23 (20) SUMMIT COUNTY CONVEYANCE.—The ap-  
24 proximately \_\_\_\_ acres generally depicted on the  
25 map entitled Utah PLI Land Conveyances Map and

1       dated June 30, 2016, as “Summit Conveyance”, to  
2       Summit County, Utah, for public recreation and  
3       open space.

4       (b) MAP AND LEGAL DESCRIPTIONS.—Not later than  
5       two years after the date of enactment of this Act, the rel-  
6       evant Secretary shall file a map and legal description of  
7       each of the land conveyances authorized in subsection (a)  
8       with the Committee on Natural Resources.

## 9       **TITLE VII—LAND DISPOSALS**

### 10      **SEC. 701. LAND DISPOSALS.**

11       Subject to valid existing rights, the Secretary of the  
12      Interior shall within two years dispose of Federal lands  
13      identified as “Lands for Disposal” on the map entitled  
14      “Utah PLI Land Disposal Map” dated June 25, 2016.

## 15      **TITLE VIII—RECREATION ZONES**

### 16      **SEC. 801. ESTABLISHMENT.**

17       (a) ESTABLISHMENT.—Subject to valid existing  
18      rights, to enhance existing and future recreational oppor-  
19      tunities in Grand County, Uintah County, and San Juan  
20      County, Utah, the following areas are hereby established  
21      as Recreation Zones:

22              (1) GOLDBAR RECREATION ZONE.—Certain  
23      Federal land, comprising approximately 23,051  
24      acres administered by the Bureau of Land Manage-  
25      ment in Grand County, as generally depicted on the

1 map entitled Utah PLI Recreation Zones Map dated  
2 June 30, 2016, to be known as the “Goldbar Recre-  
3 ation Zone”.

4 (2) MONITOR AND MERRIMAC RECREATION  
5 ZONE.—Certain Federal land, comprising approxi-  
6 mately 17,371 acres administered by the Bureau of  
7 Land Management in Grand County as generally de-  
8 picted on the map entitled Utah PLI Recreation  
9 Zones Map dated June 30, 2016, to be known as the  
10 “Monitor and Merrimac Recreation Zone”.

11 (3) KLONDIKE RECREATION ZONE.—Certain  
12 Federal land, comprising approximately 24,968  
13 acres administered by the Bureau of Land Manage-  
14 ment in Grand County as generally depicted on the  
15 map entitled Utah PLI Recreation Zones Map dated  
16 June 30, 2016, to be known as the “Klondike Recre-  
17 ation Zone”.

18 (4) BIG FLAT RECREATION ZONE.—Certain  
19 Federal land, comprising approximately 25,311  
20 acres administered by the Bureau of Land Manage-  
21 ment in Grand County as generally depicted on the  
22 map entitled Utah PLI Recreation Zones Map dated  
23 June 30, 2016, to be known as the “Big Flat Recre-  
24 ation Zone”.



1           (5) MINERAL CANYON RECREATION ZONE.—  
2           Certain Federal land, comprising approximately  
3           20,423 acres administered by the Bureau of Land  
4           Management in Grand County as generally depicted  
5           on the map entitled Utah PLI Recreation Zones  
6           Map dated June 30, 2016, to be known as the “Min-  
7           eral Canyon Recreation Zone”.

8           (6) DEE PASS AND UTAH RIMS RECREATION  
9           ZONE.—Certain Federal land, comprising approxi-  
10          mately 210,587 acres administered by the Bureau of  
11          Land Management in Grand County as generally de-  
12          picted on the map entitled Utah PLI Recreation  
13          Zones Map dated June 30, 2016, to be known as the  
14          “Dee Pass and Utah Rims Recreation Zone”.

15          (7) YELLOW CIRCLE RECREATION ZONE.—Cer-  
16          tain Federal land, comprising approximately 7,436  
17          acres administered by the Bureau of Land Manage-  
18          ment in San Juan County as generally depicted on  
19          the map entitled Utah PLI Recreation Zones Map  
20          dated June 30, 2016, to be known as the “Yellow  
21          Circle Recreation Zone”.

22          (8) CAMEO CLIFFS RECREATION ZONE.—Cer-  
23          tain Federal land, comprising approximately 47,130  
24          acres administered by the Bureau of Land Manage-  
25          ment in San Juan County as generally depicted on

1 the map entitled Utah PLI Recreation Zones Map  
2 dated June 30, 2016, to be known as the “Cameo  
3 Cliffs Recreation Zone”.

4 (9) JENSEN HILLS RECREATION ZONE.—Cer-  
5 tain Federal land, comprising approximately 4,849  
6 acres administered by the Bureau of Land Manage-  
7 ment in Uintah County as generally depicted on the  
8 map entitled Utah PLI Recreation Zones Map and  
9 dated June 30, 2016, to be known as the “Jensen  
10 Hills Recreation Zone”.

11 (10) RED MOUNTAIN RECREATION ZONE.—Cer-  
12 tain Federal land, comprising approximately 10,298  
13 acres administered by the Bureau of Land Manage-  
14 ment in Uintah County as generally depicted on the  
15 map entitled Utah PLI Recreation Zones Map dated  
16 June 30, 2016, to be known as the “Red Mountain  
17 Recreation Zone”.

18 (11) DEVILS HOLE RECREATION ZONE.—Cer-  
19 tain Federal land, comprising approximately 550  
20 acres administered by the Bureau of Land Manage-  
21 ment in Uintah County as generally depicted on the  
22 map entitled Utah PLI Recreation Zones Map dated  
23 June 30, 2016, to be known as the “Devils Hole  
24 Recreation Zone”.

1           (12) BOURDETTE DRAW RECREATION ZONE.—  
2           Certain Federal land, comprising approximately  
3           20,560 acres administered by the Bureau of Land  
4           Management in Uintah County as generally depicted  
5           on the map entitled Utah PLI Recreation Zones  
6           Map dated June 30, 2016, to be known as the  
7           “Bourdette Draw Recreation Zone”.

8           (13) RED WASH RECREATION ZONE.—Certain  
9           Federal land, comprising approximately 1,916 acres  
10          administered by the Bureau of Land Management in  
11          Uintah County as generally depicted on the map en-  
12          titled Utah PLI Recreation Zones Map dated June  
13          30, 2016, to be known as the “Red Wash Recreation  
14          Zone”.

15 **SEC. 802. MAP AND LEGAL DESCRIPTION.**

16          (a) IN GENERAL.—Not later than two years from the  
17          date the date of enactment of this Act, the Secretary of  
18          the Interior (hereinafter in this title referred to as the  
19          “Secretary”) shall file a map and legal description of each  
20          of the Recreation Zones established by section 801 with  
21          the Committee on Natural Resources of the House of Rep-  
22          resentatives and the Committee on Energy and Natural  
23          Resources of the Senate.

24          (b) FORCE AND EFFECT.—The maps and legal de-  
25          scriptions submitted under this section shall have the

1 same force and effect as if included in this title, except  
2 that the Secretary may make any minor modifications of  
3 any clerical or typographical errors in the map or legal  
4 description and provided that prior to any modifications,  
5 clerical or typographical changes, these changes are re-  
6 ported to the State of Utah and the affected counties.

7 (c) PUBLIC AVAILABILITY.—A copy of the maps and  
8 legal descriptions shall be on file and available for public  
9 inspection in the appropriate offices of the Bureau of  
10 Land Management.

11 **SEC. 803. GOLDBAR RECREATION ZONE MANAGEMENT.**

12 (a) PURPOSES.—The purposes of the Goldbar Reere-  
13 ation Zone are to promote outdoor recreation (including  
14 off-highway vehicle use, mountain biking, and hiking),  
15 provide for the construction of new non-off-highway vehi-  
16 cle trails, prevent future energy and mineral development,  
17 and conserve indigenous plants and animals.

18 (b) ADMINISTRATION.—

19 (1) IN GENERAL.—The Secretary shall admin-  
20 ister the Goldbar Recreation Zone in accordance  
21 with—

22 (A) this title;

23 (B) the Federal Land Policy and Manage-  
24 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

25 (C) other applicable laws.

1           (2) USES.—Uses and management of the  
2 Goldbar Recreation Zone shall—

3           (A) require coordination and consultation  
4 with State and local governments;

5           (B) provide for recreational opportunities  
6 including camping, biking, hiking, and off-high-  
7 way vehicle use (including motorecycling, all-ter-  
8 rain-vehicle riding, and four-wheeling);

9           (C) prohibit future mineral development;

10          (D) provide for new route and trail con-  
11 struction for non-off-highway vehicle use; and

12          (E) conserve indigenous plant and animal  
13 species.

14          (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
15 TORIZED VEHICLES.—The Secretary shall manage  
16 existing designated routes for off-highway and mo-  
17 torized vehicles in a manner that—

18           (A) is consistent with off-highway and mo-  
19 torized vehicle use of the routes designated in  
20 the applicable travel management plan;

21           (B) allows for adjustment to the travel  
22 management plan within the regular amend-  
23 ment process; and

24           (C) allows for the construction of new non-  
25 off-highway vehicle trails.

1           (4) WITHDRAWALS.—Subject to valid existing  
2           rights, all public land within the Goldbar Recreation  
3           Zone, including any land or interest in land that is  
4           acquired by the United States within the Goldbar  
5           Recreation Zone after the date of enactment of this  
6           Act, is withdrawn from—

7                   (A) entry, appropriation or disposal under  
8                   the public land laws;

9                   (B) location, entry, and patent under the  
10                  mining laws; and

11                  (C) operation of the mineral leasing, min-  
12                  eral materials, and geothermal leasing laws.

13 **SEC. 804. MONITOR AND MERRIMAC RECREATION ZONE**  
14 **MANAGEMENT.**

15           (a) PURPOSES.—The purposes of the Monitor and  
16 Merrimac Recreation Zone are to promote outdoor recre-  
17 ation (including off-highway vehicle use, mountain biking,  
18 rock climbing, and hiking), provide for the construction  
19 of new off-highway vehicle and non-off-highway vehicle  
20 trails and routes, and to prevent future mineral develop-  
21 ment.

22           (b) ADMINISTRATION.—The Secretary shall admin-  
23 ister the Monitor and Merrimac Recreation Zone in ac-  
24 cordance with—

25                   (1) this title;

1           (2) the Federal Land Policy and Management  
2           Act of 1976 (43 U.S.C. 1701 et seq.); and

3           (3) other applicable laws.

4           (c) USES.—Uses and management of the Monitor  
5 and Merrimac Recreation Zone shall—

6           (1) coordinate and consult with State and local  
7           government;

8           (2) provide for recreational opportunities in-  
9           cluding, biking, hiking, rock climbing and off-high-  
10          way vehicle use (including motorecycling, all-terrain-  
11          vehicle riding, and four-wheeling);

12          (3) prohibit future mineral and energy leasing;  
13          and

14          (4) provide for new route and trail construction  
15          for off-highway vehicle and non-off-highway vehicle  
16          use.

17          (d) MANAGEMENT OF OFF-HIGHWAY VEHICLE AND  
18          MOTORIZED VEHICLES.—The Secretary shall manage ex-  
19          isting designated off-highway vehicle routes in a manner  
20          that—

21          (1) is consistent with off-highway and motor-  
22          ized vehicle use of the routes designated in the appli-  
23          cable travel management plan;



1           (2) allows for adjustment to the travel manage-  
2           ment plan within the regular amendment process;  
3           and

4           (3) allows for the construction of new off-high-  
5           way and non-off-highway vehicle trails.

6           (e) WITHDRAWALS.—Subject to valid existing rights,  
7           all public land within the Monitor and Merrimac Recre-  
8           ation Zone, including any land or interest in land that is  
9           acquired by the United States within the Monitor and  
10          Merrimac Recreation Zone after the date of enactment of  
11          this Act, is withdrawn from—

12           (1) entry, appropriation or disposal under the  
13           public land laws;

14           (2) location, entry, and patent under the mining  
15           laws; and

16           (3) operation of the mineral leasing, mineral  
17           materials, and geothermal leasing laws.

18          **SEC. 805. KLONDIKE RECREATION ZONE MANAGEMENT.**

19           (a) PURPOSES.—The purposes of the Klondike  
20           Recreation Zone are to promote outdoor recreation (in-  
21           cluding off-highway vehicle use, mountain biking, rock  
22           climbing, and hiking), provide for the construction of new  
23           non-off-highway vehicle trails, and to prevent future min-  
24           eral development.

1 (b) ADMINISTRATION.—The Secretary shall admin-  
2 ister the Klondike Recreation Zone in accordance with—

3 (1) this title;

4 (2) the Federal Land Policy and Management  
5 Act of 1976 (43 U.S.C. 1701 et seq.); and

6 (3) other applicable laws.

7 (c) USES.—Uses and management of the Klondike  
8 Recreation Zone shall—

9 (1) coordinate and consult with State and local  
10 government;

11 (2) provide for recreational opportunities in-  
12 cluding biking, hiking, rock climbing, and off-high-  
13 way vehicle use (including motorecycling, all-terrain-  
14 vehicle riding and four-wheeling);

15 (3) prohibit future mineral and energy leasing;

16 (4) provide for new route and trail construction  
17 for off-highway and non-off-highway vehicle use; and

18 (5) provide managerial flexibility to route off-  
19 highway vehicle trails in a way that minimizes con-  
20 flict with non-off-highway vehicle trails.

21 (d) MANAGEMENT OF OFF-HIGHWAY VEHICLE AND  
22 MOTORIZED VEHICLES.—The Secretary shall manage ex-  
23 isting designated routes for off-highway vehicles and mo-  
24 torized vehicles in a manner that—

1           (1) is consistent with off-highway and motor-  
2           ized vehicle use of the routes designated in the appli-  
3           cable travel management plan;

4           (2) allows for adjustment to the travel manage-  
5           ment plan within the regular amendment process;  
6           and

7           (3) allows for the construction of new non-off-  
8           highway vehicle trails.

9           (e) WITHDRAWALS.—Subject to valid existing rights,  
10          all public land within the Klondike Recreation Zone, in-  
11          cluding any land or interest in land that is acquired by  
12          the United States within the Klondike Recreation Zone  
13          after the date of enactment of this Act, is withdrawn  
14          from—

15                 (1) entry, appropriation or disposal under the  
16                 public land laws;

17                 (2) location, entry, and patent under the mining  
18                 laws; and

19                 (3) operation of the mineral leasing, mineral  
20                 materials, and geothermal leasing laws.

21          **SEC. 806. BIG FLAT RECREATION ZONE MANAGEMENT.**

22                 (a) PURPOSES.—The purposes of the Big Flat Recre-  
23                 ation Zone are to promote outdoor recreation (including  
24                 off-highway vehicle use, mountain biking, rock climbing

1 and hiking), provide for new off-highway vehicle route con-  
2 struction and promote mineral development.

3 (b) ADMINISTRATION.—The Secretary shall admin-  
4 ister the Big Flat Recreation Zone in accordance with—

5 (1) this title;

6 (2) the Federal Land Policy and Management  
7 Act of 1976 (43 U.S.C. 1701 et seq.); and

8 (3) other applicable laws.

9 (c) USES.—Uses and management of the Big Flat  
10 Recreation Zone shall—

11 (1) coordinate and consult with State and local  
12 government;

13 (2) provide for recreational opportunities in-  
14 cluding rock climbing, biking, hiking, off-highway ve-  
15 hicle use (including motorcycling, all-terrain-vehicle  
16 riding, and four-wheeling);

17 (3) provide for future mineral leasing with no  
18 surface occupancy stipulations;

19 (4) allow the continuation of existing mineral  
20 leasing; and

21 (5) provide for new route and trail construction  
22 for off-highway vehicle and non-off-highway vehicle  
23 use.

24 (d) MANAGEMENT OF OFF-HIGHWAY AND MOTOR-  
25 IZED VEHICLES.—The Secretary shall manage existing

1 designated routes for off-highway and motorized vehicles  
2 in a manner that—

3 (1) is consistent with off-highway and motor-  
4 ized vehicle use of the routes designated in the appli-  
5 cable travel management plan;

6 (2) allows for adjustment to the travel manage-  
7 ment plan within the regular amendment process;  
8 and

9 (3) allows for the construction of new non-off-  
10 highway vehicle trails.

11 **SEC. 807. MINERAL CANYON RECREATION ZONE MANAGE-**  
12 **MENT.**

13 (a) **PURPOSES.**—The purposes of the Mineral Canyon  
14 Recreation Zone are to promote non-motorized outdoor  
15 recreation (including mountain biking, rock climbing, and  
16 hiking), provide for new non-motorized route construction,  
17 prevent future mineral development, maintain boating ac-  
18 cess, maintain airstrip access, and maintain access and  
19 use of country borrow areas for unprocessed gravel.

20 (b) **ADMINISTRATION.**—

21 (1) **IN GENERAL.**—The Secretary shall admin-  
22 ister the Mineral Canyon Recreation Zone in accord-  
23 ance with—

24 (A) this title;

1 (B) the Federal Land Policy and Manage-  
2 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

3 (C) other applicable laws.

4 (2) USES.—Uses and management of the Min-  
5 eral Canyon Recreation Zone shall—

6 (A) coordinate and consult with State and  
7 local government;

8 (B) provide for non-motorized recreational  
9 opportunities including biking and hiking;

10 (C) prevent future mineral leasing or  
11 claims;

12 (D) provide for new route and trail con-  
13 struction for non-motorized vehicle use;

14 (E) maintain access for boating;

15 (F) maintain access for aircraft to the ex-  
16 isting airstrip; and

17 (G) maintain access to and use of the  
18 county borrow areas for unprocessed gravel.

19 (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
20 TORIZED VEHICLES.—The Secretary shall manage  
21 existing designated routes for off-highway and mo-  
22 torized vehicles in a manner that—

23 (A) is consistent with off-highway and mo-  
24 torized vehicle use of the routes designated in  
25 the applicable travel management plan;

1 (B) allows for adjustment to the travel  
2 management plan within the regular amend-  
3 ment process; and

4 (C) allows for the construction of new non-  
5 off-highway vehicle trails.

6 (4) WITHDRAWALS.—Subject to valid existing  
7 rights, all public land within the Mineral Canyon  
8 Recreation Zone, including any land or interest in  
9 land that is acquired by the United States within the  
10 Mineral Canyon Recreation Zone after the date of  
11 enactment of this Act, is withdrawn from—

12 (A) entry, appropriation or disposal under  
13 the public land laws;

14 (B) location, entry, and patent under the  
15 mining laws; and

16 (C) operation of the mineral leasing, min-  
17 eral materials, and geothermal leasing laws.

18 **SEC. 808. DEE PASS AND UTAH RIMS RECREATION ZONE**

19 **MANAGEMENT.**

20 (a) PURPOSES.—The purposes of the Dee Pass and  
21 Utah Rims Recreation Zone are to promote off-highway  
22 vehicle recreation, provide for the construction of new off-  
23 highway vehicle trails and non-motorized trails, and allow  
24 mineral development.

25 (b) ADMINISTRATION.—



1           (1) IN GENERAL.—The Secretary shall admin-  
2           ister the Dee Pass and Utah Rims Recreation Zone  
3           in accordance with—

4                   (A) this title;

5                   (B) the Federal Land Policy and Manage-  
6           ment Act of 1976 (43 U.S.C. 1701 et seq.); and

7                   (C) other applicable laws.

8           (2) USES.—Uses and management of the Dee  
9           Pass and Utah Rims Recreation Zone shall—

10                   (A) coordinate and consult with State and  
11           local government;

12                   (B) provide for recreational opportunities  
13           including rock climbing, biking, hiking, and off-  
14           highway vehicle use (including motorcycling, all-  
15           terrain vehicle riding, and four-wheeling);

16                   (C) provide future mineral and energy  
17           leasing and development in a manner that mini-  
18           mizes impacts to outdoor recreation; and

19                   (D) provide for new route and trail con-  
20           struction for motorized and non-motorized use.

21           (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
22           TORIZED VEHICLES.—The Secretary shall manage  
23           existing designated routes for off-highway and mo-  
24           torized vehicles in a manner that—

1 (A) is consistent with off-highway and mo-  
2 torized vehicle use of the routes designated in  
3 the applicable travel management plan;

4 (B) allows for adjustment to the travel  
5 management plan within the regular amend-  
6 ment process; and

7 (C) allows for the construction of new off-  
8 highway and non-off-highway vehicle trails.

9 (4) WHITE WASH CROSS COUNTRY TRAVEL  
10 AREA.—The approximately \_\_\_\_\_ acres identified  
11 as the “White Wash Cross Country Travel Area”,  
12 located within the Dee Pass Recreation Zone, on the  
13 map entitled “Utah PLI Recreation Zones Map”  
14 and dated June 30, 2016, is open to cross country  
15 off-highway vehicle travel.

16 **SEC. 809. YELLOW CIRCLE AND CAMEO CLIFFS RECRE-**  
17 **ATION ZONE MANAGEMENT.**

18 (a) PURPOSES.—The purposes of the Yellow Circle  
19 Recreation Zone and Cameo Cliffs Recreation Zone are  
20 to promote off-highway vehicle use, provide for the con-  
21 struction of new off-highway vehicle and non-motorized  
22 trails, and allow energy and mineral leasing and develop-  
23 ment.

24 (b) ADMINISTRATION.—

1           (1) IN GENERAL.—The Secretary shall admin-  
2           ister the Yellow Circle Recreation Zone and Cameo  
3           Cliffs Recreation Zone in accordance with—

4                   (A) this title;

5                   (B) the Federal Land Policy and Manage-  
6           ment Act of 1976 (43 U.S.C. 1701 et seq.);

7                   (C) other applicable laws; and

8                   (D) San Juan County Public Entry and  
9           Access Rights.

10          (2) USES.—Uses and management of the Yel-  
11          low Circle Recreation Zone and Cameo Cliffs Re-  
12          creation Zone shall—

13                   (A) coordinate and consult with State and  
14          local government;

15                   (B) provide for recreational opportunities  
16          including rock climbing, biking, hiking, and off-  
17          highway vehicle use (including motorcycleing, all-  
18          terrain-vehicle riding, four-wheeling);

19                   (C) provide future mineral and energy  
20          leasing and development in a manner that con-  
21          siders impacts to outdoor recreation; and

22                   (D) provide for new route and trail con-  
23          struction for off-highway vehicle and non-mo-  
24          torized use.

1           (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
2           TORIZED VEHICLES.—The Secretary shall manage  
3           existing designated off-highway and motorized vehi-  
4           cle routes in a manner that—

5                   (A) is consistent with off-highway and mo-  
6                   torized vehicle use of the routes designated in  
7                   the applicable travel management plan;

8                   (B) allows for adjustment to the travel  
9                   management plan within the regular amend-  
10                  ment process; and

11                  (C) allows for the construction of new non-  
12                  off-highway vehicle trails.

13 **SEC. 810. JENSEN HILLS RECREATION ZONE ADDITIONAL**  
14 **PROVISIONS.**

15           (a) PURPOSES.—The purposes of the Jensen Hills  
16 Recreation Zone is to promote off-highway vehicle recre-  
17 ation, provide for the construction of new off-highway ve-  
18 hicle trails and non-motorized trails, and to promote en-  
19 ergy and mineral leasing and development.

20           (b) ADMINISTRATION.—

21                   (1) IN GENERAL.—The Secretary shall admin-  
22                   ister the Jensen Hills Recreation Zone in accordance  
23                   with—

24                           (A) this title;

1 (B) the Federal Land Policy and Manage-  
2 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

3 (C) other applicable laws;

4 (2) USES.—Uses and management of the Jen-  
5 sen Hills Recreation Zone shall—

6 (A) coordinate and consult with State and  
7 local government;

8 (B) provide for recreational opportunities  
9 including, biking, hiking, rock climbing and off-  
10 highway vehicle use (including motorcycling, all-  
11 terrain vehicle riding, and four-wheeling);

12 (C) allow future mineral and energy leas-  
13 ing and development in a manner that mini-  
14 mizes impacts to outdoor recreation;

15 (D) provide for new route and trail con-  
16 struction for off-highway vehicle and non-mo-  
17 torized use to further recreational opportunities;  
18 and

19 (E) allow cross country off-highway vehicle  
20 travel where authorized under the applicable  
21 travel management plan.

22 (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
23 TORIZED VEHICLES.—The Secretary shall manage  
24 existing designated routes in a manner that—

1 (A) is consistent with off-highway and mo-  
2 torized vehicle use of the routes designated in  
3 the applicable travel management plan;

4 (B) allows for adjustment to the travel  
5 management plan within the regular amend-  
6 ment process;

7 (C) allows for the construction of new non-  
8 off-highway vehicle trails; and

9 (D) allows for continued cross country off-  
10 highway vehicle travel where authorized under  
11 the travel management plan.

12 **SEC. 811. RED MOUNTAIN RECREATION ZONE MANAGE-**  
13 **MENT.**

14 (a) **PURPOSES.**—The purposes of the Red Mountain  
15 Recreation Zone is to promote off-highway vehicle recre-  
16 ation, provide for the construction of new off-highway ve-  
17 hicle trails and non-motorized trails, and to promote en-  
18 ergy and mineral leasing and development.

19 (b) **ADMINISTRATION.**—

20 (1) **IN GENERAL.**—The Secretary shall admin-  
21 ister the Red Mountain Recreation Zone in accord-  
22 ance with—

23 (A) this title;

24 (B) the Federal Land Policy and Manage-  
25 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

1 (C) other applicable laws.

2 (2) USES.—Uses and management of the Red  
3 Mountain Recreation Zone shall—

4 (A) coordinate and consult with State and  
5 local government;

6 (B) provide for recreational opportunities  
7 including, biking, hiking, rock climbing and off-  
8 highway vehicle use (including motorcycling, all-  
9 terrain vehicle riding, and four-wheeling);

10 (C) allow future mineral and energy leas-  
11 ing and development in a manner that mini-  
12 mizes impacts to outdoor recreation and sen-  
13 sitive plant and animal species; and

14 (D) provide for new route and trail con-  
15 struction for off-highway vehicle and non-mo-  
16 torized use.

17 (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
18 TORIZED VEHICLES.—The Secretary shall manage  
19 existing designated routes in a manner that—

20 (A) is consistent with off-highway and mo-  
21 torized vehicle use of the routes designated in  
22 the applicable travel management plan;

23 (B) allows for adjustment to the travel  
24 management plan within the regular amend-  
25 ment process; and



1 (C) allows for the construction of new off-  
2 highway vehicle and non-motorized routes and  
3 trails.

4 **SEC. 812. DEVILS HOLE RECREATION ZONE MANAGEMENT.**

5 (a) PURPOSES.—The purposes of the Devils Hole  
6 Recreation Zone is to promote off-highway vehicle recre-  
7 ation, the construction of new off-highway vehicle trails  
8 and non-motorized trails and routes, and to promote en-  
9 ergy and mineral leasing and development.

10 (b) ADMINISTRATION.—

11 (1) IN GENERAL.—The Secretary of the Inte-  
12 rior shall administer the Devils Hole Recreation  
13 Zone in accordance with—

14 (A) this title;

15 (B) the Federal Land Policy and Manage-  
16 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

17 (C) other applicable laws.

18 (2) USES.—Uses and management of the Devils  
19 Hole Recreation Zone shall—

20 (A) coordinate and consult with State and  
21 local government;

22 (B) provide for recreational opportunities  
23 including, biking, hiking, rock climbing and off-  
24 highway vehicle use (including motorcycle, all-  
25 terrain vehicle riding, and four-wheeling);

1 (C) allows future mineral and energy leas-  
2 ing and development in a manner that considers  
3 impacts to outdoor recreation;

4 (D) provide for new route and trail con-  
5 struction for off-highway vehicle and non-mo-  
6 torized use; and

7 (E) allows cross country off-highway vehi-  
8 cle travel where authorized by the applicable  
9 travel management plan.

10 (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
11 TORIZED VEHICLES.—The Secretary of the Interior  
12 shall manage existing designated routes in a manner  
13 that—

14 (A) is consistent with off-highway and mo-  
15 torized vehicle use of the routes designated in  
16 the applicable travel management plan;

17 (B) allows for adjustment to the travel  
18 management plan within the regular amend-  
19 ment process;

20 (C) allows for the construction of new off-  
21 highway vehicle and non-motorized trails; and

22 (D) allows for continued cross country off-  
23 highway vehicle travel authorized under the ap-  
24 plicable travel management plan.

1 **SEC. 813. BOURDETTE DRAW RECREATION ZONE ADDI-**  
2 **TIONAL PROVISIONS.**

3 (a) **PURPOSES.**—The purposes of the Bourdette  
4 Draw Recreation Zone is to promote off-highway vehicle  
5 recreation, provide for the construction of new off-highway  
6 vehicle trails and non-motorized trails, and to promote en-  
7 ergy and mineral leasing and development.

8 (b) **ADMINISTRATION.**—

9 (1) **IN GENERAL.**—The Secretary of the Inte-  
10 rior shall administer the Bourdette Draw Recreation  
11 Zone in accordance with—

12 (A) this title;

13 (B) the Federal Land Policy and Manage-  
14 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

15 (C) other applicable laws.

16 (2) **USES.**—Uses and management of the  
17 Bourdette Draw Recreation Zone shall—

18 (A) coordinate and consult with State and  
19 local government;

20 (B) provide for recreational opportunities  
21 including, biking, hiking, rock climbing and off-  
22 highway vehicle use (including motorcycling, all-  
23 terrain vehicle riding, and four-wheeling);

24 (C) allow future mineral and energy leas-  
25 ing and development in a manner that mini-

1 mizes impacts to outdoor recreation and sen-  
2 sitive plant and animal species;

3 (D) provide for new route and trail con-  
4 struction for off-highway vehicle and non-mo-  
5 torized use; and

6 (E) allow cross country off-highway vehicle  
7 travel authorized under the applicable travel  
8 management plan.

9 (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
10 TORIZED VEHICLES.—The Secretary of the Interior  
11 shall manage existing designated routes in a manner  
12 that—

13 (A) is consistent with off-highway and mo-  
14 torized vehicle use of the routes designated in  
15 the applicable travel management plan;

16 (B) allows for adjustment to the travel  
17 management plan within the regular amend-  
18 ment process;

19 (C) allows for the construction of new non-  
20 off-highway vehicle trails; and

21 (D) allows for continued cross country off-  
22 highway vehicle travel where authorized under  
23 the applicable travel management plan.

1 **SEC. 814. RED WASH RECREATION ZONE ADDITIONAL PRO-**  
2 **VISIONS.**

3 (a) **PURPOSES.**—The purposes of the Red Wash  
4 Recreation Zone is to promote off-highway vehicle recre-  
5 ation, provide for the construction of new off-highway ve-  
6 hicle trails and non-motorized trails, and to promote en-  
7 ergy and mineral leasing and development.

8 (b) **ADMINISTRATION.**—

9 (1) **IN GENERAL.**—The Secretary of the Inte-  
10 rior shall administer the Red Wash Recreation Zone  
11 in accordance with—

12 (A) this title;

13 (B) the Federal Land Policy and Manage-  
14 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

15 (C) other applicable laws.

16 (2) **USES.**—Uses and management of the Red  
17 Wash Recreation Zone shall—

18 (A) coordinate and consult with State and  
19 local government;

20 (B) provide for recreational opportunities  
21 including, biking, hiking, rock climbing and off-  
22 highway vehicle use (including motorcycle, all-  
23 terrain vehicle riding, and four-wheeling);

24 (C) allow future mineral and energy leas-  
25 ing and development in a manner that mini-  
26 mizes impacts to outdoor recreation;

1 (D) provide for new route and trail con-  
2 struction for off-highway vehicle and non-mo-  
3 torized use; and

4 (E) allow cross country off-highway vehicle  
5 travel authorized under the applicable travel  
6 management plan.

7 (3) MANAGEMENT OF OFF-HIGHWAY AND MO-  
8 TORIZED VEHICLES.—The Secretary of the Interior  
9 shall manage existing designated routes in a manner  
10 that—

11 (A) is consistent with off-highway and mo-  
12 torized vehicle use of the routes designated in  
13 the applicable travel management plan;

14 (B) allows for adjustment to the travel  
15 management plan within the regular amend-  
16 ment process;

17 (C) allows for the construction of new non-  
18 off-highway vehicle trails; and

19 (D) allows for continued cross country off-  
20 highway vehicle travel where authorized under  
21 the applicable travel management plan.

22 **SEC. 815. HOLE-IN-THE-ROCK TRAIL.**

23 (a) ESTABLISHMENT OF TRAIL.—Section 5(a) of the  
24 National Trails System Act (16 U.S.C. 1244(a)) is  
25 amended by adding at the end the following:

1           “(31) HOLE-IN-THE-ROCK TRAIL.—

2                   “(A) IN GENERAL.—The corridor known  
3 as the ‘Hole-in-the-Rock Trail’ as generally de-  
4 picted on the map titled ‘Utah PLI National  
5 Conservation Area Map’ dated June 30, 2016.

6                   “(B) PURPOSES AND USE.—

7                           “(i) The purposes of the National  
8 Hole-in-the-Rock Trail is to promote cul-  
9 tural, recreational, and historic values and  
10 promote motorized and non-motorized  
11 recreation.

12                           “(ii) The Hole-in-the-Rock Founda-  
13 tion shall be a cooperating agency regard-  
14 ing trail management.

15                           “(iii) The issuance of regulations re-  
16 garding group size and fee areas shall be  
17 done in accordance with the cooperating  
18 agencies.

19                   “(C) MANAGEMENT PLAN.—

20                           “(i) PLAN REQUIRED.—Not later than  
21 2 years after the date of enactment of this  
22 Act, the Secretary of the Interior shall de-  
23 velop a management plan for the long-term  
24 management of the historic trail.



1                   “(ii) RECOMMENDATIONS AND CON-  
2                   SULTATION.—The Secretary of the Interior  
3                   shall prepare the management plan in con-  
4                   sultation and coordination with local and  
5                   tribal governments, the public, and the  
6                   Public Lands Initiative Planning and Im-  
7                   plementation Advisory Committee estab-  
8                   lished under Division C of this Act. If the  
9                   Secretary of the Interior does not incor-  
10                  porate recommendations submitted by the  
11                  State, local, and tribal governments into  
12                  the management plans, the Secretary of  
13                  the Interior shall submit a written expla-  
14                  nation before the effective date of the man-  
15                  agement plan to the House Committee on  
16                  Natural Resources and Senate Committee  
17                  on Energy and Natural Resources out-  
18                  lining the reasons for rejecting the rec-  
19                  ommendations of the State local govern-  
20                  ments and tribes.”.

21 **SEC. 816. RECAPTURE CANYON.**

22                  (a) APPROVAL OF RIGHT-OF-WAY.—San Juan Coun-  
23                  ty, Utah’s application for a Title V Right-of-Way, origi-  
24                  nally submitted to the Bureau of Land Management Mon-  
25                  ticello Field Office in the State of Utah on March 30,

1 2006, and later amended on November 13, 2012, is ap-  
2 proved.

3 (b) PURPOSE OF RIGHT-OF-WAY.—The purposes of  
4 the Title V Right-of-Way, as stated by the County’s appli-  
5 cation, is to perform routine maintenance to existing trails  
6 and routes in an effort to encourage travel in the canyon  
7 to remain on a single established route through the canyon  
8 that minimizes impacts to the surrounding environment.

9 (c) APPLICABILITY OF OTHER LAWS.—In granting  
10 the application, compliance with section 306108 of title  
11 54, United States Code, and the Native American Graves  
12 Protection and Repatriation Act shall apply to the right-  
13 of-way to avoid adverse impact to archaeological sites.

14 **SEC. 817. BIG BURRITO NON-MOTORIZED TRAIL.**

15 The 9.3 mile proposed non-motorized trail within the  
16 Sand Flats Recreation Area, approved by the Bureau of  
17 Land Management Moab Field Office on December 18,  
18 2016, and commonly known as the Big Burrito Non-Mo-  
19 torized Trail, shall not be subject to administrative or ju-  
20 dicial review.

21 **TITLE IX—RED ROCK COUNTRY**  
22 **OFF-HIGHWAY VEHICLE TRAIL**

23 **SEC. 901. DEFINITIONS.**

24 In this title:

1           (1) COUNTY.—The term “County” means  
2           Grand and San Juan Counties, Utah.

3           (2) SECRETARY.—The term “Secretary” means  
4           the Secretary of the Interior.

5           (3) TRAIL.—The term “Trail” means the Red  
6           Rock Country Off-Highway Vehicle Trail established  
7           under section 902.

8           (4) FEDERAL LAND.—The term “Federal land”  
9           means land owned by the Bureau of Land Manage-  
10          ment as depicted on the Utah PLI Recreation Plans  
11          Map and dated \_\_\_\_\_.

12 **SEC. 902. DESIGNATION.**

13           (1) IN GENERAL.—The Secretary shall des-  
14          ignate a trail system in the County—

15                   (A) for use by off-highway vehicles; and

16                   (B) to be known as the “Red Rock Coun-  
17          try Off-Highway Vehicle Trail”.

18           (2) REQUIREMENTS.—In designating the trail,  
19          the Secretary shall prioritize a long distance route  
20          for off-highway vehicles that is generally depicted on  
21          the Utah PLI Recreation Plans Map and dated June  
22          30, 2016, that—

23                   (A) connects the Federal land adjacent to  
24          Moab, Utah, to the Federal land adjacent to

1 Grand Junction, Colorado, through the Dee  
2 Pass and Utah Rims Recreation Zone;

3 (B) connects the Federal land adjacent to  
4 Moab, Utah, to the Federal land adjacent to  
5 Green River, Utah, through the Dee Pass and  
6 Utah Rims Recreation Zone;

7 (C) connects the Federal land adjacent to  
8 Moab, Utah, to the Federal land adjacent to  
9 Monticello, Utah, through the Cameo Cliffs  
10 Recreation Zone;

11 (D) uses existing routes, where feasible,  
12 which may include the Kokopelli Trail, the Or-  
13 ange Trail, and Trail 1;

14 (E) minimizes the use of graded roads;  
15 and

16 (F) creates a recreational experience that  
17 provides—

18 (i) opportunities for scenic vistas;

19 (ii) challenging terrain for off-highway  
20 vehicle travel;

21 (iii) connections to other existing trail  
22 systems or trails;

23 (iv) minimal conflicts between off-  
24 highway vehicle and non-off-highway vehi-  
25 cle users; and

1 (v) off-highway vehicle singletrack and  
2 doubletrack options where feasible.

3 (3) MAP.—A map that depicts the Trail shall  
4 be on file and available for public inspection in the  
5 appropriate offices of the Bureau of Land Manage-  
6 ment.

7 **SEC. 903. MANAGEMENT.**

8 (a) IN GENERAL.—The Secretary shall manage fu-  
9 ture designated routes on the Trail in a manner that—

10 (1) is consistent with section 902; and

11 (2) does not interfere with private property or  
12 water rights.

13 (b) CLOSURE.—The Secretary, in consultation with  
14 the State and the County, may temporarily close or per-  
15 manently reroute, subject to subparagraph (C), a route  
16 on the Trail if the Secretary determines that—

17 (1) the route is significantly damaging des-  
18 ignated critical habitat or cultural resources;

19 (2) the route threatens public safety;

20 (3) closure of the route is necessary to repair  
21 damage to the Trail; or

22 (4) closure of the route is necessary to repair  
23 resource damage.

1 (c) REROUTING.—Portions of the route that are tem-  
2 porarily closed may be permanently rerouted by utilizing  
3 a previously closed route or constructing a new route.

4 (d) NOTICE.—The Secretary shall provide informa-  
5 tion to the public regarding any designated routes on the  
6 Trail that are open, have been relocated, or are tempo-  
7 rarily closed through—

8 (1) use of appropriate signage within the Trail;  
9 and

10 (2) use of the Internet and Web resources.

11 (e) NO EFFECT ON NON-FEDERAL LAND OR INTER-  
12 ESTS IN NON-FEDERAL LAND.—Nothing in this title af-  
13 fects ownership, management, or other rights relating to  
14 non-Federal land or interests in non-Federal land.

15 (f) ADDITIONAL ROUTE CONSTRUCTION.—

16 (1) FEASIBILITY STUDY.—Not later than 180  
17 days after the date of enactment of this Act, the  
18 Secretary shall study the feasibility and public inter-  
19 est in constructing new routes as part of the Red  
20 Rock County Off-Highway Vehicle Trail to further  
21 off-highway vehicle recreational opportunities.

22 (2) CONSTRUCTION.—

23 (A) CONSTRUCTION AUTHORIZED.—If the  
24 Secretary determines that the construction of a

1 route on the Trail is feasible, construction is  
2 authorized.

3 (B) USE OF VOLUNTEER SERVICES AND  
4 CONTRIBUTIONS.—A route on the Trail may be  
5 constructed under this subsection through the  
6 acceptance of volunteer services and contribu-  
7 tions from non-Federal sources to eliminate the  
8 need for Federal expenditures to construct the  
9 route.

10 (3) COMPLIANCE.—In carrying out this sub-  
11 section, the Secretary shall comply with—

12 (A) the Federal Land Policy and Manage-  
13 ment Act of 1976 (43 U.S.C. 1701 et seq.);

14 (B) this title; and

15 (C) other applicable law.

16 **TITLE X—LONG-TERM INDIAN**  
17 **ECONOMIC DEVELOPMENT**  
18 **CERTAINTY**

19 **SEC. 1001. INDIAN ECONOMIC DEVELOPMENT IN SAN JUAN**  
20 **COUNTY, UTAH.**

21 (a) McCRAKEN MESA MINERAL TRANSFER.—All  
22 right and interest in the Federal minerals located within  
23 the McCracken Extension of the Navajo Nation shall be  
24 transferred to the Utah Navajo Trust Fund.



1 (b) USE OF ROYALTIES.—The Act of March 1, 1933  
2 (47 Stat. 1418), is amended in the first section, by strik-  
3 ing “37½” each place it appears and inserting “62.5”.

4 **SEC. 1002. UTE INDIAN TRIBE ECONOMIC DEVELOPMENT**  
5 **AREA.**

6 (a) SPLIT ESTATE UNIFICATION.—With respect to  
7 any land within the Uintah and Ouray Reservation, where  
8 the United States holds title to the surface or mineral es-  
9 tate in trust for the Ute Tribe but a Federal agency owns  
10 or manages the corresponding mineral or surface estate,  
11 the title to interests owned or managed by the Federal  
12 agency shall be held by the Secretary of the Interior in  
13 trust for the benefit of the tribe in order to unify the sur-  
14 face and mineral estates for the benefit of the tribe.

15 (b) MINERALS TRANSFER.—The Bureau of Land  
16 Management shall transfer title to the mineral estate of  
17 public lands within the Hill Creek Extension (originally  
18 established under the Act of March 11, 1948 (62 Stat.  
19 72)) south of the south boundary of Township 11 South,  
20 Salt Lake Base & Meridian, other than lands for which  
21 selection applications have been filed by the State of Utah  
22 with the Bureau of Land Management under authority of  
23 the Hill Creek Cultural Preservation and Energy Develop-  
24 ment Act, Public Law 133–133, to the Bureau of Indian  
25 Affairs to be held in trust for the benefit of the Ute Tribe.

1 **SEC. 1003. WATER STUDY FOR UINTAH AND DUCHESNE**  
2 **COUNTIES.**

3 The Secretary of the Interior, using existing authori-  
4 ties through the Bureau of Reclamation, shall undertake  
5 a water study that includes a needs, opportunities and  
6 constraints assessment in Uintah and Duchesne Counties  
7 for storage of Ute tribal water and the use of water rights  
8 currently held by the Ute Tribe.

9 **TITLE XI—LONG-TERM ENERGY**  
10 **DEVELOPMENT CERTAINTY**  
11 **IN UTAH**

12 **SEC. 1101. SENSE OF CONGRESS.**

13 Within Uintah, Carbon, Emery, Grand, Duchesne  
14 and San Juan counties in the State of Utah, the increased  
15 production and transmission of energy in a safe and envi-  
16 ronmentally sound manner is essential to the well-being  
17 of the rural Utahns and the American people. It is the  
18 sense of Congress that the Federal departments and agen-  
19 cies involved in energy development projects on Federal  
20 lands in Utah shall take appropriate actions, including  
21 Federal primacy delegation, to expedite projects that will  
22 increase the production or development of energy and min-  
23 eral resources on Federal lands.

24 **SEC. 1102. ACTIONS TO EXPEDITE ENERGY-RELATED**  
25 **PROJECTS.**

26 (a) IN GENERAL.—The State of Utah—

1           (1) may establish a program covering the per-  
2           mitting processes, regulatory requirements, and any  
3           other provisions by which the State would exercise  
4           the rights of the State to develop and permit all  
5           forms of energy resources on available Federal land  
6           administered by the Price, Vernal, Moab, and Monti-  
7           cello Field Offices of the Bureau of Land Manage-  
8           ment; and

9           (2) shall submit, as a condition of certification  
10          under section 1103(a), a declaration to the Depart-  
11          ment of the Interior that a program under para-  
12          graph (1) has been established or amended.

13          (b) AMENDMENT OF PROGRAMS.—The State of Utah  
14          may amend a program developed and certified under this  
15          subtitle at any time.

16          (c) CERTIFICATION OF AMENDED PROGRAMS.—Any  
17          program amended under subsection (b) shall be certified  
18          under section 1103(a).

19          **SEC. 1103. PERMITTING AND REGULATORY PROGRAMS.**

20          (a) FEDERAL CERTIFICATION AND TRANSFER OF  
21          DEVELOPMENT RIGHTS.—Upon submission of a declara-  
22          tion by the State of Utah under section 1102(a)(2)—

23                  (1) the program under section 1102(a)(1) shall  
24          be certified; and

1           (2) the State shall receive all rights from the  
2       Federal Government to permit all forms of energy  
3       resources covered by the program.

4       (b) ISSUANCE OF PERMITS.—

5           (1) No later than 60 days after the enactment  
6       of this Act, the Governor of the State of Utah shall  
7       make an election as to whether the State of Utah  
8       will process permits for the development of any form  
9       of energy resource on available Federal land within  
10      the area covered by the Field Offices referenced in  
11      section 1102(a)(1). In the event the Governor elects  
12      to assume the permitting as set forth herein, he  
13      shall notify the Secretary of the Interior of his deci-  
14      sion within 60 days.

15          (2) Upon an election to assume permitting as  
16      set forth in paragraph (1), the process shall be in  
17      accordance with Federal statutes and regulations.

18   **SEC. 1104. JUDICIAL REVIEW.**

19          (a) JURISDICTION.—The United States District  
20      Court for the District of Utah shall have original and ex-  
21      clusive jurisdiction over any civil action brought pursuant  
22      to this title.

23          (b) EXPEDITED CONSIDERATION.—The Court shall  
24      set any civil action brought under this section for expe-  
25      dited consideration.

1 **SEC. 1105. COMPLETION OF ADMINISTRATIVE LAND EX-**  
 2 **CHANGE PROCESS.**

3 The land exchange application, referred to as UTU-  
 4 78673 pending before the Moab Field Office, shall be con-  
 5 sidered in the public interest and completed.

6 **TITLE XII—LONG-TERM TRAVEL**  
 7 **MANAGEMENT CERTAINTY**

8 **SEC. 1201. RIGHTS-OF-WAY FOR CERTAIN ROADS.**

9 (a) IN GENERAL.—Subject to valid existing rights  
 10 and consistent with this section, the Secretary of the Inte-  
 11 rior shall acknowledge the State of Utah’s and its coun-  
 12 ties’ ownership of, and shall forever disclaim all Federal  
 13 interest in, a right-of-way for public travel and access on  
 14 all roads claimed as Class B, that are paved as of January  
 15 1, 2016, and identified as rights-of-way in judicial actions  
 16 in the Federal court system as of January 1, 2016, in  
 17 Uintah, Duchesne, Carbon, Emery, Grand, and San Juan  
 18 counties, Utah.

19 (b) APPLICABLE LAW.—A right-of-way disclaimed  
 20 under subsection (a) shall constitute the United States ac-  
 21 ceptance of the county’s and State’s RS 2477 ownership  
 22 and that all Federal ownership authority is extinguished.  
 23 The State and counties in return shall withdraw lawsuits  
 24 in the Federal court system affecting those individual dis-  
 25 claimed roads.

26 (c) ADMINISTRATION.—

1           (1) Each right-of-way disclaimed by the Sec-  
2           retary of the Interior under the provisions covered  
3           by subsection (b) of this title shall consist of the full  
4           geographic extent authorized by Utah State law in  
5           effect as of January 1, 2016.

6           (2) Each right-of-way disclaimed pursuant to  
7           this title may be abandoned pursuant to Utah State  
8           law.

9           (3) The right-of-way area of disturbance shall  
10          generally remain the same as of January 1, 2016.

11 **SEC. 1202. GRAND COUNTY COUNCIL RECOMMENDATIONS**

12                                   **FOR CERTAIN ROADS.**

13          The recommendations of the Grand County Council,  
14          as depicted on the map entitled “Grand County PLI Final  
15          Map 4-17-2015” and dated April 17, 2015, for Hey Joe  
16          Canyon, Tenmile Canyon, and Mineral Canyon roads shall  
17          be implemented by the Secretary of the Interior, with the  
18          seasonal closures beginning the Tuesday following Memo-  
19          rial Day through Labor Day.

20 **SEC. 1203. UINTAH COUNTY ROAD CERTAINTY.**

21          Not later than two years after the enactment of this  
22          Act, and subject to valid existing rights and consistent  
23          with this section, the Secretary of the Interior shall grant  
24          a title V right-of-way to Uintah County for public travel  
25          and access upon all Class D roads, as claimed by the

1 Uintah County on its duly adopted 2016 transportation  
2 map, and as described by GPS centerline description on  
3 file with Uintah County as a January 1, 2016, and that  
4 are also identified on the 2008 Vernal Resource Manage-  
5 ment Plan Transportation Plan.

6 **TITLE XIII—LONG-TERM**  
7 **GRAZING CERTAINTY**

8 **SEC. 1301. CURRENT PERMITTED USE.**

9 Unless otherwise specified by this title, and pursuant  
10 to existing permits, on Federal lands managed by the Sec-  
11 retary of Agriculture or the Secretary of the Interior in  
12 Summit, Duchesne, Uintah, Grand, Emery, Carbon, and  
13 San Juan Counties, the grazing of domestic livestock shall  
14 continue and any adjustments in the numbers of livestock  
15 permitted should be made as a result of revisions in the  
16 normal grazing and land management planning and policy  
17 setting process.

18 **SEC. 1302. BIGHORN SHEEP.**

19 On Federal lands managed by the Secretary of Agri-  
20 culture or the Secretary of the Interior in Summit,  
21 Duchesne, Uintah, Grand, Emery, Carbon, and San Juan  
22 Counties, the viability or existence of bighorn sheep shall  
23 not be used to remove or alter the use of domestic sheep  
24 or cattle where such use was permitted as of January 1,  
25 2016.



1 **SEC. 1303. PROTECTION OF GRAZING LANDS.**

2 To recognize the importance of public land grazing  
3 to the economy and culture of rural Utah, and to the State  
4 of Utah in general, it is the sense of Congress that this  
5 title shall ensure public grazing lands, including areas out-  
6 side the areas designated in this title, not be reduced below  
7 current permitted levels, except for cases of extreme range  
8 conditions where water and forage is not available. The  
9 areas of public land that have reduced or eliminated graz-  
10 ing shall be reviewed and managed to support grazing at  
11 an economically viable level.

12 **DIVISION C—LOCAL**  
13 **PARTICIPATION**  
14 **TITLE I—LOCAL PARTICIPATION**  
15 **AND PLANNING**

16 **SEC. 101. PUBLIC LANDS INITIATIVE PLANNING AND IM-**  
17 **PLEMENTATION ADVISORY COMMITTEE.**

18 (a) ESTABLISHMENT AND PURPOSE OF PUBLIC  
19 LANDS INITIATIVE PLANNING AND IMPLEMENTATION AD-  
20 VISORY COMMITTEE.—

21 (1) ESTABLISHMENT.—The Secretary of the In-  
22 terior and Secretary of Agriculture shall jointly es-  
23 tablish and maintain the Public Lands Initiative  
24 Planning and Implementation Advisory Committee  
25 (in this title referred to as the “Advisory Com-  
26 mittee”) to perform the duties in subsection (b).

1           (2) PURPOSE.—The purpose of the Advisory  
2           Committee is to advise the Secretaries of the Inte-  
3           rior and Agriculture on the implementation of the  
4           Utah Public Lands Initiative Act.

5           (b) DUTIES.—The Advisory Committee shall advise  
6           the relevant Secretary with regard to—

7                   (1) implementation of this title; and

8                   (2) policies or programs that encourage coordi-  
9           nation among the public, local elected officials, and  
10          public lands stakeholders, and the State, tribes, and  
11          the Federal Government.

12          (c) APPOINTMENT BY THE SECRETARIES.—

13                   (1) APPOINTMENT AND TERM.—The Secretaries  
14          of the Interior and Agriculture shall jointly appoint  
15          the members of the Advisory Committee for a term  
16          of 5 years beginning on the date of appointment.  
17          The Secretaries of the Interior and Agriculture may  
18          not reappoint members designated under subsection  
19          (d)(2)(B) to more than 3 terms.

20                   (2) BASIC REQUIREMENTS.—The Secretaries of  
21          the Interior and Agriculture shall ensure that the  
22          Advisory Committee established meets the require-  
23          ments of subsection (d).

24                   (3) INITIAL APPOINTMENT.—The Secretaries of  
25          the Interior and Agriculture shall make initial ap-

1 pointments to the Advisory Committee not later  
2 than 180 days after the date of the enactment of  
3 this Act.

4 (4) VACANCIES.—The Secretaries of the Inte-  
5 rior and Agriculture shall fill vacancies on the Advi-  
6 sory Committee as soon as practicable after the va-  
7 cancy has occurred.

8 (5) COMPENSATION.—Members of the Advisory  
9 Committee shall not receive any compensation.

10 (d) COMPOSITION OF ADVISORY COMMITTEE.—

11 (1) NUMBER.—The Advisory Committee shall  
12 be comprised of no more than 22 members.

13 (2) COMMUNITY INTERESTS REPRESENTED.—  
14 Advisory Committee members shall reside in the  
15 State of Utah and represent the following:

16 (A) GOVERNMENTAL INTERESTS.—

17 (i) The Utah State Director of the  
18 Bureau of Land Management or a des-  
19 ignated representative of the Director.

20 (ii) The Regional Forester of Region  
21 4 of the United States Forest Service or a  
22 designated representative of the Forester.

23 (iii) A representative of the Bureau of  
24 Indian Affairs Western Region.

- 1 (iv) A representative of the Bureau of  
2 Indian Affairs Navajo Region.
- 3 (v) The Governor of the State of Utah  
4 or a designated representative of the Gov-  
5 ernor.
- 6 (vi) The Director of the Utah Depart-  
7 ment of Natural Resources or a designated  
8 representative of the Director.
- 9 (vii) The Chairperson of the Summit  
10 County Council or a designated representa-  
11 tive of the Chairperson.
- 12 (viii) The Chairperson of the Uintah  
13 County Commission or a designated rep-  
14 resentative of the Chairperson.
- 15 (ix) The Chairperson of the Duchesne  
16 County Commission or a designated rep-  
17 resentative of the Chairperson.
- 18 (x) The Chairperson of the Carbon  
19 County Commission or a designated rep-  
20 resentative of the Chairperson.
- 21 (xi) The Chairperson of the Emery  
22 County Commission or a designated rep-  
23 resentative of the Chairperson.

1 (xii) The Chairperson of the Grand  
2 County Council or a designated representa-  
3 tive of the Chairperson.

4 (xiii) The Chairperson of the San  
5 Juan County Commission or a designated  
6 representative of the Chairperson.

7 (B) COMMUNITY INTERESTS.—

8 (i) The grazing community.

9 (ii) The off-highway vehicle commu-  
10 nity.

11 (iii) The sportsmen or hunting com-  
12 munity.

13 (iv) The energy development industry.

14 (v) The guides and outfitters commu-  
15 nity.

16 (vi) The non-off-highway vehicle recre-  
17 ation community.

18 (vii) The conservation community.

19 (viii) Archaeological, cultural, and his-  
20 toric interests.

21 (ix) Biological interests.

22 (3) PRESERVATION OF PUBLIC ADVISORY STA-  
23 TUS.—No individual serving under subparagraph  
24 (2)(B) may be an officer or employee of the Federal  
25 Government or State of Utah.

1           (4) BALANCED REPRESENTATION.—In appoint-  
2           ing Advisory Committee members from the two cat-  
3           egories in section 2, the Secretaries of the Interior  
4           and Agriculture shall provide for balanced and broad  
5           representation from within each category.

6           (5) CHAIRPERSON.—The Secretaries of the In-  
7           terior and Agriculture shall jointly select the chair-  
8           person of the Advisory Committee for a term of 5  
9           years beginning on the date of appointment.

10          (e) ANNUAL ADVISORY COMMITTEE REPORT.—

11           (1) REPORT SUBMISSION.—The Advisory Com-  
12           mittee shall submit a report no later than September  
13           30 of each year to the Secretaries of the Interior  
14           and Agriculture, the Committee on Natural Re-  
15           sources of the House of Representatives, and the  
16           Committees on Agriculture, Nutrition, and Forestry,  
17           and Energy and Natural Resources of the Senate. If  
18           the Advisory Committee cannot meet the September  
19           30 deadline in any year, the Secretary of the Inte-  
20           rior or Secretary of Agriculture shall advise the  
21           Chair of each such Committee of the reasons for  
22           such delay and the date on which the submission of  
23           the report is anticipated.

24           (2) CONTENTS.—The report required by para-  
25           graph (1) shall describe—

1 (A) the activities of the Advisory Com-  
2 mittee during the preceding year;

3 (B) the reports and recommendations  
4 made by the Advisory Committee to the Secre-  
5 taries of the Interior and Agriculture during the  
6 preceding year; and

7 (C) an accounting of actions taken by the  
8 Secretaries of the Interior and Agriculture as a  
9 result of the recommendations.

10 (f) OTHER ADVISORY COMMITTEE AUTHORITIES AND  
11 REQUIREMENTS.—

12 (1) STAFF ASSISTANCE.—The Advisory Com-  
13 mittee may request and the Secretaries of the Inte-  
14 rior and Agriculture may provide periodic staff as-  
15 sistance from Federal employees under the jurisdic-  
16 tion of the relevant Secretary.

17 (2) MEETINGS.—

18 (A) FREQUENCY.—The Advisory Com-  
19 mittee shall meet at the call of the Secretaries  
20 of the Interior or Agriculture, the Chairperson,  
21 or a majority of the members. Meetings shall be  
22 held no fewer than 1 time a year. A majority  
23 constitutes a quorum for business of the Advi-  
24 sory Committee.



1 (B) OPEN MEETINGS.—All meetings of the  
2 Advisory Committee shall be announced at least  
3 one week in advance in publications of general  
4 circulation and shall be open to the public.

5 (3) RECORDS.—The Advisory Committee shall  
6 maintain records of the meetings of the Advisory  
7 Committee and make the records available for public  
8 inspection.

9 **DIVISION D—BEAR EARS NA-**  
10 **TIONAL CONSERVATION AREA**  
11 **TITLE I—BEAR EARS NATIONAL**  
12 **CONSERVATION AREA**

13 **SEC. 101. FINDINGS.**

14 Congress finds the following:

15 (1) The lands within Bears Ears National Con-  
16 servation Area have been used by Native Americans  
17 for thousands of years.

18 (2) The unique, intact archaeological record  
19 found throughout the Bears Ears National Con-  
20 servation Area is sacred to numerous Native Amer-  
21 ican tribes and Pueblos and is of great significance  
22 to American history.

23 (3) Tribes and Pueblos maintain deep connec-  
24 tions and commitments to the lands within the  
25 Bears Ears National Conservation Area and con-

1       tinue to rely on and use these lands for ceremonies,  
2       spiritual rejuvenation, gathering herbs, firewood and  
3       cedar poles, hunting for game, and caretaking of sa-  
4       cred places.

5           (4) Many local residents, many with early pio-  
6       neer heritage, have similarly strong attachments to  
7       the land and associated lifestyles, both vocational  
8       and avocational.

9           (5) Many visitors develop similar attachments  
10      and appreciation for these landscapes.

11 **SEC. 102. ESTABLISHMENT.**

12      Certain Federal land, comprising of approximately  
13 857,603 acres administered by the Bureau of Land Man-  
14 agement and U.S. Forest Service in San Juan County as  
15 generally depicted on the map entitled Utah PLI National  
16 Conservation Area Map dated June 30, 2016, to be known  
17 as the “Bears Ears National Conservation Area”.

18 **SEC. 103. MAP AND LEGAL DESCRIPTION.**

19      (a) IN GENERAL.—Not later than two years from the  
20 date of enactment of this Act, the relevant Secretary shall  
21 file a map and legal description of the National Conserva-  
22 tion Areas established by sections 201 of this title with  
23 the Committee on Natural Resources of the House of Rep-  
24 resentatives and the Committee on Energy and Natural  
25 Resources of the Senate.

1 (b) FORCE AND EFFECT.—Each map and legal de-  
2 scription submitted under this section shall have the same  
3 force and effect as if included in this title, except that  
4 the relevant Secretary may make minor modifications of  
5 any clerical or typographical errors in the map or legal  
6 description provided that prior to any modifications, cler-  
7 ical or typographical changes, these changes are reported  
8 to the State of Utah and the affected county.

9 (c) PUBLIC AVAILABILITY.—A copy of the map and  
10 legal description shall be on file and available for public  
11 inspection in the appropriate offices of the Bureau of In-  
12 dian Affairs, the Bureau of Land Management, and the  
13 United States Forest Service.

14 **SEC. 104. ADMINISTRATION OF BEAR EARS NATIONAL CON-**  
15 **SERVATION AREA.**

16 (a) PURPOSES.—In accordance with this title, the  
17 Federal Land Policy and Management Act of 1976 (43  
18 U.S.C. 1701 et seq.), and other applicable laws, the rel-  
19 evant Secretary shall manage the Bears Ears National  
20 Conservation Area (hereinafter referred to as “Bears  
21 Ears”) established by section 102 in a manner that—

22 (1) protects, conserves, and enhances the  
23 unique and nationally important historic, cultural,  
24 scientific, scenic, recreational, archaeological, nat-  
25 ural, and educational resources of Bears Ears;

1           (2) maintains and enhances cooperative and in-  
2           novative management practices between resource  
3           managers, private landowners, and the public in  
4           Bears Ears;

5           (3) recognizes and maintains historic uses of  
6           Bears Ears;

7           (4) provides for traditional access by indigenous  
8           persons for culturally significant subsistence, includ-  
9           ing but not limited to traditional gathering, wood  
10          cutting, hunting, and cultural and religious uses  
11          within Bears Ears;

12          (5) consistent with the Native American Graves  
13          Repatriation and Protection Act (Public Law 101-  
14          601; 25 U.S.C. 3001 et seq.; 104 Stat. 3048), the  
15          National Historic Preservation Act (Public Law 89-  
16          665; 54 U.S.C. 300101 et seq.), and the Utah State  
17          Antiquities Act (UCA 9-8-301-308) protects and  
18          preserves and minimizes disturbance to Native  
19          American archaeological sites, including human re-  
20          mains, from permitted uses of Bears Ears; and

21          (6) integrates Native American Traditional Ec-  
22          ological Knowledge as defined in 36 CFR 219.19 to  
23          improve social, economic, and ecological sustain-  
24          ability in accordance with U.S. Forest Service 2016  
25          Planning Rule regulations (36 C.F.R. 219).

1 (b) MANAGEMENT PLANS.—

2 (1) PLAN REQUIRED.—Not later than 2 years  
3 after the date of enactment of this Act, the relevant  
4 Secretary shall develop a management plan for the  
5 long-term management of each Conservation Area.

6 (2) RECOMMENDATIONS AND CONSULTATION.—

7 The relevant Secretary shall prepare the manage-  
8 ment plan in consultation and coordination with  
9 local and tribal governments, the public, and the  
10 Public Lands Initiative Planning and Implementa-  
11 tion Advisory Committee established under Division  
12 C of this Act. If the relevant Secretary does not in-  
13 corporate recommendations submitted by the State,  
14 local governments, and Indian tribes into the man-  
15 agement plans, the relevant Secretary shall submit a  
16 written explanation before the effective date of the  
17 management plan to the House Committee on Nat-  
18 ural Resources and Senate Committee on Energy  
19 and Natural Resources outlining the reasons for re-  
20 jecting the recommendations.

21 **SEC. 105. GENERAL PROVISIONS.**

22 The General Provisions in title II section 204 shall  
23 apply to this title.

1 **SEC. 106. COOPERATING AGENCIES.**

2 The Secretary of the Interior shall designate and in-  
3 volve as cooperating agencies interested tribes and Pueblos  
4 that trace their culture and heritage to the lands within  
5 the Bears Ears National Conservation Area in accordance  
6 with the National Environmental Policy Act (42 U.S.C.  
7 4321 et seq.).

8 **SEC. 107. BEARS EARS TRIBAL COMMISSION.**

9 (a) CREATION OF COMMISSION.—In preparing the  
10 management plan subject to section 104(b) for the Bears  
11 Ears, the Secretary of the Interior shall create a Commis-  
12 sion consisting of one representative from each tribe or  
13 Pueblo that enters into cooperating agency status pursu-  
14 ant to section 106. The Secretary shall actively seek advice  
15 and carefully and fully consider the views of the Commis-  
16 sion.

17 (b) STAKEHOLDER ADVISORY COUNCIL REPRESENT-  
18 ATIVE.—The Commission shall select either a representa-  
19 tive from the Commission or the Tribal Liaison to be the  
20 tribal interest representative on the Advisory Council.

21 **SEC. 108. TRIBAL EMPLOYMENT.**

22 In employing individuals to perform any administra-  
23 tive, interpretation, construction, maintenance, or other  
24 service in the Bears Ears National Conservation Area, the  
25 Secretary of the Interior shall give priority consideration  
26 to members of tribes that meet publically posted job quali-

1 fications and criteria consistent with standard Federal hir-  
2 ing practices.

3 **SEC. 109. TRIBAL LIAISON.**

4 The Secretary of the Interior shall appoint a liaison  
5 to the tribes that enter into cooperating agency status pur-  
6 suant to section 106. The liaison shall work to ensure the  
7 voice and perspectives of the cooperating tribal entities are  
8 represented in the management of the Bears Ears Na-  
9 tional Conservation Area.

10 **SEC. 110. BEARS EARS ADVISORY COMMITTEE.**

11 (a) ESTABLISHMENT AND PURPOSE OF THE BEARS  
12 EARS ADVISORY COMMITTEE.—

13 (1) ESTABLISHMENT.—The Secretary of the In-  
14 terior shall establish and maintain the Bears Ears  
15 Advisory Committee to perform the duties in sub-  
16 section (b).

17 (2) PURPOSE.—The purpose of the Bears Ears  
18 Advisory Committee is to advise the Secretary of the  
19 Interior on the Bears Ears National Conservation  
20 Area.

21 (b) DUTIES.—The Bears Ears Advisory Committee  
22 shall advise the Secretary of the Interior with regard to—

23 (1) implementation of the Bears Ears National  
24 Conservation Area Management Plan; and

1           (2) administration of the Bears Ears National  
2 Conservation Area.

3           (c) APPOINTMENT BY THE SECRETARY.—

4           (1) APPOINTMENT AND TERM.—The Secretary  
5 of the Interior shall appoint the members of the  
6 Bears Ears Advisory Committee for a term of five  
7 years beginning on the date of appointment. The  
8 Secretary of the Interior may not reappoint mem-  
9 bers to more than three terms.

10          (2) BASIC REQUIREMENTS.—The Secretary of  
11 the Interior shall ensure that the Bears Ears Advi-  
12 sory Committee established meets the requirements  
13 of subsection (d).

14          (3) INITIAL APPOINTMENT.—The Secretary of  
15 the Interior shall make initial appointments to the  
16 Bears Ears Advisory Committee not later than 180  
17 days after the date of the enactment of this Act.

18          (4) VACANCIES.—The Secretary of the Interior  
19 shall make appointments to fill vacancies on the  
20 Bears Ears Advisory Committee as soon as prac-  
21 ticable after the vacancy has occurred.

22          (5) COMPENSATION.—Members of the Bears  
23 Ears Advisory Committee shall not receive any com-  
24 pensation.



1 (d) COMPOSITION OF BEARS EARS ADVISORY COM-  
2 MITTEE.—

3 (1) NUMBER.—The Bears Ears Advisory Com-  
4 mittee shall be comprised of no more than 10 mem-  
5 bers.

6 (2) COMMUNITY INTERESTS REPRESENTED.—  
7 Bears Ears Advisory Committee members shall re-  
8 side in the State of Utah and be representative of  
9 the following members:

10 (A) One representative with historical ex-  
11 pertise in the Hole-in-the-Rock Trail.

12 (B) One representative with paleontological  
13 expertise.

14 (C) One representative with archaeological  
15 or historic expertise.

16 (D) One representative of the off-highway  
17 vehicle community.

18 (E) One representative of the non-off-high-  
19 way vehicle recreation community.

20 (F) One representative from the conserva-  
21 tion community.

22 (G) One representative from the sportsmen  
23 community.

24 (H) One representative from the livestock  
25 grazing community.

1 (I) One representative of the San Juan  
2 County commission.

3 (J) One representative of the Tribal Col-  
4 laboration Commission.

5 (3) PRESERVATION OF PUBLIC ADVISORY STA-  
6 TUS.—No individual serving under section 2 may be  
7 an officer or employee of the Federal Government or  
8 State of Utah Government.

9 (4) BALANCED REPRESENTATION.—In appoint-  
10 ing Bears Ears Advisory Committee members from  
11 the two categories in section 2, the Secretary of the  
12 Interior shall provide for balanced and broad rep-  
13 resentation from within each category.

14 (5) CHAIRPERSON.—The Secretary of the Inte-  
15 rior shall select the chairperson of the Bears Ears  
16 Advisory Committee for a term of five years begin-  
17 ning on the date of appointment.

18 (e) ANNUAL BEARS EARS ADVISORY COMMITTEE  
19 REPORT.—

20 (1) REPORT SUBMISSION.—The Bears Ears Ad-  
21 visory Committee shall submit a report no later than  
22 September 30 of each year to the Secretary of the  
23 Interior, the Committee on Natural Resources of the  
24 House of Representatives, and the Committee on  
25 Agriculture, Nutrition, and Forestry of the Senate.

1 If the Bears Ears Advisory Committee cannot meet  
2 the September 30 deadline in any year, the Sec-  
3 retary of the Interior shall advise the Chair of each  
4 such Committee of the reasons for such delay and  
5 the date on which the submission of the report is an-  
6 ticipated.

7 (2) CONTENTS.—The report required by para-  
8 graph (1) shall describe—

9 (A) the activities of the Bears Ears Advi-  
10 sory Committee during the preceding year;

11 (B) the reports and recommendations  
12 made by the Bears Ears Advisory Committee to  
13 the Secretary of the Interior during the pre-  
14 ceding year; and

15 (C) an accounting of actions taken by the  
16 Secretary of the Interior as a result of the rec-  
17 ommendations.

18 (f) OTHER BEARS EARS ADVISORY COMMITTEE AU-  
19 THORITIES AND REQUIREMENTS.—

20 (1) STAFF ASSISTANCE.—The Bears Ears Advi-  
21 sory Committee may submit to the Secretary of the  
22 Interior a request for periodic staff assistance from  
23 Federal employees under the jurisdiction of the Sec-  
24 retary.

25 (2) MEETINGS.—

1           (A) FREQUENCY.—The Bears Ears Advi-  
2           sory Committee shall meet at the call of the  
3           Secretary of the Interior, the Chairperson, or a  
4           majority of the members. Meetings shall be held  
5           no less than one time per year. A majority must  
6           be present to constitute an official meeting of  
7           the Bears Ears Advisory Committee.

8           (B) OPEN MEETINGS.—All meetings of the  
9           Bears Ears Advisory Committee shall be an-  
10          nounced at least one week in advance in publi-  
11          cations of general circulation and shall be open  
12          to the public.

○

## Conversation Contents

Utah Gov. Herbert hints he could pitch plan to protect Bears Ears | The Salt Lake Tribune

**Neil Kornze <nkornze@blm.gov>**

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**From:** Neil Kornze <nkornze@blm.gov>  
**Sent:** Wed Sep 07 2016 17:41:10 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Nikki Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Utah Gov. Herbert hints he could pitch plan to protect Bears Ears | The Salt Lake Tribune

<http://www.sltrib.com/news/4326093-155/utah-gov-herbert-hints-he-could>

## Conversation Contents

Utah SITLA land issues.

### Attachments:

/35. Utah SITLA land issues./10.1 Agenda 2016-9-08.docx

### Allen Freemyer <allen@adfpc.com>

---

**From:** Allen Freemyer <allen@adfpc.com>  
**Sent:** Fri Aug 12 2016 10:31:08 GMT-0600 (MDT)  
**To:** "Beaudreau, Tommy (tommy\_beaudreau@ios.doi.gov)" <tommy\_beaudreau@ios.doi.gov>, "Nicole Buffa (nicole\_buffa@ios.doi.gov)" <nicole\_buffa@ios.doi.gov>  
**Subject:** Utah SITLA land issues.

Tommy and Nikki,  
I hope the summer is treating you well. I wanted to try to reach out to you to schedule another meeting on land issues in eastern Utah as SITLA has been working on specific trust land and mapping issues that we would like to bring to your attention and discuss further. We would propose the following dates: August 29—afternoon in Salt Lake City, August 30<sup>th</sup>—any time in Salt Lake City, September 8<sup>th</sup> in Washington DC, or September 19-21 in Washington DC. Let me know if any of these dates work for your team and if not, propose additional options. Thank you.  
Allen

Allen D. Freemyer  
Freemyer & Associates  
3333 K Street NW, Suite 115  
Washington DC 20007  
202-293-6496

### Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Fri Aug 12 2016 10:55:47 GMT-0600 (MDT)  
**To:** Allen Freemyer <allen@adfpc.com>  
"Nicole Buffa (nicole\_buffa@ios.doi.gov)" <nicole\_buffa@ios.doi.gov>,  
**CC:** "Fred.ferguson@mail.house.gov"



FOR COMMITTEE USE ONLY

<Fred.ferguson@mail.house.gov>, "O'Leary, Kathleen"  
<kathleen\_oleary@ios.doi.gov>, "ann.navaro@sol.doi.gov"  
<ann.navaro@sol.doi.gov>

**Subject:** Re: Utah SITLA land issues.

You read our minds, Allen. We'll work with these times and figure out a time to meet.

Best,

TPB

On Aug 12, 2016, at 12:32 PM, Allen Freemyer <[allen@adfpc.com](mailto:allen@adfpc.com)> wrote:

Tommy and Nikki,  
I hope the summer is treating you well. I wanted to try to reach out to you to schedule another meeting on land issues in eastern Utah as SITLA has been working on specific trust land and mapping issues that we would like to bring to your attention and discuss further. We would propose the following dates: August 29—afternoon in Salt Lake City, August 30<sup>th</sup>—any time in Salt Lake City, September 8<sup>th</sup> in Washington DC, or September 19-21 in Washington DC. Let me know if any of these dates work for your team and if not, propose additional options. Thank you. Allen

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**Allen Freemyer <[allen@adfpc.com](mailto:allen@adfpc.com)>**

---

**From:** Allen Freemyer <[allen@adfpc.com](mailto:allen@adfpc.com)>  
**Sent:** Mon Aug 22 2016 12:13:11 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** RE: Utah SITLA land issues.

Tommy,  
I wanted to check in with you to see if you had any updates on a date we could meet on the SITLA lands issues. Thank you. Allen

---

**From:** Tommy Beaudreau [[mailto:tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)]  
**Sent:** Friday, August 12, 2016 12:56 PM  
**To:** Allen Freemyer  
**Cc:** Nicole Buffa ([nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)); Fred.ferguson@mail.house.gov; O'Leary, Kathleen; ann.navaro@sol.doi.gov  
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**"O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>**

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**From:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>  
**Sent:** Mon Aug 22 2016 16:07:02 GMT-0600 (MDT)  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**CC:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: Utah SITLA land issues.

Nikki,

Thoughts on trying for a day trip 8/29 or 8/30? Let me know and we can work it out.

Thanks,  
KO'L

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

From: **Allen Freemyer** <[allen@adfpc.com](mailto:allen@adfpc.com)>  
Date: Fri, Aug 12, 2016 at 12:31 PM  
Subject: Utah SITLA land issues.  
To: "Beaudreau, Tommy ([tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov))"  
<[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, "Nicole Buffa ([nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov))"  
<[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
Cc: "[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)" <[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)>, "O'Leary,  
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**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Mon Aug 22 2016 19:19:29 GMT-0600 (MDT)  
**To:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>  
**CC:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Utah SITLA land issues.

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On Aug 22, 2016, at 6:07 PM, O'Leary, Kathleen <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)> wrote:

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Date: Fri, Aug 12, 2016 at 12:31 PM  
Subject: Utah SITLA land issues.  
To: "Beaudreau, Tommy ([tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov))"

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<[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, "Nicole Buffa ([nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov))"  
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**From:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>  
**Sent:** Tue Aug 23 2016 07:08:57 GMT-0600 (MDT)  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**CC:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Utah SITLA land issues.

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On Mon, Aug 22, 2016 at 9:19 PM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:  
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Date: Fri, Aug 12, 2016 at 12:31 PM  
Subject: Utah SITLA land issues.  
To: "Beaudreau, Tommy ([tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov))" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, "Nicole Buffa ([nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov))" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
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---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Tue Aug 23 2016 07:24:18 GMT-0600 (MDT)  
**To:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>  
**CC:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Utah SITLA land issues.

Those are two bad days. Please ask for just a few more dates. I'm happy to reach out to him if you'd like.

On Aug 23, 2016, at 9:09 AM, O'Leary, Kathleen <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)> wrote:

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<[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, "Nicole Buffa

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Cc: "[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)"

<[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)>, "O'Leary, Kathleen"

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<[ann.navaro@sol.doi.gov](mailto:ann.navaro@sol.doi.gov)>

Tommy and Nikki,

I hope the summer is treating you well. I wanted to try to reach out to you to schedule another meeting on land issues in eastern Utah as SITLA has been working on specific trust land and mapping issues that we would like to bring to your attention and discuss further. We would propose the following dates: August 29—afternoon in Salt Lake City, August 30<sup>th</sup>—any time in Salt Lake City, September 8<sup>th</sup> in Washington DC, or September 19-21 in Washington DC. Let me know if any of these dates work for your team and if not, propose additional options. Thank you. Allen

Allen D. Freemyer

Freemyer & Associates

3333 K Street NW, Suite 115

Washington DC 20007

202-293-6496



**"O'Leary, Kathleen" <kathleen\_oleary@ios.doi.gov>**

---

**From:** "O'Leary, Kathleen" <kathleen\_oleary@ios.doi.gov>  
**Sent:** Tue Aug 23 2016 07:25:12 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**CC:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Utah SITLA land issues.

Yep, will do.

On Tue, Aug 23, 2016 at 9:24 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:  
Those are two bad days. Please ask for just a few more dates. I'm happy to reach out to him if you'd like.

On Aug 23, 2016, at 9:09 AM, O'Leary, Kathleen <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)> wrote:

I can check in with Allen, but those are just the dates he gave.

On Mon, Aug 22, 2016 at 9:19 PM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

Can we do the week after?

On Aug 22, 2016, at 6:07 PM, O'Leary, Kathleen <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)> wrote:

Nikki,

Thoughts on trying for a day trip 8/29 or 8/30? Let me know and we can work it out.

Thanks,  
KO'L

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

From: **Allen Freemyer** <[allen@adfpc.com](mailto:allen@adfpc.com)>  
Date: Fri, Aug 12, 2016 at 12:31 PM  
Subject: Utah SITLA land issues.  
To: "Beaudreau, Tommy" (<[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>)" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, "Nicole Buffa" (<[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>)" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
Cc: "[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)"

<[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)>, "O'Leary, Kathleen"  
<[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>, "[ann.navaro@sol.doi.gov](mailto:ann.navaro@sol.doi.gov)"  
<[ann.navaro@sol.doi.gov](mailto:ann.navaro@sol.doi.gov)>

Tommy and Nikki,  
I hope the summer is treating you well. I wanted to try to reach out to you to schedule another meeting on land issues in eastern Utah as SITLA has been working on specific trust land and mapping issues that we would like to bring to your attention and discuss further. We would propose the following dates: August 29—afternoon in Salt Lake City, August 30<sup>th</sup>—any time in Salt Lake City, September 8<sup>th</sup> in Washington DC, or September 19-21 in Washington DC. Let me know if any of these dates work for your team and if not, propose additional options. Thank you. Allen

Allen D. Freemyer  
Freemyer & Associates  
3333 K Street NW, Suite 115  
Washington DC 20007  
202-293-6496

---

**"O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>**

**From:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>  
**Sent:** Thu Aug 25 2016 08:11:14 GMT-0600 (MDT)  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**CC:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Utah SITLA land issues.

On for the morning of 9/8 -- Nikki, please let me know who all should join you two this time around.

On Tue, Aug 23, 2016 at 9:25 AM, O'Leary, Kathleen <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)> wrote:

Yep, will do.

On Tue, Aug 23, 2016 at 9:24 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:  
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and we can work it out.

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

From: **Allen Freemyer** <[allen@adfpc.com](mailto:allen@adfpc.com)>

Date: Fri, Aug 12, 2016 at 12:31 PM

Subject: Utah SITLA land issues.

To: "Beaudreau, Tommy ([tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov))"

<[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, "Nicole Buffa

([nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov))" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

Cc: "[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)"

<[Fred.ferguson@mail.house.gov](mailto:Fred.ferguson@mail.house.gov)>, "O'Leary, Kathleen"

<[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>, "[ann.navaro@sol.doi.gov](mailto:ann.navaro@sol.doi.gov)"

<[ann.navaro@sol.doi.gov](mailto:ann.navaro@sol.doi.gov)>

Tommy and Nikki,

I hope the summer is treating you well. I wanted to try to reach  
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Utah as SITLA has been working on specific trust land and  
mapping issues that we would like to bring to your attention and  
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in Washington DC. Let me know if any of these dates work for  
your team and if not, propose additional options. Thank you.  
Allen

Allen D. Freemyer  
Freemyer & Associates  
3333 K Street NW, Suite 115  
Washington DC 20007

**"O'Leary, Kathleen" <kathleen\_oleary@ios.doi.gov>**

---

**From:** "O'Leary, Kathleen" <kathleen\_oleary@ios.doi.gov>  
**Sent:** Wed Sep 07 2016 12:13:55 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: Utah SITLA land issues.  
**Attachments:** Agenda 2016-9-08.docx

Please see attached.

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

**From:** Allen Freemyer <[allen@adfpc.com](mailto:allen@adfpc.com)>  
**Date:** Wed, Sep 7, 2016 at 2:06 PM  
**Subject:** RE: Utah SITLA land issues.  
**To:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>

Katie,

Attached is our proposed agenda items to cover and please have the DOI folks in the meeting aware and we of course welcome any additional topics or happy to address any concerns. Thank you. Allen

On Fri, Aug 12, 2016 at 12:31 PM, Allen Freemyer <[allen@adfpc.com](mailto:allen@adfpc.com)> wrote:

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Allen D. Freemyer  
Freemyer & Associates  
3333 K Street NW, Suite 115  
Washington DC 20007  
202-293-6496



**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Sep 07 2016 13:50:27 GMT-0600 (MDT)  
**To:**  
**CC:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Utah SITLA land issues.

Tommy - (b) (5)  
(b) (5)

Let me know!

On Wed, Sep 7, 2016 at 2:13 PM, O'Leary, Kathleen <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)> wrote:

Please see attached.

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

**From:** Allen Freemyer <[allen@adfpc.com](mailto:allen@adfpc.com)>  
**Date:** Wed, Sep 7, 2016 at 2:06 PM  
**Subject:** RE: Utah SITLA land issues.  
**To:** "O'Leary, Kathleen" <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>

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Allen D. Freemyer  
Freemyer & Associates

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3333 K Street NW, Suite 115  
Washington DC 20007  
202-293-6496

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

## Conversation Contents

Fwd: Looking for Opportunities for Dialogue

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Sep 07 2016 12:35:34 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Neil Kornze <[nkornze@blm.gov](mailto:nkornze@blm.gov)>, Larry Roberts <[lawrence\\_roberts@ios.doi.gov](mailto:lawrence_roberts@ios.doi.gov)>  
**Subject:** Fwd: Looking for Opportunities for Dialogue

FYI. Please see below.

Begin forwarded message:

**From:** "Snider, Casey" <[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)>  
**Date:** September 7, 2016 at 12:50:32 PM EDT  
**To:** Nikki Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Cc:** "Ferguson, Fred" <[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)>  
**Subject:** FW: Looking for Opportunities for Dialogue

Nikki

Please see the attached email I just sent to Regina. I also spoke with Gavin this AM. To his credit he is trying, but simply put the tribes will not speak to our offices. Im not sure what to do at this point, but I am happy to keep trying. I will also send along any response I get on my end.

Hope all is well

Casey

---

**From:** <Snider>, Casey Snider <[casey.snider@mail.house.gov](mailto:casey.snider@mail.house.gov)>  
**Date:** Wednesday, September 7, 2016 at 12:48 PM  
**To:** "[rwhiteskunk@utemountain.org](mailto:rwhiteskunk@utemountain.org)" <[rwhiteskunk@utemountain.org](mailto:rwhiteskunk@utemountain.org)>  
**Cc:** "[alomahquahu@hopi.nsn.us](mailto:alomahquahu@hopi.nsn.us)" <[alomahquahu@hopi.nsn.us](mailto:alomahquahu@hopi.nsn.us)>, Gavin Noyes <[gavin@xmission.com](mailto:gavin@xmission.com)>, "Ferguson, Fred" <[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)>, Cody Stewart <[codystewart@utah.gov](mailto:codystewart@utah.gov)>  
**Subject:** Looking for Opportunities for Dialogue

Regina

Sorry to bother you as I recognize you are extremely busy, but I wanted to follow up with you. Over the last few weeks I've tried to catch you via text and phone. Unfortunately we have been unable to connect at this point.

I understand that members of your board spoke last night here in Utah regarding the Bears Ears proposal to the Rotary club. We are happy to create an atmosphere for a similar conversation on our end, not necessarily in a public forum with point and counter point, but in some sort of designated official meeting which would seek to see if a legislative solution exists to address some of the outstanding needs of the tribes.

I have spoken with members of your staff as well as with the Governors office here in Utah. If some sort of opportunity does exist for some form of communication we would love to help facilitate it.

Happy to chat at any time.

Thanks again

Casey



## Conversation Contents

**Fwd: Press Release: NCAI President Delivers Remarks at White House Council on Native American Affairs**

**Attachments:**

/37. Fwd: Press Release: NCAI President Delivers Remarks at White House Council on Native American Affairs/1.1 image003.png

**Jessica Kershaw <jessica\_kershaw@ios.doi.gov>**

---

**From:** Jessica Kershaw <jessica\_kershaw@ios.doi.gov>  
**Sent:** Wed Sep 07 2016 11:21:44 GMT-0600 (MDT)  
**To:** "SRJ2@ios.doi.gov" <jessica\_kershaw@ios.doi.gov>, Benjamin Milakofsky <benjamin\_milakofsky@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Elizabeth Klein <Elizabeth\_Klein@ios.doi.gov>, Kelly Kate <kate\_kelly@ios.doi.gov>  
**Subject:** Fwd: Press Release: NCAI President Delivers Remarks at White House Council on Native American Affairs  
**Attachments:** image003.png

For your situational awareness from NCAI post yesterday's Council meeting.

Sent from my iPhone

Begin forwarded message:

**From:** Nedra Darling <[nedra\\_darling@ios.doi.gov](mailto:nedra_darling@ios.doi.gov)>  
**Date:** September 7, 2016 at 1:05:01 PM EDT  
**To:** Lawrence Roberts <[lawrence\\_roberts@ios.doi.gov](mailto:lawrence_roberts@ios.doi.gov)>, [ann.bledsoedownes@bia.gov](mailto:ann.bledsoedownes@bia.gov), Jessica Kershaw <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>, Frank Quimby <[frank\\_quimby@ios.doi.gov](mailto:frank_quimby@ios.doi.gov)>, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)>, Anthony Rodman <[anthony.rodman@bia.gov](mailto:anthony.rodman@bia.gov)>  
**Cc:** [sarah\\_walters@ios.doi.gov](mailto:sarah_walters@ios.doi.gov)  
**Subject:** FW: Press Release: NCAI President Delivers Remarks at White House Council on Native American Affairs

FYI.

## FOR COMMITTEE USE ONLY

**From:** NCAI Press [mailto:[ncaipress@NCAI.org](mailto:ncaipress@NCAI.org)]  
**Sent:** Wednesday, September 07, 2016 12:37 PM  
**To:** NCAI Press  
**Subject:** Press Release: NCAI President Delivers Remarks at White House Council on Native American Affairs

### FOR IMMEDIATE RELEASE

September 7, 2016

### CONTACT

[ncaipress@ncai.org](mailto:ncaipress@ncai.org)



### NCAI President Delivers Remarks at White House Council on Native American Affairs

WASHINGTON, DC, Sept. 7, 2016 | On Tuesday, Sept. 6, National Congress of American Indians (NCAI) President Brian Cladoosby delivered remarks at the White House Council on Native American Affairs. As the first tribal leader to address the council, President Cladoosby thanked the Obama Administration for strengthening ties between the White House and Indian Country.

In his opening remarks, President Cladoosby also praised the Administration for the cross-agency agreements and programs that have been created.

Among the many successes listed were increased jurisdiction authority through the Violence Against Women Act, the restoration of tribal lands, and President Barack Obama's historic visits to the Standing Rock Indian Reservation and Alaska.

"Tribal nations look forward to working with President Obama and the Administration at the upcoming White House Tribal Nations Conference to secure the progress and the strong legacy that he is leaving in Indian Country," said President Cladoosby of the upcoming [event](#).

President Cladoosby also discussed opportunities for the Administration to continue its work in the remaining days of Obama's presidency, including designating Bears Ears as a National Monument, finding long-term solutions for persistent issues at the Indian Health Service, and issuing a new Memorandum of Opinion on the scope of the federal trust responsibility.

In his closing remarks, President Cladoosby also asked the council to uphold its trust responsibility in its dealings with the Standing Rock Sioux Tribe, which is currently protesting the Dakota Access Pipeline.

"What all tribes want to leave to the next generations are our lands, waters, natural resources and sacred places. When these are lost, it does irreversible harm to our tribes," said President Cladoosby. "The world is watching."

"For far too long, our lands and resources were seen as disposable and consultation requirements were not fulfilled leaving tribal voices diminished in the larger conversation," continued President Cladoosby. "All tribes have faced this in one form or another, and Standing Rock has become the symbol for many in a way that has brought Indian Country together."



## FOR COMMITTEE USE ONLY

In support of the Standing Rock Sioux Tribe, President Cladoosby submitted a letter to U.S. Attorney General Loretta Lynch on Sept.5 requesting federal monitors and federal law enforcement to protect protestors and sacred places at the Standing Rock Indian Reservation.

###

### **About The National Congress of American Indians:**

*Founded in 1944, the National Congress of American Indians is the oldest, largest and most representative American Indian and Alaska Native organization in the country. NCAI advocates on behalf of tribal governments and communities, promoting strong tribal-federal government-to-government policies, and promoting a better understanding among the general public regarding American Indian and Alaska Native governments, people and rights. For more information visit [www.ncai.org](http://www.ncai.org).*

## Conversation Contents

Fwd: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues ...

### Attachments:

/38. Fwd: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues .../1.1 DOI PLI assistance 9.2 vrsn final.docx

/38. Fwd: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues .../1.2 Letter on technical assistance on H.R. 5780.pdf

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Fri Sep 02 2016 14:32:44 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Liz Pardue <lpardue@blm.gov>  
**Subject:** Fwd: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues ...  
**Attachments:** DOI PLI assistance 9.2 vrsn final.docx Letter on technical assistance on H.R. 5780.pdf

Ta  
Da  
!

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

**From:** Salotti, Christopher <chris\_salotti@ios.doi.gov>  
**Date:** Fri, Sep 2, 2016 at 4:13 PM  
**Subject:** Re: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues ...  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Cc:** "Neimeyer, Sarah" <sarah\_neimeyer@ios.doi.gov>, "Laura (Liz) Pardue" <lpardue@blm.gov>, Jamie Pool <jpool@blm.gov>, Patrick Wilkinson <p2wilkin@blm.gov>

Copies of what went up (in hard copy).

Chris

On Fri, Sep 2, 2016 at 3:47 PM, Nicole Buffa <nicole\_buffa@ios.doi.gov> wrote:  
Great!! Thank you, all! Can you send us the final copy that is going up? Thanks!



On Sep 2, 2016, at 3:22 PM, Neimeyer, Sarah <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)> wrote:

We're good. Karenis is heading out the door now and both offices are open and aware that the TA is on it's way.

On Fri, Sep 2, 2016 at 3:06 PM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

I hope so. Adding Sarah and Chris.

We need to email it to them, if hand delivery doesn't work.

On Fri, Sep 2, 2016 at 3:04 PM, Laura (Liz) Pardue <[lpardue@blm.gov](mailto:lpardue@blm.gov)> wrote:

This is signed sealed delivered now right?

Sent from my iPhone

On Sep 2, 2016, at 1:49 PM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

Yes

On Sep 2, 2016, at 1:47 PM, Laura (Liz) Pardue <[lpardue@blm.gov](mailto:lpardue@blm.gov)> wrote:

Good on my end. Nikki are you ok with my edit to that initial bubble?

Sent from my iPhone

On Sep 2, 2016, at 1:43 PM, Salotti, Christopher <[chris\\_salotti@ios.doi.gov](mailto:chris_salotti@ios.doi.gov)> wrote:

Okay. I've made these changes and the change back from Justin's edited water language. I'm at the point where I think I can print this (attached document) and give to Duane for delivery. I will plan to do that by 2 pm unless I hear otherwise.

Chris

On Fri, Sep 2, 2016 at 1:31 PM,  
Wilkinson, Patrick  
<[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)> wrote:

(b) (5)

On Fri, Sep 2, 2016 at 1:26 PM,  
Wilkinson, Patrick  
<[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)> wrote:

(b) (5)

(b) (5)

On Fri, Sep 2, 2016 at 1:17 PM,  
Pardue, Laura (Liz)  
<[lpardue@blm.gov](mailto:lpardue@blm.gov)> wrote:

(b) (5)

(b) (5)

On Fri, Sep 2, 2016 at 12:56 PM, Salotti, Christopher <[chris\\_salotti@ios.doi.gov](mailto:chris_salotti@ios.doi.gov)> wrote:

Two final things.

First, I'm attaching a pdf of the signed letter so you can see what the final will look like. We will date stamp and include with the final package.

(b) (5)

(b) (5)

Let me know your thoughts and if you are comfortable with this I'll make final changes and will prep for transmittal to the appropriate staff.

Chris

--

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Christopher P. Salotti  
Legislative Counsel  
U.S. Department of the Interior  
Phone: 202.208.1403

FOR COMMITTEE USE ONLY

<DOI PLI assistance 9.2 vrsn  
final.docx>

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

--

Sarah C. Neimeyer, Director  
Office of Congressional and Legislative Affairs  
Office of the Secretary  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Office - (202) 208-5557  
Fax - (202) 208-5533

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Christopher P. Salotti  
Legislative Counsel  
U.S. Department of the Interior  
Phone: 202.208.1403

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202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



**"Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>**

---

**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Fri Sep 02 2016 14:34:50 GMT-0600 (MDT)  
**To:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**CC:** Neil Kornze <nkornze@blm.gov>, Liz Pardue <lpardue@blm.gov>  
**Subject:** Re: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues ...

Thanks again, gang

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Ta  
Da  
!

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**Date:** Fri, Sep 2, 2016 at 4:13 PM  
**Subject:** Re: PRINTING AND FINALIZING BY 2 PM .... PLI draft wrap up issues ...  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Cc:** "Neimeyer, Sarah" <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>, "Laura (Liz) Pardue" <[lpardue@blm.gov](mailto:lpardue@blm.gov)>, Jamie Pool <[jpool@blm.gov](mailto:jpool@blm.gov)>, Patrick Wilkinson <[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)>

Copies of what went up (in hard copy).

Chris

On Fri, Sep 2, 2016 at 3:47 PM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:  
Great!! Thank you, all! Can you send us the final copy that is going up? Thanks!

On Sep 2, 2016, at 3:22 PM, Neimeyer, Sarah <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)> wrote:

We're good. Karenis is heading out the door now and both offices are open and aware that the TA is on it's way.

On Fri, Sep 2, 2016 at 3:06 PM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

I hope so. Adding Sarah and Chris.

We need to email it to them, if hand delivery doesn't work.

On Fri, Sep 2, 2016 at 3:04 PM, Laura (Liz) Pardue <[lpardue@blm.gov](mailto:lpardue@blm.gov)> wrote:



This is signed sealed delivered now right?

Sent from my iPhone

On Sep 2, 2016, at 1:49 PM, Nicole Buffa  
<[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

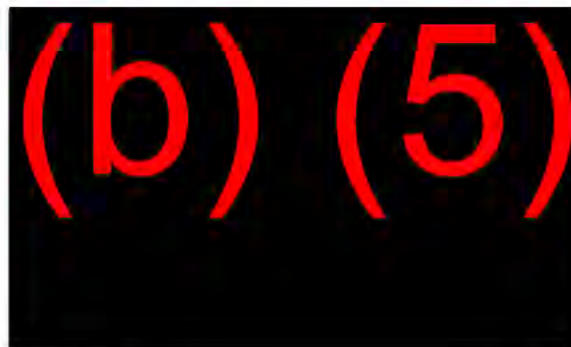
Yes

On Sep 2, 2016, at 1:47 PM, Laura (Liz) Pardue  
<[lpardue@blm.gov](mailto:lpardue@blm.gov)> wrote:

Good on my end. Nikki are you ok with my  
edit to that initial bubble?

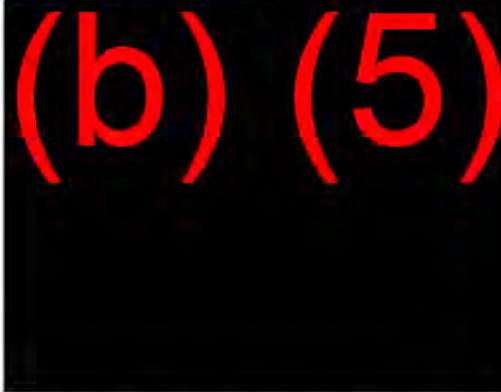
Sent from my iPhone

On Sep 2, 2016, at 1:43 PM, Salotti,  
Christopher <[chris\\_salotti@ios.doi.gov](mailto:chris_salotti@ios.doi.gov)>  
wrote:

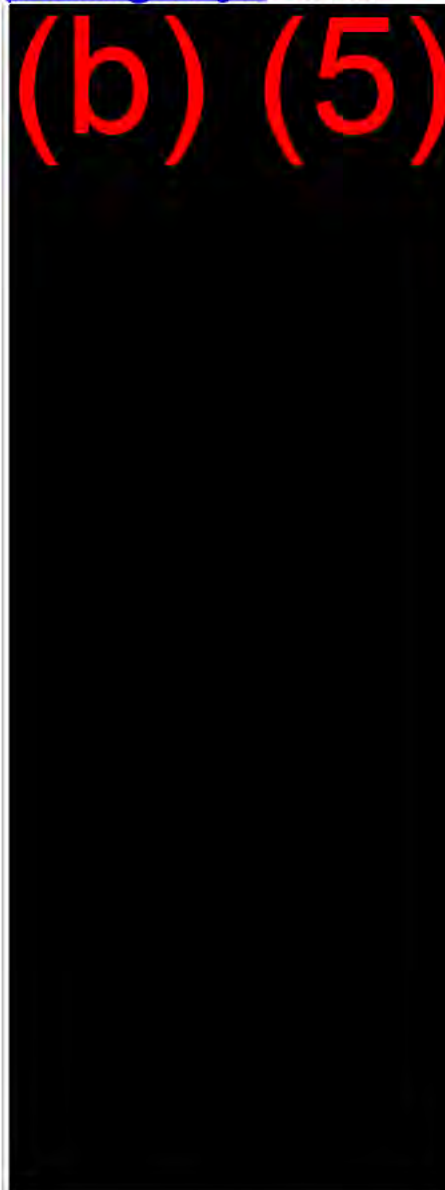
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Chris

On Fri, Sep 2, 2016 at 1:31 PM,  
Wilkinson, Patrick  
<[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)> wrote:



On Fri, Sep 2, 2016 at 1:26 PM,  
Wilkinson, Patrick  
<[p2wilkin@blm.gov](mailto:p2wilkin@blm.gov)> wrote:



On Fri, Sep 2, 2016 at 1:17

PM, Pardue, Laura (Liz)  
<[lpardue@blm.gov](mailto:lpardue@blm.gov)> wrote:

(b) (5)



(b) (5)

On Fri, Sep 2, 2016 at  
12:56 PM, Salotti,  
Christopher  
<[chris\\_salotti@ios.doi.gov](mailto:chris_salotti@ios.doi.gov)>  
wrote:

Two final things.

First, I'm attaching a pdf  
of the signed letter so  
you can see what the  
final will look like. We  
will date stamp and  
include with the final  
package.

(b) (5)

(b) (5)

Let me know your thoughts and if you are comfortable with this I'll make final changes and will prep for transmittal to the appropriate staff.

Chris

Christopher P. Salotti  
Legislative Counsel

FOR COMMITTEE USE ONLY

U.S. Department of the Interior  
Phone: 202.208.1403

<DOI PLI assistance 9.2 vrsn  
final.docx>

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

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--

Christopher P. Salotti  
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Phone: 202.208.1403

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Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
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|



Introduced in House (07/14/2016)

114TH CONGRESS  
2D SESSION

# H. R. 5780

To provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. BISHOP of Utah (for himself and Mr. CHAFFETZ) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

The Act may be cited as the "Utah Public Lands Initiative Act".

(b) (5)

A large black rectangular redaction box covers the right side of the page, starting below the 'H. R. 5780' header and extending down to the 'A BILL' section. The text '(b) (5)' is printed in red at the top left corner of this redacted area.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) **FEDERAL LAND.**—The term “Federal land” means the lands or interests in land under the jurisdiction of the Department of the Interior or the Department of Agriculture, except such term does not include land the title to which is held in trust by the United States for the benefit of a tribe or an individual or is held in fee by a tribe or individual subject to a restriction by the United States against alienation.

(2) **TRIBE.**—The term “Tribe” means a federally recognized Indian tribe (including a pueblo).

(3) **TRIBAL.**—The term “Tribal” means of or pertaining to a tribe.

(4) **WATER RESOURCE FACILITIES.**—The term “water resource facilities” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

**DIVISION A—CONSERVATION**  
**TITLE I—WILDERNESS**

**SEC. 101. WILDERNESS DESIGNATIONS.**

In furtherance of the purposes of the Wilderness Act, and subject to valid existing rights, including the rights of a tribe, the following areas of the State of Utah are designated as wilderness and as components of the National Wilderness Preservation System pursuant to the Wilderness Act (16 U.S.C. 1131 et seq.).

(1) **CANDLAND MOUNTAIN.**—Certain Federal land in Emery County managed by the United States Forest Service comprising approximately 12,330 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Candland Mountain Wilderness”.

(2) **DESOLATION CANYON.**—Certain Federal land in Duchesne, Uintah, Carbon, Emery, and Grand Counties managed by the Bureau of Land Management comprising approximately 458,413 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Desolation Canyon Wilderness”.



(3) HIGH UINTA.—Certain Federal land in Duchesne, Summit, and Uintah Counties, managed by the United States Forest Service comprising approximately 28,293 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “High Uinta Wilderness”.

(4) MANCOS MESA.—Certain Federal land in San Juan County, managed by the Bureau of Land Management and the National Park Service comprising approximately 95,605 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Mancos Mesa Wilderness”.

(5) CHEESEBOX CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 14,441 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Cheesebox Canyon Wilderness”.

(6) BUTLER WASH.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 27,813 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Butler Wash Wilderness”.

(7) DARK CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 72,990 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Dark Canyon Wilderness”.

(8) BEHIND THE ROCKS.—Certain Federal land in San Juan and Grand Counties managed by the Bureau of Land Management comprising approximately 13,024 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Behind the Rocks Wilderness”.

(9) BRIDGER JACK MESA.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 6,009 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Bridger Jack Mesa Wilderness”.

(10) CEDAR MESA.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 223,566 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Cedar Mesa Wilderness”.

(11) MIKES CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately

30,549 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Mikes Canyon Wilderness”.

(12) MULE CANYON.—Certain Federal land in San Juan County, Utah managed by the Bureau of Land Management comprising approximately 5,858 acres, as generally depicted on the Utah PLI Wilderness Map and dated June 30, 2016, which shall be known as the “Mule Canyon Wilderness”.

(13) MARSH PEAK.—Certain Federal land in Uintah County managed by the United States Forest Service comprising approximately 15,031 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Marsh Peak Wilderness”.

(14) CLIFF PEAK.—Certain Federal land in Uintah and Duchesne Counties managed by the United States Forest Service comprising approximately 9,153 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Cliff Peak Wilderness”.

(15) BULL CANYON.—Certain Federal land in Uintah County, Utah managed by the Bureau of Land Management comprising approximately 599 acres, as generally depicted on the Utah PLI Wilderness Map and dated June 30, 2016, which shall be known as the “Bull Canyon Wilderness”.

(16) WHITE CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 18,886 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “White Canyon Wilderness”.

(17) MEXICAN MOUNTAIN.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 84,976 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Mexican Mountain Wilderness”.

(18) SIDS MOUNTAIN.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 82,406 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Sids Mountain Wilderness”.

(19) MUDDY CREEK.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 72,400 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Muddy Creek Wilderness”.

(20) SAN RAFAEL REEF.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 54,284 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “San Rafael Reef Wilderness”.

(21) CRACK CANYON WILDERNESS.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 27,191 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Crack Canyon Wilderness”.



(22) DEVILS CANYON.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 8,652 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Devils Canyon Wilderness”.

(23) NELSON MOUNTAIN.—Certain Federal land in Emery County managed by the United States Forest Service comprising approximately 12,856 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Nelson Mountain Wilderness”.

(24) WILLIAM GRANSTAFF CANYON.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 8,420 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “William Granstaff Canyon Wilderness”.

(25) MILL CREEK CANYON.—Certain Federal land in Grand County managed by the Bureau of Land Management ~~and the United States Forest Service~~ comprising approximately 12,357 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Mill Creek Canyon Wilderness”.

(26) LABYRINTH CANYON.—Certain Federal land in Grand and Emery Counties managed by the Bureau of Land Management comprising approximately 56,688 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Labyrinth Canyon Wilderness”.

(27) CANYONLANDS.—Certain Federal land in San Juan County managed by the National Park Service comprising approximately 257,606 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Canyonlands Wilderness”.

(28) ARCHES.—Certain Federal land in Grand County managed by the National Park Service comprising approximately 63,808 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Arches Wilderness”.



(29) FISHER TOWERS.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 1,190 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Fisher Towers Wilderness”.

(30) MARY JANE CANYON.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 13,574 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Mary Jane Canyon Wilderness”.

(31) GRANITE CREEK.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 25,104 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Granite Creek Wilderness”.

(32) BOOK CLIFFS.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 175,490 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Book Cliffs Wilderness”.

(33) WESTWATER.—Certain Federal land in Grand County, Utah managed by the Bureau of Land Management comprising approximately 32,954 acres, as generally depicted on the Utah PLI Wilderness Map and dated June 30, 2016, which shall be known as the “Westwater Wilderness”.

(34) BEAVER CREEK.—Certain Federal land in Grand County managed by the Bureau of Land Management and the United States Forest Service comprising approximately 48,416 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Beaver Creek Wilderness”.

(35) MOUNT PEALE.—Certain Federal land in San Juan County managed by the United States Forest Service comprising approximately 4,302 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Mount Peale Wilderness”.

(36) HAMMOND CANYON.—Certain Federal land in San Juan County managed by the United States Forest Service comprising approximately 7,593 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Hammond Canyon Wilderness”.

(37) ARCH CANYON.—Certain Federal land in San Juan County managed by the United States Forest Service comprising approximately 4,376 acres, as generally depicted

on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Arch Canyon Wilderness”.

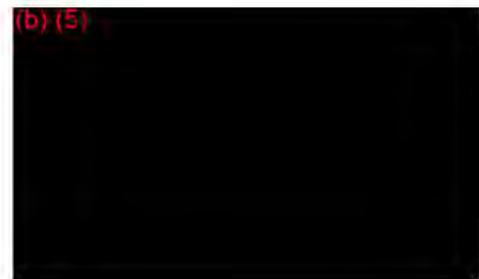
(38) DINOSAUR.—Certain Federal land in Uintah County managed by the National Park Service comprising approximately 52,348 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Dinosaur Wilderness”.

(39) CEDAR MOUNTAIN.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 17,355 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Cedar Mountain Wilderness”.

(40) INDIAN CREEK.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the United States Forest Service comprising approximately 6,562 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Indian Creek Wilderness”.

(41) STEER GULCH.—Certain Federal land in San Juan County managed by the United States Forest Service Bureau of Land Management and National Park Service comprising approximately 25,094 acres, as generally depicted on the Utah PLI Wilderness Map dated June 30, 2016, which shall be known as the “Steer Gulch Wilderness”.

(b) The previous classifications of the Grand Gulch Primitive Area and the Dark Canyon Primitive Area are hereby superseded.



**SEC. 102. MAPS AND LEGAL DESCRIPTIONS.**

(a) ~~IN GENERAL.—Not later than two years from~~ As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture as appropriate shall ~~submit to file a map and legal description of each of the wilderness areas with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of each wilderness area designated by this title.~~

(b) **FORCE AND EFFECT.**—Each map and legal description submitted under this section shall have the same force and effect as if included in this title, except that the Secretary of the Interior and the Secretary of Agriculture as appropriate may make any minor modifications of any clerical or typographical errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) **PUBLIC AVAILABILITY.**—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Indian Affairs, the Bureau of Land Management, the National Park Service, and the United States Forest Service.



SEC. 103. WILDERNESS ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, including the rights of a tribe, each wilderness area established under section 101 shall be administered by the Secretary of the Interior or the Secretary of Agriculture as appropriate in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) with respect to wilderness areas that are administered by the Secretary of the Interior, any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) FIRE, INSECTS, AND DISEASE.—In accordance with section 4(d)(1) of the Wilderness Act, the relevant Secretary may take such measures in each wilderness area necessary to control of fire, insects, and disease (including, as the relevant Secretary determines to be appropriate, the coordination of such activities with a State, tribe, or local agency).

~~(c) WILDFIRE MANAGEMENT OPERATIONS.—Nothing in this title precludes a Federal, State, tribal, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment).~~

(b) (5)

(d) LIVESTOCK.—

(1) GRAZING.—The grazing of livestock in each wilderness area, if established before the date of enactment of this Act, shall be permitted to continue—

(b) (5)

~~subject to reasonable rules and regulations as prescribed by the relevant Secretary, in accordance with—~~

~~(A) subject to such reasonable regulations, policies, and practices that the relevant Secretary considers necessary, section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and~~

~~(B) in accordance with—~~

~~(i) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), and~~

~~(ii) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405) and H.R. 5487 of the 96th Congress (H. Rept. 96-617).~~

~~(2) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing areas, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture shall be given consideration by the relevant Secretary to establish historic grazing areas, locations, or use.~~

(b) (5)

(e) ~~OUTFITTING AND GUIDE ACTIVITIES.~~—In accordance with section 4(d)(6) of the Wilderness Act (16 U.S.C. 1133(d)(5)), commercial services (including authorized outfitting and guide activities) within the wilderness areas ~~are authorized~~ may be allowed to the extent necessary to realize the recreational ~~or other wilderness~~ purposes of the areas.

(f) ~~ACCESS.~~—In accordance with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the relevant Secretary shall provide the owner of State, tribal, or private property within the boundary of a wilderness area adequate access to the property.

(g) ~~WILDLIFE WATER DEVELOPMENT PROJECTS.~~—The relevant Secretary ~~may~~ shall ~~allow~~ authorize ~~existing water structures and facilities, including existing structures and facilities,~~ for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title ~~if—~~

~~(A) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and~~

~~(B) the visual impacts of the structures and facilities in the wilderness areas can reasonably be minimized.~~

(h) ~~FISH AND WILDLIFE.~~—Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the wilderness areas.

(i) ~~WITHDRAWALS.~~—Subject to valid existing rights, all public land within the areas established as wilderness under this title, including any land or interest in land that is acquired by the United States within the wilderness areas after the date of enactment of this Act, is withdrawn from—

- (1) entry, appropriation or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

~~(j) [TRAIL AND FENCE MAINTENANCE].—The relevant Secretary shall maintain trails and fence lines located within the wilderness areas designated by this title, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).~~

(b) (5)

**SEC. 104. WATER RIGHTS.**

~~(A) Statutory construction.—Nothing in this title—~~

~~(i) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as wilderness by this title;~~

~~(ii) shall affect any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States;~~

~~(iii) shall be construed as establishing a precedent with regard to any future wilderness designations;~~

~~(iv) shall affect the interpretation of, or any designation made pursuant to, any other Act, or~~

~~(v) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.~~

~~(B) State water law.—The relevant Secretary shall follow the procedural and substantive requirements of the law of the State in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas designated by this title.~~

~~(a) STATUTORY CONSTRUCTION.—Nothing in this title—~~

~~(1) shall constitute either an express or implied reservation by the United States of any water rights with respect to the wilderness areas designated by section 101;~~

~~(2) affects any water rights in the State of Utah existing on the date of enactment of this Act, including any water rights held by the United States;~~

~~(3) establishes a precedent with regard to any future wilderness designations; or~~

~~(4) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.~~

~~(b) EXISTING WATER INFRASTRUCTURE.—Nothing in this title shall be construed to limit motorized access and road maintenance by local municipalities, including irrigation districts, and other water right holders for maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in wilderness areas designated by section 101.~~



**SEC. 105. MILITARY OVERFLIGHTS.**

Nothing in this title restricts or precludes—

(1) low-level overflights of military aircraft over wilderness areas designated by section 101, including military overflights that can be seen or heard within wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over wilderness areas.

(b) (5)

**SEC. 106. ADJACENT MANAGEMENT.**

(a) **IN GENERAL.**—Nothing in this title creates a protective perimeter or buffer zone around a wilderness area designated by section 101.

(b) **ACTIVITIES OUTSIDE WILDERNESS AREA.**—The fact that an activity or use on land outside a wilderness area can be seen, heard or smelled within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

**SEC. 107. INDIAN RIGHTS.**

Nothing in this title diminishes the rights of any Indian tribe.

(b) (5)

**SEC. 108. ACQUISITION AND INCORPORATION OF LAND AND INTERESTS IN LAND.**

(a) **ACQUISITION AUTHORITY.**—In accordance with applicable laws (including regulations), the relevant Secretary may acquire any land or interest in land within the boundaries of the wilderness areas designated by section 101 of this title by purchase from willing sellers, donation, or exchange.

(1) **IN GENERAL.**—The relevant Secretary may acquire land or interest in land within the boundaries of the wilderness areas designated by section 101 only by donation, exchange, transfer from another Federal agency, or purchase from a willing seller.

(2) **LAND EXCHANGE.**—At the request of the State of Utah, not later than two years after the date of enactment of this Act, the relevant Secretary shall complete exchanges for State land located within the boundaries of the wilderness areas designated by this title.

(3) **NO CONDEMNATION.**—Within the areas designated as wilderness by this title, the use of eminent domain or condemnation shall be prohibited.

~~(b) INCORPORATION IN WILDERNESS AREA.—Any land or interest in land acquired by the relevant Secretary under paragraph (a) located inside the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act, except land acquired by the United States in trust for the benefit of a tribe, shall be added incorporated into, and administered as part of, the wilderness area in which the land or interest in land is located.~~

~~SEC. 109. WILDERNESS RELEASE.~~

~~(a) PUBLIC LAND.—~~

~~(1) FINDING.—Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land administered by the Bureau of Land Management in the following wilderness study areas, as depicted on the map entitled Utah PLI Wilderness map dated June 30, 2016, have been adequately studied for wilderness designation—~~

~~(A) the 43,322-acre area known as Winter Ridge Wilderness Study Area;~~

~~(B) the 7,051-acre area known as Jack Canyon Wilderness Study Area;~~

~~(B) the 6,557-acre area known as Squaw and Papoose Wilderness Study Area;~~

~~(D) the 20,404-acre area known as Desolation Canyon Wilderness Study Area included within the Desolation Canyon Special Management Area as designated by this title and as depicted on the map;~~

~~(E) the 2,516-acre area known as Daniels Canyon Wilderness Study Area; and~~

~~(F) the 945-acre area known as Cross Canyon Wilderness Study Area.~~

~~(2) RELEASE.—Any land managed by the Bureau of Land Management within the areas described in paragraph (1) that is not designated as wilderness by this title—~~

~~(A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));~~

~~(B) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and~~

~~(C) shall no longer be subject to Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.~~

~~SEC. 110. AIRSHEDS.~~

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(a) ~~DESIGNATIONS.~~—Except as provided in subsection (b), it is the intent of Congress that wilderness areas designated under section 101 shall not be designated as Class I airsheds under the Clean Air Act (42 U.S.C. 7401–7661) unless Class I status is agreed by the State of Utah under existing authorities.

(b) ~~EXCEPTIONS.~~—The lands within the wilderness designated by section 101 (K), (AA), and (BB) shall continue to be managed as Class I airsheds.

**TITLE II—NATIONAL CONSERVATION AREAS**

**SEC. 201. NATIONAL CONSERVATION AREAS.**

Subject to valid existing rights, including the rights of a tribe, the following areas in the State of Utah are hereby established as National Conservation Areas:

(1) **BEACH DRAW.**—Certain Federal land, comprising approximately 658 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the “Beach Draw National Conservation Area”.

(2) **DIAMOND MOUNTAIN.**—Certain Federal land, comprising approximately 30,390 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the “Diamond Mountain National Conservation Area”.

(3) **DOCS VALLEY.**—Certain Federal land, comprising approximately 8,544 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the “Docs Valley National Conservation Area”.

(4) **STONE BRIDGE DRAW.**—Certain Federal land, comprising approximately 2,415 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the “Stone Bridge Draw National Conservation Area”.

(5) **STUNTZ DRAW.**—Certain Federal land, comprising approximately 2,284 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the “Stuntz Draw National Conservation Area”.

(6) **SAN RAFAEL SWELL.**—Certain Federal land, comprising approximately ~~30,380~~ 750,000 acres administered by the Bureau of Land Management in Emery County





as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the "San Rafael Swell National Conservation Area".

(7) LABYRINTH CANYON AND SAN RAFAEL RIVER.—Certain Federal land, comprising approximately ~~95,658~~~~61,723~~ acres administered by the Bureau of Land Management in Emery County and Grand County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the "Labyrinth Canyon National Conservation Area".

(8) MUDDY CREEK.—Certain Federal land, comprising approximately ~~53,804~~ acres administered by the Bureau of Land Management in Emery County, Utah, as generally depicted on the map entitled Utah PLI National Conservation Area Map and dated June 30, 2016, to be known as the "Muddy Creek National Conservation Area".

(9) COLORADO RIVER.—Certain Federal land, comprising approximately ~~166,949~~~~168,229~~ acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the "Colorado River National Conservation Area".

(10) INDIAN CREEK.—Certain Federal land, comprising approximately 434,354 acres administered by the Bureau of Land Management and United States Forest Service in San Juan County, Utah, as generally depicted on the map entitled Utah PLI National Conservation Area Map and dated June 30, 2016, to be known as the "Indian Creek National Conservation Area".

(11) SAN RAFAEL RIVER.—Certain Federal land, comprising approximately 33,935 acres administered by the Bureau of Land Management in Emery County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the "San Rafael River National Conservation Area".

SEC. 202. DEFINITIONS. -- In this section:

(a) Management plan. -- The term "management plan" means the management plans for each National Conservation Area developed by the relevant Secretary under section 205 of this title.

(b) National Conservation Area. -- The term "National Conservation Area" means the National Conservation Areas established under section 201 of this title.

SEC. 203. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL. -- As soon as practicable after ~~Not later than two years from the date of~~ enactment of this Act, the relevant Secretary shall file a map and legal description of the National Conservation Areas established by section 201 of this title with ~~submit~~ to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of each National Conservation Area.





(b) FORCE AND EFFECT.—Each map and legal description submitted under this section shall have the same force and effect as if included in this title, except that the relevant Secretary may make minor modifications of any clerical or typographical errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Indian Affairs, the Bureau of Land Management, and the United States Forest Service.

SEC. 2043. ADMINISTRATION OF NATIONAL CONSERVATION AREAS PURPOSES.

(a) SAN RAFAEL SWELL.— The purposes of this National Conservation Area are to—  
~~(a) PURPOSES.—~~ In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws, the relevant Secretary shall manage the National Conservation Areas established by section 201 in a manner that—

(1) protects, conserves, and enhances the unique and nationally important historic, cultural, scientific, scenic, recreational, archaeological, natural, and educational resources of the Conservation Area;

(2) ~~maintains and enhances~~ encourages cooperative and innovative management practices between resource managers, private landowners, and the public in the Conservation Area; and

~~(3) recognizes and maintains historic uses of the Conservation Area.~~

(b) LABYRINTH CANYON AND SAN RAFAEL RIVER.—The purposes of this National Conservation Area are to—

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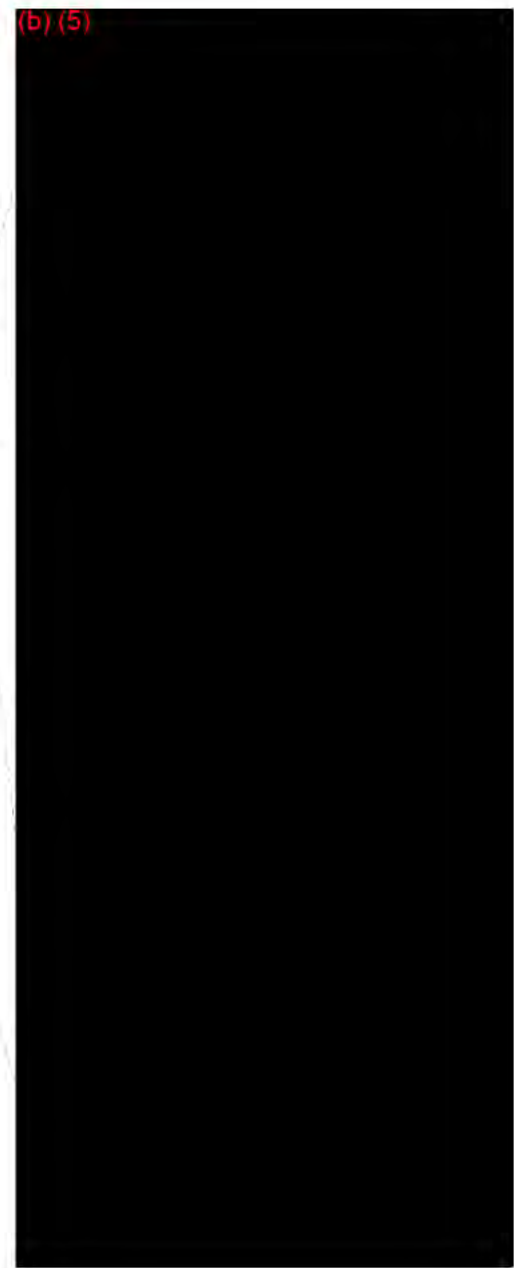
(c) COLORADO RIVER.—The purposes of this National Conservation Area are to—

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SEC. 205. MANAGEMENT PLANS.

(a) MANAGEMENT PLANS.—

(1) IN GENERAL PLAN REQUIRED.— Not later than two years ~~as soon as practicable~~ after the date of enactment of this Act, the relevant Secretary shall develop a management ~~comprehensive plan~~ for the long-term management of each National Conservation Area ~~Conservation Area~~.



(2) RECOMMENDATIONS AND CONSULTATION.—~~In developing the management plans required under paragraph (1), the relevant Secretary shall consult and prepare the management plan in consultation and coordination with appropriate state, local, and tribal government entities, members of the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the relevant Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the relevant Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.~~

(b) (5)

~~SEC. 2064. GENERAL PROVISIONS MANAGEMENT.~~

~~(a) IN GENERAL.—The relevant Secretary shall manage each National Conservation Area—~~

~~(1) in a manner that conserves, protects, and enhances the resources of the area; and~~

~~(2) in accordance with—~~

~~(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);~~

~~(ii) this title; and~~

~~(iii) any other applicable law (including regulations).~~

~~(b) USES.—The Secretary shall only allow such uses of each National Conservation Area that the Secretary determines would further a purpose for that National Conservation Area as described in section 204 of this title.~~

~~(c) MOTORIZED AND MECHANIZED VEHICLES — --Except in cases in which motorized and mechanized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized or mechanized vehicles in each National Conservation Area shall be permitted only on roads and trails designated by the management plans for their use of motorized vehicles.~~

~~(d) GRAZING.— The grazing of livestock in each National Conservation Area, where established before the date of enactment of this Act, shall be permitted to continue—~~

~~(1) subject to—~~

~~(i) such reasonable regulations, policies, and practices as the Secretary considers necessary; and~~

~~(ii) applicable law; and~~

~~(2) in a manner consistent with the purposes described in section 204.~~

~~(e) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes or prohibits the relevant Secretary, in cooperation with other a Federal, State, tribal, or local agencies, as appropriate~~

(b) (5)

~~from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in Conservation Areas designated under section 204 in each National Conservation Area, consistent with the purposes in section 204.~~

~~(fa) WITHDRAWALS.—~~

(b) (5)

~~(1) In general.—Subject to valid existing rights, all Federal land within in each the National Conservation Areas is established under section 201 including any land or interest in land that is acquired by the United States within the Conservation Areas after the date of enactment of this Act, is withdrawn from—~~

- ~~(i) all forms of entry, appropriation, and or disposal under the public land laws;~~
- ~~(ii) location, entry, and patent under the mining laws; and~~
- ~~(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.~~

~~(2) Additional land.—If the Secretary acquires additional land that is located within a National Conservation Area after the date of enactment of this Act, the land is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.~~

~~(g) Applicable law.—The lands designated as wilderness under Title I shall be administered in accordance with the provisions of this title only to the extent they are consistent with the Wilderness Act (16 U.S.C. 1131 et seq.). In the case of a conflict, the more restrictive provision shall control.~~

(b) (5)

~~(b) FIRE, INSECTS, AND DISEASE.—In accordance with this title, the relevant Secretary may take such measures in each Conservation Area necessary to control fire, insects, and disease (including the coordination of such activities with a State, tribal, or local agency).~~

~~(d) LIVESTOCK.—~~

~~(1) IN GENERAL.—Within the Conservation Areas established under section 201 the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the relevant Secretary.~~

~~(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue subject to reasonable regulations as proscribed by the relevant Secretary and taking into account in accordance with the following guidelines:~~



~~(A) There shall be no reductions of grazing in the areas designated by this title simply because an area is, or has been designated by this title.~~

~~(B) The number of livestock permitted to graze in areas designated by this title may shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended animal unit months may shall be allowed to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.~~

~~(C) The maintenance of existing grazing supporting facilities in an area prior to its designation by this title (including fences, placement of salt and minerals, fire cabins, water wells and pipelines, stock tanks and ponds), may shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.~~

~~(D) The construction of new grazing improvements or replacement of deteriorated livestock facilities in areas designated by this title may be is authorized if in accordance with the applicable management plan.~~

~~(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations may be is authorized by the applicable grazing permit holder or an employee or agent thereof.~~

~~(F) Access to historic and traditional water sources for the purpose of watering livestock may shall be maintained.~~

~~(G) The trailing of domestic livestock may shall continue consistent with the purposes of and shall not be limited by the designations made under section 201.~~

~~(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.— In instances in which historic grazing areas, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture shall be given consideration by the relevant Secretary to determine historic grazing areas or use.~~

~~(e) EXISTING EASEMENTS AND RIGHTS OF WAY.— Nothing in this title precludes the relevant Secretary from renewing easements or rights of way in Conservation Areas established under section 201 in existence on the date of enactment of this Act, in accordance with this division and existing law.~~

~~(f) ADJACENT MANAGEMENT.—~~

~~(1) IN GENERAL.— Nothing in this title creates a protective perimeter or buffer zone around a Conservation Area designated by section 201.~~

(b) (5)

(b) (5)

~~(2) ACTIVITIES OUTSIDE CONSERVATION AREA.— An activity or use on land outside of a Conservation Area established under section 201 that can be seen, heard, felt, or smelled within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.~~

~~(g) OUTFITTING AND GUIDE ACTIVITIES.— Commercial services (including authorized outfitting and guide activities) within the Conservation Areas established under section 201 are authorized to the extent necessary to realize the recreational purposes of the areas.~~

~~(h) FISH AND WILDLIFE.— Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping and use of helicopters to maintain healthy wildlife populations, within the Conservation Areas established under section 201.~~

~~(i) ACCESS.— The relevant Secretary shall provide the owner of State, tribal or private property within the boundary of a Conservation Area established under section 201 access to the property.~~

~~(j) WILDLIFE WATER DEVELOPMENT PROJECTS.— Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Conservation Areas established under section 201 are authorized.~~

~~(k) WATER RIGHTS.—~~

~~(1) STATUTORY CONSTRUCTION.— Nothing in this title—~~

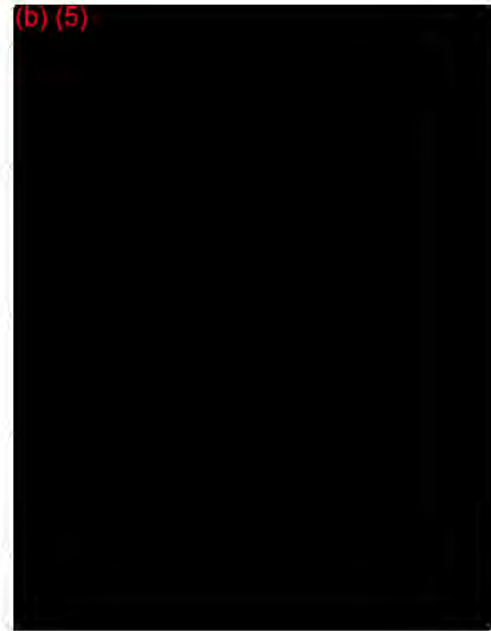
~~(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Conservation Areas designated by this title;~~

~~(B) affects any water rights in the State of Utah existing on the date of enactment of this title, including any water rights held by the United States;~~

~~(C) establishes a precedent with regard to any future National Conservation Area designations; or~~

~~(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.~~

~~(2) EXISTING WATER INFRASTRUCTURE.— Nothing in this title shall be construed to limit motorized access and road maintenance by local municipalities, including irrigation districts, and other water right holders for maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which~~



may be necessary in the future to prevent the degradation of the water supply in Conservation Areas designated by this title:

~~(h) WILDERNESS RELEASE.—~~ Congress finds that the Conservation Areas designated by section 201 have been adequately studied for wilderness character and wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) and are no longer subject to the requirement of subsection (c) of such section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

~~(ii) PROHIBITION.—~~ The relevant Secretary may not promulgate or issue any system-wide regulation, directive, instruction memorandum or order that would direct management of the Federal lands designated as Conservation Areas by section 201 in a manner contrary to this title.

~~(ii) VEGETATION MANAGEMENT.—~~ Nothing in this title prevents the relevant Secretary from conducting vegetation management projects within the Conservation Areas established under section 201 in a manner consistent with the purposes for the Conservation Area pursuant to section 203(a).

~~(o) OFF-HIGHWAY VEHICLES.—~~

~~(1) IN GENERAL.—~~ Except in cases in which off-highway vehicles are needed for administrative purposes, including project construction and maintenance, response to an emergency or as outlined in section 204(d)(2), the use of off-highway vehicles shall be permitted only on designated routes within the Conservation Areas designated under section 201.

~~(2) DESIGNATED ROUTES FOR OFF-HIGHWAY VEHICLES.—~~

~~(A) IN GENERAL.—~~ The relevant Secretary shall manage existing designated routes in a manner that—

~~(i) is consistent with off-highway vehicle and mechanized use of the designated routes that is authorized under the applicable travel management plan;~~

~~(ii) does not significantly damage designated critical habitat or cultural resources; and~~

~~(iii) does not interfere with private property or water rights.~~

~~(B) CLOSURE.—~~ The relevant Secretary, in consultation with the State and affected County, may temporarily close or permanently reroute, subject to subparagraph (C), a route if the relevant Secretary determines that—

(b) (5)

~~(i) the route is significantly damaging designated critical habitat or cultural resources;~~

~~(ii) the route threatens public safety;~~

~~(iii) closure of the route is necessary to repair damage to the designated route; or~~

~~(iv) closure of the route is necessary to repair resource damage.~~

~~(C) REROUTING.—~~ Portions of the designated route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

~~(D) NOTICE.—~~ The relevant Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily or permanently closed through—

~~(i) use of appropriate signage within the Conservation Area; and~~

~~(ii) use of the Internet and Web resources.~~

~~(p) TEMPORARY ROAD CONSTRUCTION.—~~ The relevant Secretary shall be permitted to construct temporary passenger vehicle roads for administrative or emergency purposes. The relevant Secretary shall decommission any temporary road constructed under this paragraph not later than three years after the date the project is completed.

~~(q) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—~~ Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

~~(r) SCIENTIFIC INVESTIGATIONS.—~~ The relevant Secretary shall provide opportunities, including through partnerships with colleges, universities, schools, tribes, scientific institutions, nonprofit organizations, researchers, and scientists to conduct research and provide educational and interpretive services of the historical, cultural, scientific, archeological, and natural resources within the Conservation Areas designated by section 201. Research findings from the Conservation Areas may be used to develop land use solutions that meet human needs while maintaining ecological and economic viability in the region.

~~(s) RESEARCH AND INTERPRETIVE FACILITIES.—~~

~~(t) IN GENERAL.—~~ The Secretary of the Interior and Secretary of Agriculture may establish facilities for—





~~(A) the conduct of scientific research; and~~

~~(B) the interpretation of the historical, cultural, scientific, archeological, biological, natural and educational resources of the Conservation Areas designated under section 201.~~

~~(2) GRANTS AND COOPERATIVE AGREEMENTS.—~~ In carrying out subsection (c), the Secretary of the Interior and Secretary of Agriculture may make grants to, or enter into cooperative agreements with the State of Utah, local governmental entities, tribes, other institutions and organizations, and private entities to conduct research, conduct scientific analyses, and carry out any other initiative relating to the restoration or conservation of the Conservation Areas.

~~(c) PARTNERSHIPS.—~~ In carrying out subsections (r) and (s) and in recognition of the value of collaboration to foster innovation and enhance research and development efforts, the Secretary of the Interior and the Secretary of Agriculture shall encourage partnerships, including public-private partnerships, between and among Federal, State, tribal and local agencies, academic institutions, nonprofit organizations and private entities.

~~(ii) RECREATION.—~~ The relevant Secretary shall continue to authorize, maintain, and enhance the recreational use of the Conservation Areas designated under section 201, including hunting, fishing, camping, hiking, backpacking, cross-country skiing, hang gliding, paragliding, rock climbing, canyoneering, sightseeing, nature study, horseback riding, mountain biking, rafting, off-highway vehicle recreation on designated routes, and other recreational activities.

~~(iv) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—~~ Any land or interest in land that is located in a National Conservation Area that is acquired by the United States shall—

~~(1) become part of the National Conservation Area, and~~

~~(2) be managed in accordance with—~~

~~(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);~~

~~(B) this title; and~~

~~(C) any other applicable law (including regulations). Acquisition.—~~

~~(1) IN GENERAL.—~~ The relevant Secretary may acquire land or interest in land within the boundaries of the Conservation Areas designated by section 201 only by donation, exchange, transfer from another Federal agency, or purchase from a willing seller.



~~(2) LAND EXCHANGE.—At the request of the State, not later than two years after the date of enactment of this Act, the relevant Secretary shall complete exchanges for State land located within the boundaries of the Conservation Areas designated by section 201.~~

~~(3) NO CONDEMNATION.—Within the Conservation Areas designated by section 201, the use of eminent domain or condemnation shall be prohibited.~~

~~(4) INCORPORATION IN NATIONAL CONSERVATION AREA.—Any land or interest in land located inside the boundary of a Conservation Area designated under section 201 that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the Conservation Area.~~

**SEC. 2075. ADDITIONAL PURPOSE FOR DOCS VALLEY, STONE BRIDGE DRAW, STUNTZ DRAW, BEACH DRAW, AND DIAMOND MOUNTAIN NATIONAL CONSERVATION AREAS.**

Nothing in this title ~~shall affect~~ precludes existing or future sage grouse conservation projects, including the management of vegetation through mechanical means within the Docs Valley, Stone Bridge Draw, Stuntz Draw, Beach Draw, and Diamond Mountain National Conservation Areas designated under section 201.

**SEC. 2086. ADDITIONAL PURPOSE FOR COLORADO RIVER NATIONAL CONSERVATION AREA.**

To provide for the management, development, protection, and use of drinking water within the Colorado River National Conservation Area.



**TITLE III—WATERSHED MANAGEMENT AREAS**

**SEC. 301. WATERSHED MANAGEMENT AREAS.**

(a) ESTABLISHMENT.—The following Watershed Management Areas are hereby established in the State of Utah, subject to valid existing rights:

(1) ASHLEY SPRING.—The “Ashley Spring Watershed Management Area”, consisting of approximately 10,951 acres of the Ashley National Forest in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016.

(2) DRY FORK.—The “Dry Fork Watershed Management Area”, consisting of approximately 9,640 acres of the Ashley National Forest in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016.

(3) CASTLE VALLEY.—The “Castle Valley Watershed Management Area”, consisting of approximately 34,247 acres of the Manti-La Sal National Forest in Grand County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016.

(4) WIDDOP MOUNTAIN.—The “Widdop Mountain Watershed Management Area”, consisting of approximately 8,025 acres of the Ashley National Forest in Summit County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016.

(5) EAST FORK SMITHS FORK.—The “East Fork Smiths Fork Watershed Management Area”, consisting of approximately 3,178 acres of the Ashley National Forest in Summit County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Secretary of Agriculture (hereinafter “Secretary” in this title) shall file a map and legal description of the Watershed Management Areas with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of Agriculture may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the U.S. Forest Service and the Bureau of Indian Affairs.

**SEC. 302. ADMINISTRATION OF WATERSHED MANAGEMENT AREAS.**

(a) PURPOSES.—The purposes of the Watershed Management Areas are—

(1) to ensure the protection of the quality of water in the Watershed Management Areas;

(2) to allow visitors to enjoy the scenic, natural, cultural, recreational, and wildlife values of the Watershed Management Areas;

(3) to provide for the management, development, and use of drinking water within the Watershed Management Areas;

(4) to allow for the reintroduction of beavers in appropriate Watershed Management Areas;

(5) to allow for reintroduction of native flora (land and aquatic), bird, fish and animal fauna in Watershed Management Areas;

(6) to provide for the restoration of watersheds and re-establish ecosystem health in areas damaged or threatened by insects, disease or prior land use; and

(7) to provide for the restoration of ecosystems damaged or threatened by overpopulation of any plant, aquatic or animal species.

(b) MANAGEMENT.—The Secretary shall manage the Watershed Management Areas—

(1) in a manner consistent with the purposes described in subsection (a); and

(2) in accordance with—

(A) the laws generally applicable to the National Forest System;

(B) this title; and

(C) any other applicable law.

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of each Watershed Management Area.

(2) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with local and tribal governments,

the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.

**SEC. 303. GENERAL PROVISIONS.**

(a) **MOTORIZED VEHICLES.**—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles shall be permitted only on designated routes within the Watershed Management Areas.

(b) **NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.**—Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(c) **ROAD CONSTRUCTION.**—The Secretary shall be permitted to construct roads for administrative or emergency purposes, or if a temporary road is needed to facilitate forest management projects to protect or enhance watersheds. The Secretary shall decommission any temporary road constructed under a project under this section not later than three years after the date on which the forest management project is completed.

(d) **OVERSNOW VEHICLES.**—Where permitted prior to the date of enactment of this Act, the Secretary shall authorize the use of snowmobiles and other over snow vehicles within the Watershed Management Areas when there is at least six inches of snow coverage.

(e) **FIRE, INSECTS, AND DISEASE.**—In accordance with this title and in consultation with State, tribal, and local government and water or irrigation districts who own or control water resources within Watershed Management Areas, the Secretary may carry out measures to prevent wildland fire and reduce hazardous fuels, insects, and diseases in the Watershed Management Areas to protect or improve water quality or to maintain or restore the characteristics of ecosystem composition and structure.

(f) **WILDLAND FIRE OPERATIONS.**—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in Watershed Management Areas designated under section 301.

(g) POST-FIRE REHABILITATION.—The Secretary may conduct post-fire rehabilitation in the Watershed Management Areas, consistent with this title and in accordance with applicable law.

(h) VEGETATION MANAGEMENT.—The Secretary shall conduct vegetation management projects within the Watershed Management Areas if projects protect or improve water quality or maintain or restore the characteristics of ecosystem composition and structure.

(i) FOREST MANAGEMENT.—Within the Watershed Management Areas, timber harvesting may be used if the primary purpose is to restore or improve forest health and watershed function or to further the purposes described in this title.

(j) LIVESTOCK.—

(1) IN GENERAL.—Within the Watershed Management Areas designated under section 301, the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the relevant Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by this title simply because an area is, or has been designated by this title.

(B) The number of livestock permitted to graze in areas designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended animal unit months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by this title (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in areas designated by this title is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designations made under section 301.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture shall be given consideration by the Secretary to establish historic access, locations, or use.

(k) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the Secretary from renewing easements or rights-of-way in existence as of the date of enactment of this Act, in accordance with this title and existing law.

(l) ADJACENT MANAGEMENT.—Nothing in this title creates a protective perimeter or buffer zone around a Watershed Management Area designated by section 301.

(m) ACTIVITIES OUTSIDE WATERSHED MANAGEMENT AREA.—The fact that an activity or use on land outside a Watershed Management Area can be seen, heard, felt or smelled within the Watershed Management Area shall not preclude the activity or use outside the boundary of the Watershed Management Area.

(n) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Watershed Management Areas are authorized to the extent necessary to realize the recreational purposes of the areas.

(o) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the Watershed Management Areas.

(p) ACCESS.—The Secretary shall provide the owner of State, tribal or private property within the boundary of a Watershed Management Areas access to the property.



(q) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Watershed Management Areas are authorized.

(r) WATER RIGHTS.—Nothing in this title—

(1) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Watershed Management Areas designated by this title;

(2) affects any water rights in the State of Utah existing on the date of enactment of this Act, including any water rights held by the United States;

(3) establishes a precedent with regard to any future Watershed Management Area designations; or

(4) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(s) EXISTING WATER INFRASTRUCTURE.—Nothing in this title shall be construed to limit motorized access and road maintenance by local municipalities or irrigation districts and other water right holders for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in Watershed Management Areas designated by section 301 subject to such reasonable regulations deemed necessary by the Secretary.

(t) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this title, the Federal land within the Watershed Management Areas designated by section 301 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the Federal land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(u) ASHLEY SPRING AND DRY FORK.—The management plans for the Ashley Spring and Dry Fork management areas shall include provisions for the development of containment ponds, water pipes, and other improvements to deliver water to the Ashley Valley should the flow of Ashley Spring become diminished or impaired.

(v) WILDERNESS REVIEW.—The Secretary may not promulgate or issue any system-wide regulation, directive, instruction memorandum or order that would direct management of the Federal lands designated as Watershed Management Areas in section 301 in a manner contrary to this title.

## **TITLE IV—SPECIAL MANAGEMENT AREAS**

### **SEC. 401. HIGH UINTAS SPECIAL MANAGEMENT AREA.**

(a) ESTABLISHMENT.—Subject to valid existing rights, the approximately 19,191 acres of the Ashley National Forest in Uintah and Duchesne County, Utah, as generally depicted on the map entitled “Utah PLI High Uintas Special Management Area Map” dated June 24, 2016, is established as the High Uintas Special Management Area.

(b) PURPOSES.—The purpose of the High Uintas Special Management Area (hereinafter referred to in this title as the “Area”) are to maintain the natural values of the area and to allow for the continued use of oversnow vehicles.

### **SEC. 402. HIGH UINTAS SPECIAL MANAGEMENT AREA MAP AND LEGAL DESCRIPTION.**

(a) IN GENERAL.—Not later than two years after the date of enactment of this Act, the Secretary of Agriculture (hereinafter “Secretary” in this title) shall file a map and legal description of the Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(b) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service.

### **SEC. 403. ADMINISTRATION OF THE HIGH UINTAS SPECIAL MANAGEMENT AREA.**

(a) ADMINISTRATION.—The Secretary shall administer the Area in accordance with—

(1) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(b) (5)

(2) this title; and

(3) other applicable laws.

(b) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of the Area.

(2) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with State, local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.

(3) USES.—The Secretary shall allow only such uses of the Area that would further the purposes outlined in subsection 401(b) and the following guidelines:

(A) Maintain the existing, outstanding natural values of the Area.

(B) Allow for the continued use and access of oversnow vehicles, including snowmobiles.

(C) Allow for non-motorized recreational opportunities to occur within the Area including skiing, biking, hiking, fishing, hunting, horseback riding, snowshoeing, and camping.

(D) Prohibit mineral development.

(E) Prohibit new permanent road construction.

(F) Prohibit commercial timber harvesting.

SEC. 404. HIGH UINTAS SPECIAL MANAGEMENT AREA GENERAL PROVISIONS.

(a) WITHDRAWALS.—Subject to valid existing rights, all Federal land within the Area established under section 401 is withdrawn from—

- (1) entry, appropriation or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) FIRE, INSECTS, AND DISEASE.—In accordance with this title, the Secretary may take such measures in the Area as are necessary for the control of fire, insects, and disease (including the coordination of the activities with a State or local agency).

(c) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in the Area designated under section 401.

(d) LIVESTOCK.—

(1) IN GENERAL.—Within the Area designated under section 401, the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the relevant Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by this section simply because an area is, or has been designated by this title.

(B) The number of livestock permitted to graze in areas designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended animal unit months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by this section (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such

maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in areas designated by this section is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designations made under section 401.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture shall be given consideration by the Secretary to establish historic access, locations, or use.

(e) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Area.

(2) ACTIVITIES OUTSIDE THE AREA.—The fact that an activity or use on land outside the Area can be seen, heard, felt or smelled within the Area shall not preclude the activity or use outside the boundary of the Area.

(f) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Area are authorized to the extent necessary to realize the recreational purposes of the areas.

(g) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping and use of helicopters to maintain healthy wildlife populations, within the Area.

(h) ACCESS.—The Secretary shall provide the owner of State or private property within the boundary of the Area.

(i) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Area are authorized.

(j) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the High Uintas Special Management Area;

(B) affects any water rights in the State of Utah existing on the date of enactment of this Act;

(C) establishes a precedent with regard to any future special management areas designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) UTAH WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the Area.

(3) EFFECTS ON STATE WATER RIGHTS.—The Secretary shall not take any action that adversely affects—

(A) any water rights granted by the State;

(B) the authority of the State in adjudicating water rights;

(C) definitions established by the State with respect to the term “beneficial use” or “priority of rights”;

(D) terms and conditions for groundwater withdrawal;

(E) the use of groundwater resources that are in accordance with State law; or

(F) other rights or obligations of the State as established under State law.

(4) EXISTING WATER INFRASTRUCTURE.—

(A) Nothing in this title shall be construed to limit off-highway vehicle access and road maintenance by local municipalities, water districts or irrigation districts, for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in the Area.

(B) Nothing in this title shall be construed to encumber, transfer, impair, or limit any water right, or recognized beneficial use, including access to, development, and use of livestock water rights as defined by State law.

(k) PERMANENT ROAD CONSTRUCTION.—After the date of enactment of this Act, except as necessary for administrative purposes or to respond to an emergency, the Secretary shall not construct any permanent road within the Area.

(l) TEMPORARY ROAD CONSTRUCTION.—The Secretary is authorized to construct temporary passenger vehicle roads for administrative or emergency purposes. The Secretary shall decommission any temporary road constructed under this subsection not later than 3 years after the date the road is constructed.

(m) USE OF OFF-HIGHWAY OR MOTORIZED VEHICLES.—Except as necessary to meet the minimum requirements for the administration of the Area and to protect public health and safety, the use of off-highway vehicle or motorized vehicles is prohibited.

(n) COMMERCIAL TIMBER HARVESTING.—Commercial timber harvesting within the Area is prohibited.

(o) OVERSNOW VEHICLES.—The Secretary of Agriculture shall authorize the use of snowmobiles and other oversnow vehicles within the High Uintas Special Management Area when there is at least six inches of snow coverage.

SEC. 405. LITTLE WEST FORK BLACKS FORK SPECIAL MANAGEMENT AREA.



(a) ESTABLISHMENT.—Subject to valid existing rights, the approximately 8,231 acres of the Wasatch Cache National Forest in Summit County, Utah as generally depicted on the map entitled “Utah PLI Little West Fork Blacks Special Management Area Map” dated June 24, 2016, is established as the “Little West Fork Blacks Fork Special Management Area”.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the shall file a map and legal description of the Little West Fork Blacks Fork Special Management Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service.

**SEC. 406. ADMINISTRATION OF LITTLE WEST FORK BLACKS FORK SPECIAL MANAGEMENT AREA.**

(a) PURPOSE.—The purpose of the Little West Fork Blacks Fork Special Management Area is to manage, maintain, and restore watershed and ecosystem function and aquatic habitat within the Area.

(b) ADMINISTRATION.—The Secretary shall administer the Little West Fork Blacks Fork Special Management Area—

(1) in a manner that promotes, protects, and manages the resources of the Little West Fork Blacks Fork Special Management Area described in subsection (a); and

(2) in accordance with—

(A) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(B) this title; and

(C) other applicable laws.

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of the Little West Fork Blacks Fork Special Management Area.

(2) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary of the Interior does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the State, local governments and tribes.

(d) USES.—The Secretary shall allow only such uses of the special management area that would further the purposes outlined in subsection (a) and the following:

(1) Include skiing, biking, hiking, fishing, hunting, horseback riding, snowmobiling, motorcycle riding, off-highway vehicle use, snowshoeing, and camping.

(2) Allow for reintroduction of native flora (land and aquatic), bird, fish and animal fauna in Little West Fork Blacks Fork Special Management Area.

(3) Restore watershed function and health and re-establish ecosystem health in areas damaged or threatened by insects and disease.

(4) Restore the balance of the ecosystem health damaged or threatened by overpopulation of any plant, aquatic or animal species.

(5) Allow hazardous fuels reduction and forest health treatments to restore watershed and ecosystem function, reduce hazardous fuels, and to protect property in the wildland urban interface.

**SEC. 407. LITTLE WEST FORK BLACKS FORK SPECIAL MANAGEMENT AREA GENERAL PROVISIONS.**

(a) OFF-HIGHWAY VEHICLES.—

(1) IN GENERAL.—Except in cases in which off-highway vehicles are needed for administrative purposes or to respond to an emergency, the use of off-highway vehicles shall be permitted only on designated routes within the Little West Fork Blacks Fork Special Management Area.

(2) MANAGEMENT.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway vehicle and mechanized use of the designated routes authorized under the applicable travel management plan;

(B) does not significantly damage designated critical habitat or cultural resources; and

(C) does not interfere with private property or water rights.

(3) CLOSURE.—The Secretary, in consultation with the State and affected County, may temporarily close or permanently reroute, subject to paragraph (4), a route if the Secretary determines that—

(A) the route is significantly damaging designated critical habitat or cultural resources;

(B) the route threatens public safety;

(C) closure of the route is necessary to repair damage to the designated route; or

(D) closure of the route is necessary to repair resource damage.

(4) REROUTING.—Portions of the designated route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(5) NOTICE.—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily or permanently closed through—

(A) use of appropriate signage within the Conservation Area; and

(B) use of the Internet and Web resources.

(b) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this section affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(c) PERMANENT ROAD CONSTRUCTION.—Except as necessary for administrative purposes or to respond to an emergency, the Secretary shall not construct any permanent roads within the Little West Fork Blacks Fork Special Management Area after the date of enactment of this Act.

(d) TEMPORARY ROAD CONSTRUCTION.—The Secretary shall be permitted to construct temporary roads to implement the purposes of the area, including constructing temporary roads for fuel reduction, forest health treatments and prescribed burns. The Secretary shall decommission any temporary road constructed under a project under this section not later than three years after the date on which the forest management project is completed.

(e) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles within the Little West Fork Blacks Fork Special Management Area when there is at least six inches of snow coverage.

(f) FIRE, INSECTS, AND DISEASE.—In accordance with this section, the Secretary may—

(1) carry out measures to manage wildland fire and treat hazardous fuels, insects, and diseases in the Little West Fork Blacks Fork Special Management Area; and

(2) coordinate those measures with the appropriate State or local agency.

(g) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in the Area designated under section 405.

(h) LIVESTOCK GRAZING.—

(1) IN GENERAL.—Within the Little West Fork Blacks Fork Special Management Area, the grazing of livestock in which grazing is established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the relevant Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by section 405 simply because an area is or has been designated.

(B) The number of livestock permitted to graze in areas designated by section 405 shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended animal unit months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by section 405 (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in areas designated by section 405 is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designations made under section 405.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture shall be given consideration by the Secretary to establish historic access, locations, or use.

(i) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the Secretary from renewing easements or rights-of-way in existence as of the date of enactment of this Act, in accordance with this title and existing law.

(j) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Little West Fork Blacks Fork Special Management Area designated by section 405.

(2) ACTIVITIES OUTSIDE SPECIAL MANAGEMENT AREA.—The fact that an activity or use on land outside the Little West Fork Blacks Fork Special Management Area can be seen, heard, felt or smelled within the Little West Fork Blacks Fork Special Management Area shall not preclude the activity or use outside the boundary of Little West Fork Blacks Fork Special Management Area.

(k) OUTFITTING AND GUIDE ACTIVITIES.—As permitted as of January 1, 2016, commercial services (including authorized outfitting and guide activities) within the Little West Fork Blacks Fork Special Management Area are authorized to the extent necessary to realize the recreational purposes of the areas.

(l) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the Little West Fork Blacks Fork Special Management Area.

(m) ACCESS.—Consistent with the purposes of section 406(a), and as authorized as of the date of enactment of this section, the Secretary shall provide the owner of State, tribal, or private property within the boundary of the Little West Fork Blacks Fork Special Management Area access to the property.

(n) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Little West Fork Blacks Fork Special Management Areas designated by section 405;

(B) affects any water rights in the State of Utah;

(C) establishes a precedent with regard to any future Special Management Areas designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) UTAH WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the Little West Fork Blacks Fork Special Management Areas.

(3) EFFECTS ON STATE WATER RIGHTS.—The Secretary shall not take any action that adversely affects—

(A) any water rights granted by the State;

(B) the authority of the State in adjudicating water rights;

(C) definitions established by the State with respect to the term “beneficial use” or “priority of rights”;

(D) terms and conditions for groundwater withdrawal;

(E) the use of groundwater resources that are in accordance with State law; or

(F) other rights or obligations of the State as established under State law.

(4) EXISTING WATER INFRASTRUCTURE.—Nothing in this section shall be construed to—

(A) limit off-highway vehicle access and road maintenance by local municipalities, irrigation districts, or water districts for those maintenance activities



necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in the Little West Fork Blacks Fork Special Management Area designated by section 405; and

(B) encumber, transfer, impair, or limit any water right, or recognized beneficial use, including access to, development, and use of livestock water rights as defined by State law.

(o) VEGETATION MANAGEMENT.—Consistent with the purposes of the Little West Fork Blacks Fork Special Management Area, nothing in this section prevents the Secretary from conducting vegetation management projects within the Little West Fork Blacks Fork Special Management Area.

(p) COMMERCIAL TIMBER HARVEST.—Consistent with the purposes of the Little West Fork Blacks Fork Special Management Area commercial timber harvest is authorized if the primary purpose of harvest is to restore or improve forest resiliency and watershed function or to further the purposes described in section 405.

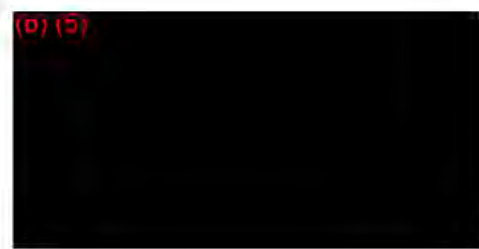
(q) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the Little West Fork Blacks Fork Special Management Area designated by section 405 are withdrawn from—

- (1) all forms of entry, appropriation, and disposal under the Federal land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

~~SEC. 405. DESOLATION CANYON, NINE MILE CANYON, WHITE RIVER AND BOOKS CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREAS.~~

~~(a) Establishment.—Subject to valid existing rights, the following areas in the State of Utah are hereby established as Special Management Areas:~~

~~(1) DESOLATION CANYON.—Certain Federal land, comprising approximately 8,770 acres administered by the Bureau of Land Management in Carbon County as generally depicted on the map entitled Utah PLJ Special Management Area Map dated June 30, 2016, to be known as the “Desolation Canyon Special Management Area”.~~



(2) NINE MILE CANYON.—Certain Federal land, comprising approximately 41,301 acres; 26,210 acres in Carbon County and 15,091 acres in Duchesne County administered by the Bureau of Land Management in Carbon County and Duchesne County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016, to be known as the “Nine Mile Canyon Special Management Area”.

(3) WHITE RIVER.—Certain Federal land, comprising approximately 15,790 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016, to be known as the “White River Special Management Area”.

(4) BOOKS CLIFFS SPORTSMENS.—Certain Federal land, comprising approximately 42,351 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016, is established as “Book Cliffs Sportsmens Special Management Area”.

(b) Purposes.—The purposes of the Desolation Canyon, Nine Mile Canyon, and White River Special Management Areas (hereinafter referred to as the “Areas”) established under subsection (a) is to—

(1) protect, conserve, and enhance the unique and nationally important historic, cultural, scientific, scenic, recreational, archaeological, natural, and educational resources of the Areas;

(2) maintain and enhance cooperative and innovative management practices between resource managers, private landowners, and the public in the Areas; and

(3) recognize and maintains historic uses of the Areas.

(c) Books Cliffs Sportsmens Special Management Area Purposes.—The purpose of the Book Cliffs Sportsmens Special Management Area (hereinto referred to as the “Book Cliffs Area”) is to protect hunting and fishing opportunities and habitat, manage and restore fish and wildlife habitat, and facilitate hunting and fishing opportunities in a natural environment.

**SEC. 409. DESOLATION CANYON, NINE MILE CANYON, WHITE RIVER AND BOOKS CLIFFS SPORTSMEN’S SPECIAL MANAGEMENT AREA MAP AND LEGAL DESCRIPTION.**

~~(a) In General.—Not later than two years after the date of enactment of this Act, the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall file a map and legal description of the Areas and the Books Cliffs Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.~~

~~(b) Effect.—The map and legal description prepared under subsection (a) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.~~

~~(c) Public Availability.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.~~

~~**SEC. 410. ADMINISTRATION OF THE DESOLATION CANYON, NINE MILE CANYON, AND WHITE RIVER SPECIAL MANAGEMENT AREAS.**~~

~~(a) Plan Required.—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of each of the Areas.~~

~~(b) Recommendations And Consultation.—The Secretary shall prepare the management plans in consultation and coordination with the State, local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.~~

~~**SEC. 411. DESOLATION CANYON, NINE MILE CANYON, AND WHITE RIVER SPECIAL MANAGEMENT AREA GENERAL PROVISIONS.**~~

~~(a) Applicability.—The general provisions of section 204 shall apply to the Areas.~~

~~(b) Exception.—The withdrawal provided by 204(a) shall not apply to the Desolation Canyon Special Management Area, White River Special Management Area, and the Nine Mile Canyon Special Management Area.~~

~~(c) Oil And Gas Leasing.—The Secretary may lease oil and gas resources in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.) subject to the following conditions:~~

~~(1) The minerals may be accessed only by directional drilling from a lease held on the date of enactment of this Act and accessed through surface estate that is adjacent to, and outside of, the Areas.~~

~~(2) The lease shall prohibit surface occupancy and surface disturbance for any mineral activities within the Areas.~~

~~(d) Nine Mile Canyon Additional Provisions.—~~

~~(1) Energy development, including access needs for energy development, within the Nine Mile Canyon Special Management Area shall be allowed under the terms of the West Tavaputs Plateau Project Final Environmental Impact Statement and Record of Decision of July 2, 2010.~~

~~(2) Upon enactment of this section, the current Area of Critical Environmental Concern designation made under FLPMA (site) shall be permanently removed from the Nine Mile Canyon Special Management Area.~~

**SEC. 412. BOOK CLIFFS SPORTSMENS SPECIAL MANAGEMENT AREA  
ADDITIONAL PROVISIONS.**

~~(a) Management Plan.— Not later than two years after the date of enactment of this Act, the Secretary of the Interior (hereinto referred to as the “Secretary”) shall develop a management plan for the long-term management of the Book Cliffs Area.~~

~~(1) RECOMMENDATIONS AND CONSULTATION.— The Secretary of the Interior shall prepare the management plan in consultation and coordination with the Advisory Council described in subsection (d) below. If the Secretary of the Interior does not incorporate the recommendations submitted by the Advisory Council into the management plan the Secretary of the Interior shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the Advisory Council.~~

~~(2) REQUIREMENTS.— The management plan shall be written in accordance with section 408(c).~~

~~(3) USES.— The Secretary shall only allow such uses of the Books Cliffs Area that would further the purposes of the Books Cliffs Area.~~

(b) ~~Vegetation Management.~~—Within the Book Cliffs Area, the Secretary may authorize vegetation management, including mechanical treatments, to the extent necessary to control fire, insects, or disease or to promote and improve wildlife habitat and diversity as consistent with the purposes of the Book Cliffs Area.

(c) ~~Mineral Leasing.~~—the Secretary may lease oil and gas resources in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.) in the Books Cliffs Area subject to the following conditions:

(1) The area may be accessed only by directional drilling from a lease held on the date of enactment of this Act on surface estate that is adjacent to, and outside of, the Books Cliffs Area.

(2) The Books Cliff Area may be accessed only by directional drilling if the mineral lease entered into includes a non-waivable stipulation prohibiting surface occupancy and surface disturbance for any mineral activities within the Books Cliffs Area.

(d) ~~Wilderness Review.~~—The Secretary may not promulgate or issue any system-wide regulation, directive, instruction memorandum or order that would direct management of Federal lands designated under section 408 in a manner contrary to this title.

**SEC. 413. BOOK CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREA  
ADVISORY COMMITTEE.**

(a) ~~Establishment And Purpose Of The Book Cliffs Sportsmen's Special Management Area Advisory Committee.~~—

(1) ~~ESTABLISHMENT.~~—The Secretary of the Interior shall establish and maintain the Book Cliffs Sportsmen's Special Management Area Advisory Committee (referred to in this title as the "Book Cliffs Advisory Committee") to perform the duties in subsection (b).

(2) ~~PURPOSE.~~—The purpose of the Book Cliffs Advisory Committee is to advise the Secretary of the Interior on the Book Cliffs Special Management Area.

(b) ~~Duties.~~—The Book Cliffs Advisory Committee shall advise the Secretary of the Interior with regard to—

(1) implementation of the Book Cliffs Special Management Area Management Plan; and

~~(2) administration of the Book Cliffs Special Management Area.~~

~~(c) Appointment By The Secretary.—~~

~~(1) APPOINTMENT AND TERM.— The Secretary of the Interior shall appoint the members of the Book Cliffs Advisory Committee for a term of 5 years beginning on the date of appointment. The Secretary of the Interior may not reappoint members to more than three terms.~~

~~(2) BASIC REQUIREMENTS.— The Secretary of the Interior shall ensure that the Book Cliffs Advisory Committee established meets the requirements of subsection (d).~~

~~(3) INITIAL APPOINTMENT.— The Secretary of the Interior shall make initial appointments to the Book Cliffs Advisory Committee not later than 180 days after the date of the enactment of this Act.~~

~~(4) VACANCIES.— The Secretary of the Interior shall make appointments to fill vacancies on the Book Cliffs Advisory Committee as soon as practicable after the vacancy has occurred.~~

~~(5) COMPENSATION.— Members of the Book Cliffs Advisory Committee shall not receive any compensation.~~

~~(d) Composition Of Book Cliffs Advisory Committee.—~~

~~(1) NUMBER.— The Book Cliffs Advisory Committee shall be comprised of no more than 11 members.~~

~~(2) COMMUNITY INTERESTS REPRESENTED.— Book Cliffs Advisory Committee members shall reside in the State of Utah and be representative of the following members:~~

~~(A) State Division of Wildlife Resources Director or one designee.~~

~~(B) Game bird hunting organization.~~

~~(C) Wildlife conservation organization.~~

~~(D) Big game hunting organization.~~

~~(E) Cold water fishing organization.~~

- (F) Tourism, outfitter, or guiding industry.
- (G) Hunting or shooting equipment retail industry.
- (H) Ute Tribe.
- (I) Forest or rangeland management specialist.
- (J) Ranching industry in Uintah County.
- (K) Uintah County Commission Chairman or designee.

(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual serving under section 402 may be an officer or employee of the Federal Government or State of Utah Government.

(4) BALANCED REPRESENTATION.—In appointing Book Cliffs Advisory Committee members from the two categories in section 402, the Secretary of the Interior shall provide for balanced and broad representation from within each category.

(5) CHAIRPERSON.—The Secretary of the Interior shall select the chairperson of the Book Cliffs Advisory Committee for a term of 5 years beginning on the date of appointment.

(e) Annual Book Cliffs Advisory Committee Report.—

(1) REPORT SUBMISSION.—The Book Cliffs Advisory Committee shall submit a report no later than September 30 of each year to the Secretary of the Interior, the Committee on Natural Resources of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate. If the Book Cliffs Advisory Committee cannot meet the September 30 deadline in any year, the Secretary of the Interior shall advise the Chair of each such Committee of the reasons for such delay and the date on which the submission of the report is anticipated.

(2) CONTENTS.—The report required by paragraph (1) shall describe—

(A) the activities of the Book Cliffs Advisory Committee during the preceding year;

(B) the reports and recommendations made by the Book Cliffs Advisory Committee to the Secretary of the Interior during the preceding year; and



~~(C) an accounting of actions taken by the Secretary of the Interior as a result of the recommendations;~~

~~(H) Other Book Cliffs Advisory Committee Authorities And Requirements—~~

~~(1) STAFF ASSISTANCE—The Book Cliffs Advisory Committee may submit to the Secretary of the Interior a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.~~

~~(2) MEETINGS—~~

~~(A) FREQUENCY.—The Book Cliffs Advisory Committee shall meet at the call of the Secretary of the Interior, the Chairperson, or a majority of the members. Meetings shall be held no fewer than 1 time a year. A majority must be present to constitute an official meeting of the Book Cliffs Advisory Committee.~~

~~(B) OPEN MEETINGS.—All meetings of the Book Cliffs Advisory Committee shall be announced at least one week in advance in publications of general circulation and shall be open to the public.~~

~~(3) RECORDS.—The Book Cliffs Advisory Committee shall maintain records of the meetings of the Book Cliffs Advisory Committee and make the records available for public inspection.~~

## **TITLE V—ARCHES NATIONAL PARK EXPANSION**

### **SEC. 501. ARCHES NATIONAL PARK EXPANSION.**

Section 1 of Public Law 92-155 is amended—

(1) by inserting the following after paragraph (2)—

“(3) Effective on the date of enactment of the Utah Public Lands Initiative Act, the boundary of the park shall include the area consisting of approximately 18,779 acres and depicted as Arches Expansion on the map entitled ‘Utah PLI Park and Monument Map’ dated June 24, 2016.”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) in paragraph (4), as so designated by paragraph (2) of this provision, by striking “(1) and (2)” and inserting instead “(1), (2), and (3)”.

(b) (5)

**TITLE VI—JURASSIC NATIONAL MONUMENT**

**SEC. 601. JURASSIC NATIONAL MONUMENT.**

(a) **PURPOSES.**—To conserve, interpret, and enhance for the benefit of present and future generations the paleontological, scientific, ~~and educational and recreational~~ resources, there is established in Emery County, Utah, subject to valid existing rights, the Jurassic National Monument (hereinafter referred to in this title as the “Monument”).

(b) **BOUNDARIES.**—The Monument shall consist of approximately 867 acres of Federal land in Emery County, Utah as generally depicted on the map entitled “Utah PLI Park and Monument Map” dated June 24, 2016, to be known as the “Jurassic National Monument” ~~and to be managed by the Bureau of Land Management.~~

(c) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—~~Two years~~ As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall ~~submit file a map and legal description of the Monument within the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of the Monument.~~

(2) **EFFECT.**—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(3) **PUBLIC AVAILABILITY.**—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) **ACQUISITION OF LAND.**—

(1) **IN GENERAL.**—The Secretary may acquire land or interests in land within the boundaries of the Monument only by donation, exchange, transfer from another agency, or purchase from a willing seller.

(2) **LAND EXCHANGE.**—At the request of the State, not later than two years after the date of enactment of this Act, the Secretary shall complete exchanges for State land located within the boundaries of the Monument designated by this title.

(3) **NO CONDEMNATION.**—Within the Monument designated by this section the use of eminent domain or condemnation shall be prohibited.



(e) ~~WITHDRAWALS.~~—Subject to valid existing rights, any Federal land within the Monument or any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this section is withdrawn from—

(b) (5)

(1) ~~all forms of entry, appropriation, or disposal under the Federal public land laws;~~

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(f) ~~MANAGEMENT PLAN.~~—

(b) (5)

(1) ~~PLAN REQUIRED.~~—~~Not later than two years~~ As soon as practicable after the date of enactment of this Act, the Secretary shall develop a management-comprehensive plan for the long-term management of the Monument, including consideration of enhanced transportation routes, outdoor recreation planning, and promotion of scientific research.

(2) ~~RECOMMENDATIONS AND CONSULTATION.~~— In developing the management plans required under paragraph (1), the relevant Secretary shall consult with appropriate state, local, and tribal government entities, members of the public, and the Secretary shall prepare the management plan in consultation and coordination with State, local, and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the State and local governments and tribes.

(3) ~~USES.~~—The Secretary shall allow only such uses of the Monument that would further the purposes outlined in subsection (a).

(g) ~~ADMINISTRATION.~~—The Secretary shall administer the Monument in accordance with—

(1) ~~the management plan; and~~

(2) ~~any other applicable laws.~~

(1) ~~IN GENERAL.~~—The Secretary shall manage the Monument—

(A) in a manner that conserves, protects, and enhances the resources of the area, and



~~(B) in accordance with—~~

~~(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);~~

~~(ii) this title; and~~

~~(iii) any other applicable law (including regulations).~~

~~(b) USES.—The Secretary shall only allow such uses of the Monument that the Secretary determines would further the purposes described in section 601(a) of this title.~~

~~(c) MOTORIZED VEHICLES.—Except in cases in which motorized and mechanized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized and mechanized vehicles in the Monument shall be permitted only on roads and trails designated by the management plan for the use of motorized and mechanized vehicles.~~

~~(h) ADJACENT MANAGEMENT.—~~

~~(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Monument designated by this section.~~

~~(2) ACTIVITIES OUTSIDE MONUMENT.—The fact that an activity or use on land outside the Monument can be seen, heard, felt or smelled within the Monument shall not preclude the activity or use outside the boundary of the Monument.~~

## **TITLE VII—WILD AND SCENIC RIVERS**

### **SEC. 701. WILD AND SCENIC RIVERS.**

~~(a) ADDITIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:~~

~~“(213) COLORADO RIVER.—The following segments in the State of Utah, to be administered by the Secretary of the Interior as follows:~~

~~“(A) The approximately 12.6 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.~~

~~“(B) The approximately 12.6 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a scenic river.~~

~~“(C) The approximately 52.2 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a recreational river.~~

(b) (5)

“(D) The approximately 27.1 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a scenic river.

“(214) DOLORES RIVER.—The following segments in the State of Utah, to be administered by the Secretary of the Interior as follows:

“(A) The approximately 5.6 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a recreational river.

“(B) The approximately 5.8 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a scenic river.

“(C) The approximately 11.5 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a recreational river.

“(215) GREEN RIVER.—The following segments in the State of Utah, to be administered by the Secretary of the Interior as follows:

“(A) The approximately 69.5 mile river segment in Uintah, Carbon, Emery, and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a scenic river.

“(B) The approximately 19.2 mile river segment in Emery and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a wild river.

“(C) The approximately 8.5 mile river segment in Emery and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated June 11, 2016, as a recreational river.

“(D) The approximately 109.4 mile river segment in Emery and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a scenic river.

“(216) DARK CANYON.—The approximately 6.3 mile river segment in San Juan County, to be administered by the Secretary of the Interior, as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.

“(217) SAN JUAN RIVER.—The approximately 17.2 mile river segment in San Juan County, to be administered by the Secretary of the Interior, as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.”

(b) (5)

~~(b) ADJACENT MANAGEMENT~~

~~(1) IN GENERAL.—~~ Nothing in this title creates a protective perimeter or buffer zone around a wild and scenic river designated by this title.

~~(2) ACTIVITIES OUTSIDE WILD AND SCENIC RIVER.—~~ The fact that an activity or use on land outside a wild and scenic river designated under this title can be seen, heard, felt or smelled within the wild and scenic river shall not preclude the activity or use outside the boundary of the wild and scenic river.

~~(3) ACQUISITION.—~~ The Secretary of the Interior may acquire land or interest in land within the boundaries of the wild and scenic river areas designated by this title only by donation, exchange, or transfer from another agency, or purchase from a willing seller.

~~(4) NO CONDEMNATION.—~~ Within the areas designated by this title the use of eminent domain or condemnation shall be prohibited.

~~(5) OUTFITTING AND GUIDE ACTIVITIES.—~~ Commercial services (including authorized outfitting and guide activities) within the wild and scenic rivers designated by this title are authorized to the extent necessary to realize the recreational purposes of the areas.

~~(f) MAPS AND LEGAL DESCRIPTION~~

~~(1) IN GENERAL.—~~ Not later than two years after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the river segments designated by this title with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

~~(2) EFFECT.—~~ The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of the Interior may correct minor errors in the map or legal description and provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected counties.

~~(3) PUBLIC AVAILABILITY.—~~ A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(b) (5)



**TITLE VIII—ASHLEY KARST NATIONAL  
GEOLOGIC AND RECREATION AREA**

**SEC. 801. ASHLEY KARST NATIONAL GEOLOGIC AND RECREATION AREA.**

(a) **ESTABLISHMENT.**—Subject to valid existing rights, including the rights of a tribe, the approximately 110,838 acres generally depicted on the map entitled Utah PLI Special Management Area Map dated June 30, 2016, are hereby established as the “Ashley Karst National Geologic and Recreation Area”.

(b) **PURPOSES.**—The purposes of the Ashley Karst National Geologic and Recreation Area (hereinto referred to in this title as the “Area”) are to provide recreational opportunities, protection and management of water resources, utilization of commercial forest products and withdrawal of minerals from development.

**SEC. 802. MAP AND LEGAL DESCRIPTION.**

(a) **IN GENERAL.**—Not later than two years after the date of enactment of this Act, the Secretary of Agriculture (hereinafter referred to as the “Secretary”) shall file a map and legal description of the Ashley Karst National Geologic and Recreation Area (hereinafter referred to as the “Area”) with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(b) **EFFECT.**—The map and legal description prepared under subsection (a) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description and provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) **PUBLIC AVAILABILITY.**—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service and Bureau of Indian Affairs.

**SEC. 803. ADMINISTRATION.**

(a) **ADMINISTRATION.**—The Secretary shall administer the Area in accordance with—

- (1) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);
- (2) this title; and
- (3) other applicable laws.

(b) (5)



(b) **MANAGEMENT.**—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of the Area.

(c) **RECOMMENDATIONS AND CONSULTATION.**—The Secretary shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the State, local and tribal governments.

(d) **USES.**—The Secretary shall allow only such uses of the Area that would further the purposes outlined in subsection 801(b) of this title and the following guidelines:

(1) Provide for recreational opportunities to occur within the Area including skiing, biking, hiking, fishing, hunting, horseback riding, snowmobiling, designated trails for motorcycle riding and off-highway vehicle use, snowshoeing, camping, and other recreational activities consistent with this title.

(2) Provide for active forest management, utilizing commercial harvesting for hazardous fuels reduction, wildfire prevention, control of insects and disease, and to improve watershed health.

(3) Prohibit mineral development.

(4) Promote the long-term protection and management of the water resources and underground karst system.

**SEC. 804. GENERAL PROVISIONS.**

(a) **OFF-HIGHWAY VEHICLE AND MOTORIZED VEHICLES.**—

(1) **IN GENERAL.**—The use of off-highway vehicles and motorized vehicles shall be permitted within the Area.

(2) **MANAGEMENT.**—The Secretary shall designate existing routes in a manner that—

(A) uses Forest Service roads and routes existing as of January 1, 2016, and also new roads authorized by this title;

(B) does not significantly damage designated critical habitat or cultural resources; and

(C) does not interfere with private property or water rights.

(3) CLOSURE.—The Secretary, in consultation with the State and affected County, may temporarily close or permanently reroute, subject to paragraph (4), a route if the Secretary determines that—

(A) the route is significantly damaging designated critical habitat or cultural resources;

(B) the route threatens public safety;

(C) closure of the route is necessary to repair damage to the designated route; or

(D) closure of the route is necessary to repair resource damage.

(4) REROUTING.—Portions of the designated route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(5) NOTICE.—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily or permanently closed through—

(A) use of appropriate signage within the Conservation Area; and

(B) use of the Internet and Web resources.

(b) PRIORITY ROUTES.—Marsh Peak South Road and South Fork Road, as depicted on the Utah PLI Special Management Area Map, shall be open for off-highway vehicle use. Administrative access to Whiterocks Lake for general and emergency purposes shall be allowed for the United States Forest Service, State and local governments, and applicable water user association or utility company.

(c) ROUTE CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall study the feasibility and public interest of constructing new routes as needed to increase or enhance hiking and motorized recreational opportunities and purposes of the area.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—If the Secretary determines that the construction of a route is feasible the may construct the route.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—A route authorized under this subsection may be constructed by volunteers, with volunteer services and contributions from non-Federal sources.

(d) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land located within the Area.

(e) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles in the Area when there is at least six inches of snow cover.

(f) FIRE, INSECTS, AND DISEASE.—In accordance with this title, the Secretary may—

(1) carry out any measures to manage wildland fire and treat hazardous fuels, insects, and diseases in the Area; and

(2) coordinate those measures with the appropriate State, tribal, or local agency.

(g) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in the Area designated under this title.

(h) LIVESTOCK GRAZING.—Within the Area designated under section 801, the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the relevant Secretary.

(1) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by this title simply because an area is, or has been designated by this title.

(B) The number of livestock permitted to graze in areas designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended animal unit months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by this title (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in areas designated by this title is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designations made under section 801(b).

(2) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture shall be given consideration by the Secretary to establish historic access, locations, or use.

(i) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the Secretary from renewing easements or rights-of-way in existence on the date of enactment of this Act, in accordance with this title and existing law.

(j) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Area designated by section 801.

(2) ACTIVITIES OUTSIDE AREA.—The fact that an activity or use on land outside the Area can be seen, heard, felt or smelled within the Area shall not preclude the activity or use outside the boundary of the Area.

(k) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Area are authorized to the extent necessary to realize the recreational purposes of the areas.

(l) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the Area.

(m) ACCESS.—The Secretary shall provide the owner of State, tribal or private property owners within the boundary of the Area access to the property.

(n) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Area are authorized.

(o) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Area designated by section 801;

(B) affects any water rights in the State of Utah;

(C) establishes a precedent with regard to any future designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) UTAH WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the Area.

(3) EFFECTS ON STATE WATER RIGHTS.—The Secretary shall not take any action that adversely affects—

(A) any water rights granted by the State;

(B) the authority of the State in adjudicating water rights;

(C) definitions established by the State with respect to the term “beneficial use” or “priority of rights”;

(D) terms and conditions for groundwater withdrawal;

(E) the use of groundwater resources that are in accordance with State law; or

(F) other rights or obligations of the State as established under State law.

(4) EXISTING WATER INFRASTRUCTURE.—

(A) Nothing in this title shall be construed to limit off-highway vehicle access and road maintenance by local municipalities or water or irrigation districts for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in the Area designated by section 801.

(B) Nothing in this title shall be construed to encumber, transfer, impair, or limit any water right, or recognized beneficial use, including access to, development, and use of livestock water rights as defined by State law.

(p) VEGETATION MANAGEMENT.—Nothing in this title prevents the Secretary from conducting vegetation management projects within the Area.

(q) **WITHDRAWAL.**—Subject to valid rights in existence on the date of enactment of this Act the Federal land within the Area is withdrawn from—

- (1) all forms of entry, appropriation, and disposal under the Federal land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(r) **FEES.**—Except for improved campgrounds, within the Area the United States Forest Service is prohibited from the collecting or requiring fees for access or use.

**DIVISION B—INNOVATIVE LAND MANAGEMENT,**  
**RECREATION AND ECONOMIC DEVELOPMENT**  
**TITLE I—SCHOOL TRUST LAND**  
**CONSOLIDATIONS**

(b) (5)

**SEC. 101. FINDINGS AND PURPOSE.**

(a) **FINDINGS.**—Congress finds that the land exchange authorized and directed by this title furthers public objectives referenced in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) including—

- (1) promoting better management of Federal conservation areas by removing inheld State trust land sections;
- (2) securing Federal ownership and protection of land with significant wildlife, recreational, scenic, cultural and other public values;
- (3) assisting the State of Utah and local governments in economic development and community expansion through the consolidation of State trust lands in manageable blocks near several Utah communities; and
- (4) advancing public education through increased opportunity for economic development of Utah school trust lands, in furtherance of the land grants made under the Utah Enabling Act, Act of July 16, 1894 (28 Stat. 107, chapter 138).

(b) **PURPOSE.**—It is the purpose of this title to authorize, direct, facilitate, and expedite the exchange of land between the State of Utah and the United States.



SEC. 102. **DEFINITIONS.**

In this title:

(1) **FEDERAL LAND.**—The term “Federal land” means the lands identified on the Map as “Federal Land”, “Federal Land—Minerals Only”, and “Federal Land—Surface Only” administered by the Bureau of Land Management located in Carbon, Duchesne, Emery, Grand, San Juan and Uintah Counties, Utah.

(2) **MAP.**—The term “Map” means the following map prepared by the Bureau of Land Management and entitled “State and Federal Land Exchange Map” dated July 12, 2016.

(3) **NON-FEDERAL LAND.**—The term “non-Federal land” means the lands identified on the Map as “State Trust Land Proposed for Transfer to United States”, “State Trust Lands—Surface Only Proposed for Transfer to United States” and “State Trust Lands—Minerals Only Proposed for Transfer to United States” located in Carbon, Duchesne, Emery, Grand, San Juan and Uintah Counties, Utah, as generally depicted on the Map.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(5) **STATE.**—The term “State” means the State of Utah, acting as trustee under the Utah State School and Institutional Trust Lands Management Act (Utah Code Ann. 53C-1-101 et seq.) through the Utah School and Institutional Trust Lands Administration.

SEC. 103. **EXCHANGE OF LAND; RESERVATION OF INTERESTS.**

(a) **IN GENERAL.**—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall, subject to the provisions of this title—

(1) accept the offer; and

(2) on receipt of the right, title, and interest of the State in and to the non-Federal land, convey to the State all right, title, and interest of the United States in and to the Federal land.

(b) **VALID EXISTING RIGHTS.**—The exchange authorized under subsection (a) shall be subject to valid existing rights.

(c) **COSTS.**—Costs of the land exchange shall be allocated in accordance with section 206(f)(2)(B) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(f)(2)(B)).

(d) **TITLE APPROVAL.**—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a form acceptable to the Secretary and the State.

(e) RESERVATION OF INTEREST IN POTASH.—

(1) With respect to Federal land that contains potash resources, the Secretary shall reserve an interest in all potash resources.

(2) The interest reserved by the United States under paragraph (1) shall consist of—

(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop potash resources;

(B) 50 percent of the amount that would have been received by the Federal Government under the royalty rate applicable on July 1, 2015, if the potash resources had been retained in Federal ownership; and

(C) 50 percent of any other payment received by the State pursuant to any lease or authorization to develop the potash resources.

(3) Upon receipt of any funds from potash leasing and development on lands in which the Secretary has reserved an interest, the State shall pay the Secretary amounts attributable to the reserved interest of the United States in accordance with paragraph (4).

(4) (A) Any amounts due under paragraph (3) shall be paid by the State to the United States not less than quarterly.

(B) The State may deduct an administrative fee of three per cent from all payments due to the United States under paragraph (2).

(5) NO OBLIGATION TO LEASE.—The State shall not be obligated to lease or otherwise develop potash resources in which the United States retains an interest under this subsection.

(f) RESERVATION OF WELLBORE INTEREST IN OIL AND GAS.—

(1) The Secretary shall reserve a wellbore interest in each oil and gas well on Federal land that has been determined by the Secretary to be capable of production in paying quantities as of the date of conveyance.

(2) The wellbore interest reserved to the United States under paragraph (1) shall consist of the amount of all royalties attributable to an oil and gas well located on Federal land as of the date of conveyance.

(3) Upon receipt of any funds attributable to the reserved wellbore interest of the United States, the State shall pay the Secretary all such amounts in accordance with paragraph (4).

(4) (A) Any amounts due under paragraph (2) shall be paid by the State to the United States not less than quarterly.

(B) The State may deduct an administrative fee of three per cent from all payments due to the United States under paragraph (2).

(5) The reserved wellbore interests of the United States in oil and gas under this section shall automatically terminate on the date that is 10 years after the enactment of this Act.

(6) The United States shall share all revenue received with respect to its reserved wellbore mineral interest in oil and gas with the State of Utah in accordance with section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

(g) APPURTENANT WATER RIGHTS.—Any conveyance of a parcel of Federal land or non-Federal land under this title shall include the conveyance of water rights appurtenant to the parcel conveyed.

(h) CONVEYANCE OF PARCELS IN STAGES.—Parcels of Federal land and non-Federal land may be exchanged in phases as mutually determined by the Secretary and the State.

**SEC. 104. WITHDRAWAL OF FEDERAL LANDS PRIOR TO EXCHANGE.**

Subject to valid existing rights, during the period beginning on the date of enactment of this Act and ending on the date on which the Federal land is conveyed, the Federal land is withdrawn from mineral location, entry or patent under the mining laws, from leasing and entry under the mineral leasing laws, and from mineral material disposal.

**SEC. 105. NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 AND FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976 COMPLIANCE.**

(a) PUBLIC INTEREST.—The land exchange authorized and directed by this title is in the public interest.

(b) SCOPING AND ANALYSIS.—Notwithstanding any other law, in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) with respect to the land exchange contemplated by this title—

(1) the Secretary is not required to identify any actions other than the proposed action and the no action alternative; and

(2) the Secretary is not required to analyze the environmental effects of alternative conveyances or actions other than the offer submitted by the State under subsection 103(a).

(c) PRESUMPTION OF PLAN ADEQUACY.—Conveyances of Federal land to the State in accordance with this title are presumed to comply with any land use plan enacted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

**SEC. 106. STATUS AND MANAGEMENT OF LAND AFTER EXCHANGE.**

(a) ADMINISTRATION OF NON-FEDERAL LAND.—In accordance with section 206(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(c)), the non-Federal land acquired by the United States under this title shall become part of, and be managed as part of, the Federal administrative unit or area in which the land is located.

(b) GRAZING PERMITS.—

(1) If land conveyed under this title is subject to a lease, permit, or contract for the grazing of domestic livestock in effect on the date of acquisition, the entity acquiring the land shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(2) To the extent allowed by Federal or State law, on expiration of any grazing lease, permit, or contract described in paragraph (1), the holder of the lease, permit, or contract shall be entitled to a preference right to renew the lease, permit, or contract.

(3) If land conveyed by the State under this title is used by a grazing permittee or lessee to meet the base property requirements for a Federal grazing permit or lease, the land shall continue to qualify as a base property for the remaining term of the lease or permit and the term of any renewal or extension of the lease or permit.

(c) HAZARDOUS MATERIALS.—

(1) The Secretary and the State shall make available for review and inspection any record relating to hazardous materials on the land to be exchanged under this title.

(2) The costs of remedial actions relating to hazardous materials on land acquired under this title shall be paid by those entities responsible for the costs under applicable law.

**SEC. 107. BOOK CLIFFS CONSERVATION AREA.**

Subject to valid existing rights, the mineral estate in the non-Federal lands acquired by the United States under this title, and the existing mineral estate in the Federal land, located in Grand County, Utah, as depicted on the Maps as “Book Cliffs Conservation Area” is withdrawn from location, entry and patent under the mining laws and the operation of the mineral leasing, mineral materials and geothermal leasing laws.

## **TITLE II—GOBLIN VALLEY STATE PARK**

### **SEC. 201. LAND CONVEYANCE.**

At the request of the State of Utah, the Secretary of the Interior shall convey, without consideration, the approximately 9,995 acres of Bureau of Land Management land identified as “Utah PLI Goblin Valley State Park Map” on the map entitled Utah PLI Goblin Valley State Park Expansion Map and dated June 24, 2016, to the Utah State Parks and Recreation Division of the Department of Natural Resources.

### **SEC. 202. COOPERATIVE MANAGEMENT OF GOBLIN VALLEY.**

(a) IN GENERAL.—At the request of the State of Utah, in accordance with this section, the Secretary of the Interior shall enter into a cooperative agreement with the State for the management of the Federal land described in subsection (b) which shall be known as the “Goblin Valley Cooperative Management Area”.

(b) DESCRIPTION OF LAND.—The area subject to the cooperative agreement is Federal land managed by the Bureau of Land Management in Emery County, Utah, comprising approximately 152,678 acres, identified as “Goblin Valley Cooperative Management Area” on the map entitled Utah PLI Goblin Valley State Park Map and dated June 24, 2016.

(c) PURPOSE.—The purpose of the Goblin Valley Cooperative Management Area is to promote outdoor recreation, such as off-highway vehicle use, mountain biking, rock climbing, and hiking.

(d) TERMS.—The cooperative agreement shall—

(1) clarify the roles, responsibilities, and limitations, of the Secretary of the Interior and the State of Utah with regard to recreation management within the Goblin Valley Cooperative Management Area;

(2) extend only to recreational activities, including off-highway vehicle and non-off-highway vehicle use, within the Goblin Valley Cooperative Management Area, and shall not affect other land management within the Goblin Valley Cooperative Management Area, or recreational activities outside the Goblin Valley Cooperative Management Area;

(3) require that recreational activities within the Goblin Valley Cooperative Management Area shall continue to be managed in accordance with—

(b) (5)

(A) the San Rafael Swell National Conservation Area and Crack Canyon Wilderness established by this title; and

(B) applicable Federal laws;

(4) require new route and trail construction for motorized and non-motorized use to further recreational opportunities and minimize resource conflict;

(5) address the establishment, distribution, and uses of, any revenues generated by recreational activities (including entrance fees) within the Goblin Valley Cooperative Management Area; and

(6) specify that the State agency administering the Goblin Valley Cooperative Management Area shall be the Utah State Parks and Recreation Division of the Department of Natural Resources.

(b) (5)

### **TITLE III—PRICE CANYON STATE FOREST**

#### **SEC. 301. DEFINITIONS.**

In this title:

(1) MAPS.—The term “Map” means the map entitled Utah PLI Price Canyon State Forest Map and dated July 1, 2016.

(2) FEDERAL LAND.—The term “Federal land” means the ~~13,321~~ acres identified as “BLM Lands Proposed for Transfer to State Sovereign Land” located in Carbon County, Utah, as generally depicted on the Map.

(3) NON-FEDERAL LAND.—The term “non-Federal land” means the 14,939 acres identified on the Map as “State Sovereign Land Proposed for Transfer to BLM” located in Grand and San Juan Counties, Utah, as generally depicted on the Map.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of Utah’s Division of Forestry, Fire, and State Lands.

(b) (5)

#### **SEC. 302. EXCHANGE OF LAND.**

(a) PURPOSE.—It is the purpose of this title to consolidate intermingled State sovereign lands in an area of Carbon County, Utah, to create the State of Utah’s first State Forest.



(b) CONVEYANCE.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall—

(1) accept the offer; and

(2) on receipt of the right, title, and interest of the State in and to the non-Federal land, convey to the State all right, title, and interest of the United States in and to the Federal land.

(c) VALID EXISTING RIGHTS.—The exchange authorized under subsection (a) shall be subject to valid existing rights.

(d) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a form acceptable to the Secretary and the State.

**SEC. 303. LIVESTOCK GRAZING.**

For lands acquired by the State under this title in which grazing is established before the date of enactment of this Act, the grazing of livestock shall continue at levels existing as of January 1, 2016.

**TITLE IV—DEER LODGE LAND EXCHANGE**

**SEC. 401. DEFINITIONS.**

In this title:

(1) ASSOCIATION.—The term “Association” means the Deer Lodge Homeowners Association.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 157 acres of National Forest System land in Daggett County, Utah, identified as “Deer Lodge Cabin Site” on the map.

(3) MAP.—The term “map” means the map entitled “Utah PLI Deer Lodge Land Exchange Map” and dated June 24, 2016.

(4) NON-FEDERAL LAND.—The term “non-Federal land” means the parcel of approximately 77 acres of private land located in Uintah County, Utah, and identified as “Land to Be Acquired by USFS” on the map.





(5) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

**SEC. 402. LAND EXCHANGE.**

(a) CONVEYANCE OF LAND.—No later than two years after enactment of this title, if the Association offers to convey to the United States all right, title, and interest of the Association in and to the non-Federal land, the Secretary shall convey to the Association, without consideration, all right, title, and interest of the United States in and to the Federal land, subject to valid existing rights.

(b) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this title, the Secretary shall carry out the land exchange under this title in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(c) TITLE.—As a condition of the land exchange under this title, title to the non-Federal land to be acquired by the Secretary shall be acceptable to the Secretary.

(d) CONDITION.—As a condition of the land exchange under this title, the Association shall agree to retain as undeveloped open space the approximately 40 acres of meadow area identified as “Open Space” as generally depicted on the map.

**TITLE V—SCOFIELD LAND TRANSFER**

**SEC. 501. SHORT TITLE.**

This title may be cited as the “Scofield Land Transfer Act”.

**SEC. 502. DEFINITIONS.**

In this title:

(1) CARBON COUNTY.—The term “Carbon County” means Carbon County, Utah, within which the Scofield Reservoir property is located.

(2) CLAIMANT.—The term “claimant” means any person or entity ~~(or a successor in interest to a person or entity)~~ that, according to the records in the office of the Recorder for Carbon County, as of the date of enactment of this Act, claims title to, or an interest in, the Federal land.

(3) FEDERAL LAND.—

(b) (5)



(A) IN GENERAL.—The term “Federal land” means the land acquired by Price River Water Conservation District and transferred to the United States for use in the construction and operation of the Scofield Dam and Reservoir located between the normal water surface elevation and the property boundary elevation in the Scofield Reservoir basin.

(B) EXCLUSIONS.—The term “Federal land” does not include—

(i) any mineral or subsurface rights to the land described in subparagraph (A); or

(ii) the 205 acres of land adjoining the Scofield Reservoir, as adjudicated in the case styled *United States v. Dunn* (557 F.3d 1165 (10th Cir. 2009)).

(4) FLOOD SURCHARGE ELEVATION.—The term “flood surcharge elevation” means the elevation of 7640.3 in the North American Vertical Datum of 1988, which corresponds to the elevation of the crest of Scofield Dam.

(5) FUND.—The term “Fund” means the Scofield Reservoir Fund established by section 503(d)(9)(A).

(6) LIFE ESTATE.—The term “life estate” means—

(A) if the claimant is a person, an interest of the claimant in the Federal land that will revert to the United States on the date of the death of the claimant; and

(B) if the claimant is an entity, an interest in the Federal land of a person designated by the claimant that will revert to the United States on the date of the death of the designated person.

(7) NORMAL WATER SURFACE ELEVATION.—The term “normal water surface elevation” means the contour elevation of 7621.8 in the North American Vertical Datum of 1988, which corresponds to the elevation of the crest of the spillway of Scofield Dam.

(8) PROPERTY BOUNDARY ELEVATION.—The term “property boundary elevation” means the contour elevation 7630, as surveyed by McGonagle and Ulrich, Land Surveyors, in 1926, which was transmuted to the current elevation of 7638.9 in the North American Vertical Datum of 1988 and which corresponds to 1.4 vertical feet below the crest of Scofield Dam.

(9) ROADS.—The term “Roads” means the streets, improved and unimproved, as in existence on the date of enactment of this Act, that—

(A) are located on the Federal land;

(B) are intended for public access via motorized vehicle to the Federal land claims of the claimants; and

(C) extend to the shoreline of Scofield Reservoir.

(10) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(11) STRUCTURE.—

(A) IN GENERAL.—The term “structure” means any improvement located on the property of a claimant, as in existence on the date of enactment of this Act, including—

(i) a residence;

(ii) a shed;

(iii) a workshop;

(iv) a garage;

(v) a carport;

(vi) a deck;

(vii) a boathouse; or

(viii) an incidental building.

(B) INCLUSION.—The term “structure” includes any infrastructure associated with a residence that is not owned by a public or private utility, including water, power, sewer, and improvements to Roads.

**SEC. 503. CONVEYANCE OF SCOFIELD PROJECT LAND.**

(a) SURVEY.—

(1) IN GENERAL.—To facilitate the conveyance of the Federal land under this title, it shall be the responsibility of Carbon County—

(A) to enter into an agreement with the Secretary to pay the costs associated with a full physical and title survey of the Federal land in order to delineate the boundaries associated with the Federal land, Federal easements, or other Federal interests in land; and

(B) subject to paragraph (2), to initiate and complete a full physical survey of the Roads and the parcels located within the Federal land that are eligible to be conveyed to the claimants, and, in any case in which a land description or record of ownership in any record of Carbon County conflicts with a claim of a claimant with regard to an existing physical feature or facility, propose boundaries and land descriptions to resolve the dispute.

(2) UNRESOLVED DISPUTES.—

(A) IN GENERAL.—If a claim to a parcel or portion of a parcel of Federal land cannot be resolved in accordance with the applicable land description in the records of Carbon County by the applicable deadline for an election under subsection (d)(6), the claimant shall stipulate to, accept, and submit to the Secretary the land description developed by Carbon County to resolve the dispute in order to meet the election requirement of subsection (d)(6) by not later than 180 days after that deadline.

(B) FAILURE TO STIPULATE AND ACCEPT.—If a claimant fails to stipulate to and accept the land description of Carbon County by the date described in subparagraph (A), the authority to convey the affected parcel or portion of a parcel of Federal land pursuant to this section shall be terminated with respect to the disputed claim.

(b) APPRAISAL.—

(1) IN GENERAL.—As a condition of the conveyance under this section, Carbon County shall enter into an agreement with the Secretary to pay the costs associated with an appraisal of the fair market value of each property interest requested by a claimant relating to the conveyance by the Secretary under this title.

(2) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of a property interest under paragraph (1) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practices.

(c) NOTIFICATION.—It shall be the responsibility of Carbon County to notify each claimant of any trespass or encroachment by the applicable claimant on the Federal land, including the existence of any trespassing or encroaching structure of the claimant.

(d) AUTHORIZATION TO CONVEY FEDERAL LAND.—

(1) IN GENERAL.—To resolve the issues of trespass and encroachment on the Federal land by the claimants, the Secretary may, in accordance with paragraphs (5) and (6)—

(A) on an election by a claimant—

(i) subject to paragraph (2), convey to the claimant fee interest in the claimed portion of the Federal land that is located above the normal water surface elevation, as determined by the results of the survey required under subsection (a), subject to all valid rights-of-way, licenses, and easements in existence on the date of enactment of this Act; or

(ii) subject to paragraph (3), grant to the claimant a life estate permitting the continued occupation of the claimed portion of the Federal land above the normal water surface elevation, as determined by the results of the survey required under subsection (a), subject to all valid rights-of-way, licenses, and easements in existence on the date of enactment of this Act; or

(B) subject to paragraph (4), on an election by Carbon County, convey to Carbon County fee interest in the Roads, as determined by the survey required under subsection (a), subject to all valid rights-of-way, licenses, and easements in existence on the date of enactment of this Act.

(2) CONVEYANCE REQUIREMENTS.—A conveyance under paragraph (1)(A)(i) shall be subject to—

(A) the claimant paying to the Secretary the fair market value of the fee interest in the claimed portion of the Federal land, as determined by the Secretary under subsection (b), exclusive of the value of any structures;

(B) provisions under which the claimant shall agree to indemnify and hold harmless the United States for all claims by the claimant or others arising from—

(i) the design, construction, operation, maintenance, or replacement of the Scofield Dam and Reservoir;

(ii) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with the conveyance; and

(iii) any damages associated with any structure or chattel of the claimant that may be displaced in a flood event;

(C) the United States retaining a flood easement as well as an access easement for purposes of monitoring and enforcing the requirements of subparagraph (D) with respect to the entire portion of Federal land conveyed; and

(D) deed restrictions requiring that—

(i) to prevent any structure on the portion of the Federal land conveyed from being displaced during a flood event, the claimant shall—

(I) secure or tie down all existing structures; and

(II) if replacing or rebuilding such a structure, limit the replacement or rebuilding to the number and type of structures in existence on the date of enactment of this Act; and

(ii) all activities carried out by the claimant under clause (i) with respect to a structure be carried out in accordance with applicable standards for structures that may be submerged, flooded, or inundated, as contained in—

(I) the International Building Code (as adopted by Utah Administrative Code R156–56); or

(II) any other building code or engineering standard that is—

(aa) similar to the International Building Code;

(bb) widely used; and

(cc) nationally recognized.

(3) LIFE ESTATE REQUIREMENTS.—A life estate granted under paragraph (1)(A)(ii) shall be subject to—

(A) the claimant paying to the Secretary the fair market value of the life estate on the claimed portion of the Federal land, as determined by the Secretary under subsection (b), but excluding the value of any structures;

(B) provisions under which the claimant agrees to indemnify and hold harmless the United States for all claims by the claimant or others arising from—

(i) the design, construction, operation, maintenance, or replacement of the Scofield Dam and Reservoir;

(ii) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with the conveyance; and

(iii) any damages associated with any structure or chattel of the claimant that may be displaced in a flood event; and

(C) restrictions equivalent to the deed restrictions described in clauses (i) and (ii) of paragraph (2)(D), as applicable.

(4) CONVEYANCE OF ROADS REQUIREMENTS.—A conveyance under paragraph (1)(B) shall be subject to—

(A) Carbon County paying to the Secretary a sum determined to be acceptable by the Secretary;

(B) provisions under which Carbon County shall agree to indemnify and hold harmless the United States for all claims by Carbon County or others arising from—

(i) the design, construction, operation, maintenance, or replacement of the Scofield Dam and Reservoir;

(ii) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with the conveyance; and

(iii) any damages associated with structures or chattel of Carbon County that may be displaced in a flood event;

(C) the United States retaining a flood easement as well as an access easement for purposes of monitoring and enforcing the requirements of subparagraph (D) with respect to the entire portion of the Roads conveyed; and

(D) restrictions equivalent to the deed restrictions described in clauses (i) and (ii) of paragraph (2)(D), as applicable.

(5) COMPLIANCE WITH ENVIRONMENTAL LAWS.—



(A) IN GENERAL.—Before conveying the Federal land under paragraph (1)(A)(i) or the Roads under paragraph (1)(B) or granting a life estate under paragraph (1)(A)(ii), the Secretary shall comply with all applicable requirements under—

- (i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
- (ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and
- (iii) any other applicable law.

(B) EFFECT.—Nothing in this title modifies or alters any obligations under—

- (i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
- or
- (ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(C) COSTS.—Before the initiation of any conveyance under this title, Carbon County shall pay to the Secretary an amount equal to the costs associated with achieving environmental compliance under this paragraph.

(6) DEADLINE FOR ELECTION.—

(A) CLAIMANTS.—Not later than 5 years after the date of enactment of this Act, each claimant shall notify the Secretary in writing whether the claimant elects to receive—

- (i) a fee interest in the claimed portion of the Federal land, in accordance with paragraph (1)(A)(i); or
- (ii) a life estate in the claimed portion of the Federal land, in accordance with paragraph (1)(A)(ii).

(B) CARBON COUNTY.—Not later than 3 years after the date of enactment of this Act, Carbon County shall notify the Secretary in writing whether Carbon County elects to receive a fee interest in the Roads, in accordance with paragraph (1)(B).

(7) FAILURE TO NOTIFY SECRETARY OR COMPLETE TRANSFER.—

(A) NOTICE OF ELECTION.—If a claimant fails to submit to the Secretary a notice of an election in accordance with paragraph (6)(A), any future claim by the claimant with respect to the Federal land shall be terminated.

(B) TRANSFER.—

(i) CLAIMANTS.—If, due to a failure by the claimant to act in furtherance of the transfer of fee interest or life estate under this section, no transfer of the claimed Federal Land has been recorded with the Recorder of Carbon County by the date that is 7 years after the date of enactment of this Act, any claim by the claimant with respect to the Federal land shall be terminated.

(ii) CARBON COUNTY.—If, due to a failure by Carbon County to act in furtherance of the transfer of fee interest, no transfer of the Roads has been recorded with the Recorder of Carbon County by the date that is 5 years after the date of enactment of this Act, the authority of the Secretary to convey the interest in the Roads shall be terminated.

(C) QUIET TITLE.—On extinguishment of a claim under subparagraph (A) or (B), the Secretary shall take such action as is necessary to quiet title to the applicable portion of the Federal land, including removal of persons, entities, structures, and materials encumbering the applicable portion of the Federal land.

(8) PAYMENTS IN LIEU OF TAXES.—Any Federal land transferred to a claimant in fee under paragraph (1)(A)(i) or to Carbon County under paragraph (1)(B) shall not be included or taken into consideration in the allocation of any payment in lieu of taxes under chapter 69 of title 31, United States Code.

(9) TRUST FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “Scofield Reservoir Fund”, to be administered by the Secretary and made available, without fiscal year limitation, for—

(i) the costs associated with administering the conveyance requirements as set forth in subsection (d);

(ii) monitoring and enforcing the requirements of paragraphs (2)(C) and (4)(C) regarding maintaining access to, and eliminating encroachment and private exclusive use of, the Federal land surrounding the Scofield Reservoir; and

(iii) providing enhanced public recreational opportunities at Scofield Reservoir, to the extent additional funds are available following the completion of clause (i).

(B) TRANSFERS TO FUND.—There shall be deposited in the Fund any amounts received as consideration for—

- (i) a conveyance under subparagraph (A)(i) or (B) of paragraph (1); or
- (ii) the granting of a life estate under paragraph (1)(A)(ii).

## TITLE VI—LAND CONVEYANCES

### SEC. 601. LAND CONVEYANCES.

(a) IN GENERAL.—As outlined in the paragraphs below, if requested by the specified entity, the Secretary of the Interior or the Secretary of Agriculture, as appropriate, shall convey the following Federal land to that entity without consideration:

(1) AUTHORIZATION OF CONVEYANCE.—Subject to valid existing rights and notwithstanding the land use planning requirements of section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), not later than 180 days1 year after the date on which the Secretary of the Interior or the Secretary of Agriculture receives a request from the respective entity specified in subsection (b) for the conveyance of the respective Federal land specified in subsection (b), the Secretary concerned shall convey to the respective specified entity, without consideration, all right, title, and interest of the United States in and to the respective specified Federal land.

#### (b) FEDERAL LAND CONVEYANCES.—

(1) CANYONLANDS FIELDS AIRPORT.—The approximately 561 acres of land depicted as “Canyonlands Fields Airport”, on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, to Grand County, Utah, for use as an airport.

(2) MOAB TAILINGS PROJECT.—Upon completion of the Moab Uranium Mill Tailings Remedial Action Project, the approximately 474 acres of land depicted as “UMTRA Conveyance”, on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, shall be conveyed to Grand County, Utah.

(3) HUNTINGTON AIRPORT EXPANSION.—The approximately 1,398 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Huntington Airport”, to Emery County, Utah, for expansion of the Huntington Municipal Airport.

(4) EMERY COUNTY RECREATION AREA.—The approximately 479 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Emery County Recreation Area”, to Emery County, Utah, for public recreational purposes.

(5) EMERY COUNTY SHERIFFS SUBSTATION.—The approximately 644 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30,

(b) (5)

2016, as “Emery County Sheriff’s Substation”, to Emery County, Utah, for a substation for the Emery County Sheriff’s Office.

(6) BLANDING OUTDOOR RECREATION AREA.—The approximately 5,197 acres of land depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Blanding Outdoor Recreation Area”, to Blanding City, Utah, for use as an outdoor recreation area.

(7) CAL BLACK AIRPORT.—The approximately 1,917 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Cal Black Airport”, to San Juan County, Utah, for a municipal airport.

(8) BLUFF AIRPORT.—The approximately 403 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Bluff Airport”, to San Juan County, Utah, for a municipal airport.

(9) MONTICELLO WATER STORAGE AND TREATMENT PLANT.—The approximately 165 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Monticello Water Storage and Treatment Plant”, to Monticello City, Utah, for a water storage and treatment plant.

(10) BLANDING SHOOTING RANGE.—The approximately 21 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Blanding Shooting Range”, to San Juan County, Utah, for a public shooting range.

(11) PARK CITY CONVEYANCE I.—The approximately 2.5 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Park City Conveyance I”, to Park City, Utah, for public recreation and open space.

(12) PARK CITY CONVEYANCE II.—The approximately 1 acre generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Park City Conveyance II”, to Park City, Utah, for public recreation and open space.

(13) LISBON VALLEY.—The approximately 398 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Lisbon Valley”, to Utah State University for education and research.

(14) WELLINGTON.—The approximately 645 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as “Wellington”, to Utah State University for education and research.

(15) RANGE CREEK RESEARCH STATION EXPANSION.—The approximately 1,663 acres depicted on the map entitled Utah PLI Land Conveyances Map and dated June

30, 2016, as "Range Creek Research Station Expansion", to the University of Utah for education and research.

(16) ASHLEY SPRING.—The approximately 1,103 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as "Ashley Spring", to Uintah County, Utah, for use as open space and for watershed protection and drinking water development.

(17) SEEP RIDGE UTILITY CORRIDOR.—The approximately 2,633 acres in Uintah County generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as "Seep Ridge Utility Corridor", to the State of Utah, for use as rights-of-way for public utilities.

(18) BLUFF RIVER RECREATION AREA.—The approximately 177 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as "Bluff River Recreation Area", to Bluff Service Area, for use as recreation and municipal facilities.

(19) EMERY INFORMATION CENTER.—The approximately 80 acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as "Emery County Information Center", to Emery County, Utah, for an information and visitor center to promote public lands.

(20) SUMMIT COUNTY CONVEYANCE.—The approximately \_\_ acres generally depicted on the map entitled Utah PLI Land Conveyances Map and dated June 30, 2016, as "Summit Conveyance", to Summit County, Utah, for public recreation and open space.

~~(b) MAP AND LEGAL DESCRIPTIONS.—Not later than two years after the date of enactment of this Act, the relevant Secretary shall file a map and legal description of each of the land conveyances authorized in subsection (a) with the Committee on Natural Resources.~~

~~(c) COSTS.—Any costs relating to the conveyances authorized under subsection (a), including any costs for surveys, environmental clearances, and other administrative costs, shall be paid by the respective entities specified in subsection (b).~~

~~(d) USE OF FEDERAL LAND.—~~

~~(1) IN GENERAL.—The Federal land conveyed under subsection (a) —~~

~~(A) shall be used for the respective purposes specified in subsection (b) or any other public purpose consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.); and~~

(b) (5)



(B) shall not be disposed of by the respective entities specified in subsection (b).

(2) REVERSION.—If the Federal land conveyed under subsection (a) is used in a manner inconsistent with paragraph (1), the Federal land shall, at the discretion of the Secretary concerned, revert to the United States.

**TITLE VII—LAND DISPOSALS**

**SEC. 701. LAND DISPOSALS.**

(a) Subject to valid existing rights, the Secretary of the Interior shall within two years dispose of Federal lands identified as “Lands for Disposal” on the map entitled “Utah PLI Land Disposal Map” dated June 25, 2016.

**TITLE VIII—HOLE-IN-THE-ROCK TRAIL RECREATION ZONES**

**SEC. 801. ESTABLISHMENT.**

(a) ESTABLISHMENT.—Subject to valid existing rights, to enhance existing and future recreational opportunities in Grand County, Uintah County, and San Juan County, Utah, the following areas are hereby established as Recreation Zones:

(1) GOLDBAR RECREATION ZONE.—Certain Federal land, comprising approximately 23,051 acres administered by the Bureau of Land Management in Grand County, as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Goldbar Recreation Zone”.

(2) MONITOR AND MERRIMAC RECREATION ZONE.—Certain Federal land, comprising approximately 17,371 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Monitor and Merrimac Recreation Zone”.

(3) KLONDIKE RECREATION ZONE.—Certain Federal land, comprising approximately 24,968 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Klondike Recreation Zone”.

(4) BIG FLAT RECREATION ZONE.—Certain Federal land, comprising approximately 25,311 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Big Flat Recreation Zone”.

(5) MINERAL CANYON RECREATION ZONE.—Certain Federal land, comprising approximately 20,423 acres administered by the Bureau of Land Management in Grand

(b) (5)

County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Mineral Canyon Recreation Zone”.

(6) DEE PASS AND UTAH RIMS RECREATION ZONE.—Certain Federal land, comprising approximately 210,587 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Dee Pass and Utah Rims Recreation Zone”.

(7) YELLOW CIRCLE RECREATION ZONE.—Certain Federal land, comprising approximately 7,436 acres administered by the Bureau of Land Management in San Juan County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Yellow Circle Recreation Zone”.

(8) CAMEO CLIFFS RECREATION ZONE.—Certain Federal land, comprising approximately 47,130 acres administered by the Bureau of Land Management in San Juan County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Cameo Cliffs Recreation Zone”.

(9) JENSEN HILLS RECREATION ZONE.—Certain Federal land, comprising approximately 4,849 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map and dated June 30, 2016, to be known as the “Jensen Hills Recreation Zone”.

(10) RED MOUNTAIN RECREATION ZONE.—Certain Federal land, comprising approximately 10,298 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Red Mountain Recreation Zone”.

(11) DEVILS HOLE RECREATION ZONE.—Certain Federal land, comprising approximately 550 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Devils Hole Recreation Zone”.

(12) BOURDETTE DRAW RECREATION ZONE.—Certain Federal land, comprising approximately 20,560 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Bourdette Draw Recreation Zone”.

(13) RED WASH RECREATION ZONE.—Certain Federal land, comprising approximately 1,916 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the “Red Wash Recreation Zone”.



**SEC. 802. MAP AND LEGAL DESCRIPTION.**

(a) **IN GENERAL.**— Not later than two years from the date of enactment of this Act, the Secretary of the Interior (hereinafter in this title referred to as the “Secretary”) shall file a map and legal description of each of the Recreation Zones established by section 801 with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(b) **FORCE AND EFFECT.**— The maps and legal descriptions submitted under this section shall have the same force and effect as if included in this title, except that the Secretary may make any minor modifications of any clerical or typographical errors in the map or legal description and provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected counties.

(c) **PUBLIC AVAILABILITY.**— A copy of the maps and legal descriptions shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

**SEC. 803. GOLDBAR RECREATION ZONE MANAGEMENT.**

(a) **PURPOSES.**— The purposes of the Goldbar Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, and hiking), provide for the construction of new non-off-highway vehicle trails, prevent future energy and mineral development, and conserve indigenous plants and animals.

(b) **ADMINISTRATION.**—

(1) **IN GENERAL.**— The Secretary shall administer the Goldbar Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) **USES.**— Uses and management of the Goldbar Recreation Zone shall—

(A) require coordination and consultation with State and local governments;

(B) provide for recreational opportunities including camping, biking, hiking, and off-highway vehicle use (including motorecycling, all-terrain vehicle riding, and four-wheeling);

(C) prohibit future mineral development;

(D) provide for new route and trail construction for non-off-highway vehicle use; and

(E) conserve indigenous plant and animal species.

(3) ~~MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.~~—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new non-off-highway vehicle trails.

(4) ~~WITHDRAWALS.~~—Subject to valid existing rights, all public land within the Goldbar Recreation Zone, including any land or interest in land that is acquired by the United States within the Goldbar Recreation Zone after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**SEC. 804. ~~MONITOR AND MERRIMAC RECREATION ZONE MANAGEMENT.~~**

(a) ~~PURPOSES.~~—The purposes of the Monitor and Merrimac Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, rock climbing, and hiking), provide for the construction of new off-highway vehicle and non-off-highway vehicle trails and routes, and to prevent future mineral development.

(b) ~~ADMINISTRATION.~~—The Secretary shall administer the Monitor and Merrimac Recreation Zone in accordance with—

(1) this title;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable laws.

(c) USES.—Uses and management of the Monitor and Merrimac Recreation Zone shall—

(1) coordinate and consult with State and local government;

(2) provide for recreational opportunities including, biking, hiking, rock climbing and off highway vehicle use (including motorecycling, all terrain vehicle riding, and four-wheeling);

(3) prohibit future mineral and energy leasing; and

(4) provide for new route and trail construction for off-highway vehicle and non-off-highway vehicle use.

(d) MANAGEMENT OF OFF-HIGHWAY VEHICLE AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated off-highway vehicle routes in a manner that—

(1) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(2) allows for adjustment to the travel management plan within the regular amendment process; and

(3) allows for the construction of new off-highway and non-off-highway vehicle trails.

(e) WITHDRAWALS.—Subject to valid existing rights, all public land within the Monitor and Merrimac Recreation Zone, including any land or interest in land that is acquired by the United States within the Monitor and Merrimac Recreation Zone after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**SEC. 805. KLONDIKE RECREATION ZONE MANAGEMENT.**

(a) PURPOSES.—The purposes of the Klondike Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, rock climbing, and hiking), provide for the construction of new non-off-highway vehicle trails, and to prevent future mineral development.

(b) ADMINISTRATION.—The Secretary shall administer the Klondike Recreation Zone in accordance with—

(1) this title;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable laws.

(c) USES.—Uses and management of the Klondike Recreation Zone shall—

(1) coordinate and consult with State and local government;

(2) provide for recreational opportunities including biking, hiking, rock climbing, and off-highway vehicle use (including motorecycling, all-terrain vehicle riding and four-wheeling);

(3) prohibit future mineral and energy leasing;

(4) provide for new route and trail construction for off-highway and non-off-highway vehicle use; and

(5) provide managerial flexibility to route off-highway vehicle trails in a way that minimizes conflict with non-off-highway vehicle trails.

(d) MANAGEMENT OF OFF-HIGHWAY VEHICLE AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway vehicles and motorized vehicles in a manner that—

(1) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(2) allows for adjustment to the travel management plan within the regular amendment process; and

(3) allows for the construction of new non-off-highway vehicle trails.

(e) WITHDRAWALS.—Subject to valid existing rights, all public land within the Klondike Recreation Zone, including any land or interest in land that is acquired by the United States within the Klondike Recreation Zone after the date of enactment of this Act, is withdrawn from—

- (1) entry, appropriation or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**SEC. 806. BIG FLAT RECREATION ZONE MANAGEMENT.**

(a) **PURPOSES.**—The purposes of the Big Flat Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, rock climbing and hiking); provide for new off-highway vehicle route construction and promote mineral development.

(b) **ADMINISTRATION.**—The Secretary shall administer the Big Flat Recreation Zone in accordance with—

- (1) this title;
- (2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (3) other applicable laws.

(c) **USES.**—Uses and management of the Big Flat Recreation Zone shall—

- (1) coordinate and consult with State and local government;
- (2) provide for recreational opportunities including rock climbing, biking, hiking, off-highway vehicle use (including motorcycle, all-terrain vehicle riding, and four-wheeling);
- (3) provide for future mineral leasing with no surface occupancy stipulations;
- (4) allow the continuation of existing mineral leasing; and
- (5) provide for new route and trail construction for off-highway vehicle and non-off-highway vehicle use.

(d) **MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.**—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

- (1) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(2) allows for adjustment to the travel management plan within the regular amendment process; and

(3) allows for the construction of new non-off-highway vehicle trails.

**SEC. 807. MINERAL CANYON RECREATION ZONE MANAGEMENT.**

~~(a) PURPOSES.—The purposes of the Mineral Canyon Recreation Zone are to promote non-motorized outdoor recreation (including mountain biking, rock climbing, and hiking), provide for new non-motorized route construction, prevent future mineral development, maintain boating access, maintain airstrip access, and maintain access and use of country borrow areas for unprocessed gravel.~~

~~(b) ADMINISTRATION.—~~

~~(1) IN GENERAL.—The Secretary shall administer the Mineral Canyon Recreation Zone in accordance with—~~

~~(A) this title;~~

~~(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and~~

~~(C) other applicable laws.~~

~~(2) USES.—Uses and management of the Mineral Canyon Recreation Zone shall—~~

~~(A) coordinate and consult with State and local government;~~

~~(B) provide for non-motorized recreational opportunities including biking and hiking;~~

~~(C) prevent future mineral leasing or claims;~~

~~(D) provide for new route and trail construction for non-motorized vehicle use;~~

~~(E) maintain access for boating;~~

~~(F) maintain access for aircraft to the existing airstrip; and~~

~~(G) maintain access to and use of the county borrow areas for unprocessed gravel.~~

~~(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—~~The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

~~(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;~~

~~(B) allows for adjustment to the travel management plan within the regular amendment process; and~~

~~(C) allows for the construction of new non-off-highway vehicle trails.~~

~~(4) WITHDRAWALS.—~~Subject to valid existing rights, all public land within the Mineral Canyon Recreation Zone, including any land or interest in land that is acquired by the United States within the Mineral Canyon Recreation Zone after the date of enactment of this Act, is withdrawn from—

~~(A) entry, appropriation or disposal under the public land laws;~~

~~(B) location, entry, and patent under the mining laws; and~~

~~(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.~~

**SEC. 808. ~~DEE PASS AND UTAH RIMS RECREATION ZONE MANAGEMENT.~~**

~~(a) PURPOSES.—~~The purposes of the Dee Pass and Utah Rims Recreation Zone are to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and allow mineral development.

~~(b) ADMINISTRATION.—~~

~~(1) IN GENERAL.—~~The Secretary shall administer the Dee Pass and Utah Rims Recreation Zone in accordance with—

~~(A) this title;~~

~~(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and~~

~~(C) other applicable laws.~~



~~(2) USES.—Uses and management of the Dee Pass and Utah Rims Recreation Zone shall—~~

~~(A) coordinate and consult with State and local government;~~

~~(B) provide for recreational opportunities including rock climbing, biking, hiking, and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);~~

~~(C) provide future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation; and~~

~~(D) provide for new route and trail construction for motorized and non-motorized use.~~

~~(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—~~

~~(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;~~

~~(B) allows for adjustment to the travel management plan within the regular amendment process; and~~

~~(C) allows for the construction of new off-highway and non-off-highway vehicle trails.~~

~~(4) WHITE WASH CROSS COUNTRY TRAVEL AREA.—The approximately \_\_\_\_\_ acres identified as the “White Wash Cross Country Travel Area”, located within the Dee Pass Recreation Zone, on the map entitled “Utah PLI Recreation Zones Map” and dated June 30, 2016, is open to cross-country off-highway vehicle travel.~~

**SEC. 809. YELLOW CIRCLE AND CAMEO CLIFFS RECREATION ZONE MANAGEMENT.**

(a) PURPOSES.—The purposes of the Yellow Circle Recreation Zone and Cameo Cliffs Recreation Zone are to promote off-highway vehicle use, provide for the construction of new off-highway vehicle and non-motorized trails, and allow energy and mineral leasing and development.

(b) ADMINISTRATION.—

~~(1) IN GENERAL.—The Secretary shall administer the Yellow Circle Recreation Zone and Cameo Cliffs Recreation Zone in accordance with—~~

~~(A) this title;~~

~~(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);~~

~~(C) other applicable laws; and~~

~~(D) San Juan County Public Entry and Access Rights.~~

~~(2) USES.—Uses and management of the Yellow Circle Recreation Zone and Cameo Cliffs Recreation Zone shall—~~

~~(A) coordinate and consult with State and local government;~~

~~(B) provide for recreational opportunities including rock climbing, biking, hiking, and off-highway vehicle use (including motoreycling, all-terrain vehicle riding, four-wheeling);~~

~~(C) provide future mineral and energy leasing and development in a manner that considers impacts to outdoor recreation; and~~

~~(D) provide for new route and trail construction for off-highway vehicle and non-motorized use.~~

~~(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated off-highway and motorized vehicle routes in a manner that—~~

~~(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;~~

~~(B) allows for adjustment to the travel management plan within the regular amendment process; and~~

~~(C) allows for the construction of new non-off-highway vehicle trails.~~

~~SEC. 810. JENSEN HILLS RECREATION ZONE ADDITIONAL PROVISIONS.~~

(a) ~~PURPOSES.~~—The purposes of the Jensen Hills Recreation Zone is to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) ~~ADMINISTRATION.~~—

(1) ~~IN GENERAL.~~—The Secretary shall administer the Jensen Hills Recreation Zone in accordance with—

(A) ~~this title;~~

(B) ~~the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and~~

(C) ~~other applicable laws;~~

(2) ~~USES.~~—Uses and management of the Jensen Hills Recreation Zone shall—

(A) ~~coordinate and consult with State and local government;~~

(B) ~~provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);~~

(C) ~~allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation;~~

(D) ~~provide for new route and trail construction for off-highway vehicle and non-motorized use to further recreational opportunities; and~~

(E) ~~allow cross-country off-highway vehicle travel where authorized under the applicable travel management plan.~~

(3) ~~MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.~~—The Secretary shall manage existing designated routes in a manner that—

(A) ~~is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;~~

(B) ~~allows for adjustment to the travel management plan within the regular amendment process;~~

(C) allows for the construction of new non-off-highway vehicle trails; and

(D) allows for continued cross-country off-highway vehicle travel where authorized under the travel management plan.

**SEC. 811. RED MOUNTAIN RECREATION ZONE MANAGEMENT.**

(a) ~~PURPOSES.~~—The purposes of the Red Mountain Recreation Zone is to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) ~~ADMINISTRATION.~~—

(1) ~~IN GENERAL.~~—The Secretary shall administer the Red Mountain Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) ~~USES.~~—Uses and management of the Red Mountain Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycle, all-terrain vehicle riding, and four-wheeling);

(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation and sensitive plant and animal species; and

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use.

(3) ~~MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.~~—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new off-highway vehicle and non-motorized routes and trails.

**SEC. 812. DEVILS HOLE RECREATION ZONE MANAGEMENT.**

(a) **PURPOSES.**—The purposes of the Devils Hole Recreation Zone is to promote off-highway vehicle recreation, the construction of new off-highway vehicle trails and non-motorized trails and routes, and to promote energy and mineral leasing and development.

(b) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall administer the Devils Hole Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) **USES.**—Uses and management of the Devils Hole Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allows future mineral and energy leasing and development in a manner that considers impacts to outdoor recreation;

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use; and

(E) allows cross country off highway vehicle travel where authorized by the applicable travel management plan.

(3) **MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.**—The Secretary of the Interior shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process;

(C) allows for the construction of new off-highway vehicle and non-motorized trails; and

(D) allows for continued cross-country off-highway vehicle travel authorized under the applicable travel management plan.

**SEC. 813. BOURDETTE DRAW RECREATION ZONE ADDITIONAL PROVISIONS.**

(a) **PURPOSES.**— The purposes of the Bourdette Draw Recreation Zone is to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) **ADMINISTRATION.**—

(1) **IN GENERAL.**— The Secretary of the Interior shall administer the Bourdette Draw Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) **USES.**— Uses and management of the Bourdette Draw Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation and sensitive plant and animal species;

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use; and

(E) allow cross country off-highway vehicle travel authorized under the applicable travel management plan.

(3) **MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.**— The Secretary of the Interior shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process;

(C) allows for the construction of new non-off-highway vehicle trails; and

(D) allows for continued cross-country off-highway vehicle travel where authorized under the applicable travel management plan.

**SEC. 814. RED WASH RECREATION ZONE ADDITIONAL PROVISIONS.**

(a) **PURPOSES.**— The purposes of the Red Wash Recreation Zone is to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) **ADMINISTRATION.**—

(1) **IN GENERAL.**— The Secretary of the Interior shall administer the Red Wash Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) **USES.**— Uses and management of the Red Wash Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four wheeling);



~~(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation;~~

~~(D) provide for new route and trail construction for off-highway vehicle and non-motorized use; and~~

~~(E) allow cross country off-highway vehicle travel authorized under the applicable travel management plan.~~

~~(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary of the Interior shall manage existing designated routes in a manner that—~~

~~(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;~~

~~(B) allows for adjustment to the travel management plan within the regular amendment process;~~

~~(C) allows for the construction of new non-off-highway vehicle trails; and~~

~~(D) allows for continued cross country off-highway vehicle travel where authorized under the applicable travel management plan.~~

SEC. 845801. **HOLE-IN-THE-ROCK TRAIL.**

(a) **ESTABLISHMENT OF TRAIL.**—Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

“(31) **HOLE-IN-THE-ROCK TRAIL.**—

“(A) **IN GENERAL.**—The corridor known as the ‘Hole-in-the-Rock Trail’ as generally depicted on the map titled ‘Utah PLI National Conservation Area Map’ dated June 30, 2016.



“(B) **PURPOSES AND USE.**—

“(i) The purposes of the National Hole-in-the-Rock Trail is to promote cultural, recreational, and historic values and promote motorized and non-motorized recreation.

“(ii) The Hole-in-the-Rock Foundation shall be a cooperating agency regarding trail management.

“(iii) The issuance of regulations regarding group size and fee areas shall be done in accordance with the cooperating agencies.

~~“(iv) The use of motorized vehicles is not authorized for any portions of the National Hole-in-the-Rock Trail within wilderness designated by Title I of Division A of this Act or other law.~~

(b) (5)

~~“(C) MANAGEMENT PLAN.—~~

~~“(i) PLAN REQUIRED.— Not later than 2 years after the date of enactment of this Act, the Secretary of the Interior shall develop a management plan for the long-term management of the historic trail.~~

~~“(ii) RECOMMENDATIONS AND CONSULTATION.—The Secretary of the Interior shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the Secretary of the Interior does not incorporate recommendations submitted by the State, local, and tribal governments into the management plans, the Secretary of the Interior shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the State local governments and tribes.”~~

**SEC. 816. RECAPTURE CANYON.**

(a) APPROVAL OF RIGHT OF WAY.— San Juan County, Utah’s application for a Title V Right of Way, originally submitted to the Bureau of Land Management Monticello Field Office in the State of Utah on March 30, 2006, and later amended on November 13, 2012, is approved.

(b) PURPOSE OF RIGHT OF WAY.— The purposes of the Title V Right of Way, as stated by the County’s application, is to perform routine maintenance to existing trails and routes in an effort to encourage travel in the canyon to remain on a single established route through the canyon that minimizes impacts to the surrounding environment.

(c) APPLICABILITY OF OTHER LAWS.— In granting the application, compliance with section 306108 of title 54, United States Code, and the Native American Graves Protection and Repatriation Act shall apply to the right-of-way to avoid adverse impact to archaeological sites.

**SEC. 817. BIG BURRITO NON-MOTORIZED TRAIL.**

The 9.3 mile proposed non-motorized trail within the Sand Flats Recreation Area, approved by the Bureau of Land Management Moab Field Office on December 18, 2016, and commonly known as the Big Burrrito Non-Motorized Trail, shall not be subject to administrative or judicial review.

(b) (5)

**TITLE IX—RED ROCK COUNTRY OFF-HIGHWAY  
VEHICLE TRAIL**

(b) (5)

**SEC. 901. DEFINITIONS.**

In this title:

- (1) COUNTY.—The term “County” means Grand and San Juan Counties, Utah.
- (2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (3) TRAIL.—The term “Trail” means the Red Rock Country Off-Highway Vehicle Trail established under section 902.
- (4) FEDERAL LAND.—The term “Federal land” means land owned by the Bureau of Land Management as depicted on the Utah PLI Recreation Plans Map and dated \_\_\_\_\_.

**SEC. 902. DESIGNATION.**

(1) IN GENERAL.—The Secretary shall designate a trail system in the County—

- (A) for use by off-highway vehicles; and
- (B) to be known as the “Red Rock Country Off-Highway Vehicle Trail”.

(2) REQUIREMENTS.—In designating the trail, the Secretary shall prioritize a long distance route for off-highway vehicles that is generally depicted on the Utah PLI Recreation Plans Map and dated June 30, 2016, that—

- (A) connects the Federal land adjacent to Moab, Utah, to the Federal land adjacent to Grand Junction, Colorado, ~~through the Dee Pass and Utah Rims Recreation Zone;~~
- (B) connects the Federal land adjacent to Moab, Utah, to the Federal land adjacent to Green River, Utah, ~~through the Dee Pass and Utah Rims Recreation Zone;~~
- (C) connects the Federal land adjacent to Moab, Utah, to the Federal land adjacent to Monticello, Utah, ~~through the Canyon Cliffs Recreation Zone;~~
- (D) uses existing routes, where feasible, which may include the Kokopelli Trail, the Orange Trail, and Trail 1;
- (E) minimizes the use of graded roads; and

(b) (5)

(F) creates a recreational experience that provides—

- (i) opportunities for scenic vistas;
- (ii) challenging terrain for off-highway vehicle travel;
- (iii) connections to other existing trail systems or trails;
- (iv) minimal conflicts between off-highway vehicle and non-off-highway vehicle users; and
- (v) off-highway vehicle singletrack and doubletrack options where feasible.

(3) MAP.—A map that depicts the Trail shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 903. **MANAGEMENT.**

(a) IN GENERAL.—The Secretary shall manage future designated routes on the Trail in a manner that—

- (1) is consistent with section 902; and
- (2) does not interfere with private property or water rights.

(b) CLOSURE.—The Secretary, in consultation with the State and the County, may temporarily close or permanently reroute, subject to subparagraph (C), a route on the Trail if the Secretary determines that—

- (1) the route is significantly damaging designated critical habitat or cultural resources;
- (2) the route threatens public safety;
- (3) closure of the route is necessary to repair damage to the Trail; or
- (4) closure of the route is necessary to repair resource damage.

(c) REROUTING.—Portions of the route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(d) NOTICE.—The Secretary shall provide information to the public regarding any designated routes on the Trail that are open, have been relocated, or are temporarily closed through—



(1) use of appropriate signage within the Trail; and

(2) use of the Internet and Web resources.

(e) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(f) ADDITIONAL ROUTE CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall study the feasibility and public interest in constructing new routes as part of the Red Rock County Off-Highway Vehicle Trail to further off-highway vehicle recreational opportunities.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—If the Secretary determines that the construction of a route on the Trail is feasible, construction is authorized.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—A route on the Trail may be constructed under this subsection through the acceptance of volunteer services and contributions from non-Federal sources to eliminate the need for Federal expenditures to construct the route.

(3) COMPLIANCE.—In carrying out this subsection, the Secretary shall comply with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this title; and

(C) other applicable law.

**TITLE X—LONG-TERM INDIAN ECONOMIC  
DEVELOPMENT CERTAINTY**

**SEC. 1001. INDIAN ECONOMIC DEVELOPMENT IN SAN JUAN COUNTY, UTAH.**

(a) McCRAKEN MESA MINERAL TRANSFER.—All right and interest in the Federal minerals located within the McCracken Extension of the Navajo Nation shall be transferred to the Utah Navajo Trust Fund.

(b) (5)

(b) USE OF ROYALTIES.—The Act of March 1, 1933 (47 Stat. 1418), is amended in the first section, by striking “37½” each place it appears and inserting “62.5”.

**SEC. 1002. UTE INDIAN TRIBE ECONOMIC DEVELOPMENT AREA.**

(a) SPLIT ESTATE UNIFICATION.—With respect to any land within the Uintah and Ouray Reservation, where the United States holds title to the surface or mineral estate in trust for the Ute Tribe but a Federal agency owns or manages the corresponding mineral or surface estate, the title to interests owned or managed by the Federal agency shall be held by the Secretary of the Interior in trust for the benefit of the tribe in order to unify the surface and mineral estates for the benefit of the tribe.

(b) MINERALS TRANSFER.—The Bureau of Land Management shall transfer title to the mineral estate of public lands within the Hill Creek Extension (originally established under the Act of March 11, 1948 (62 Stat. 72)) south of the south boundary of Township 11 South, Salt Lake Base & Meridian, other than lands for which selection applications have been filed by the State of Utah with the Bureau of Land Management under authority of the Hill Creek Cultural Preservation and Energy Development Act, Public Law 133–133, to the Bureau of Indian Affairs to be held in trust for the benefit of the Ute Tribe.

**SEC. 1003. WATER STUDY FOR UINTAH AND DUCHESNE COUNTIES.**

The Secretary of the Interior, using existing authorities through the Bureau of Reclamation, shall undertake a water study that includes a needs, opportunities and constraints assessment in Uintah and Duchesne Counties for storage of Ute tribal water and the use of water rights currently held by the Ute Tribe.

(b) (5)

**TITLE XI — LONG-TERM ENERGY DEVELOPMENT**  
**CERTAINTY IN UTAH**

**SEC. 1101. SENSE OF CONGRESS.**

~~Within Uintah, Carbon, Emery, Grand, Duchesne and San Juan counties in the State of Utah, the increased production and transmission of energy in a safe and environmentally sound manner is essential to the well-being of the rural Utahns and the American people. It is the sense of Congress that the Federal departments and agencies involved in energy development projects on Federal lands in Utah shall take appropriate actions, including Federal primacy delegation, to expedite projects that will increase the production or development of energy and mineral resources on Federal lands.~~

(b) (5)

**SEC. 1102. ACTIONS TO EXPEDITE ENERGY-RELATED PROJECTS.**

~~(a) IN GENERAL.—The State of Utah—~~

~~(1) may establish a program covering the permitting processes, regulatory requirements, and any other provisions by which the State would exercise the rights of the State to develop and permit all forms of energy resources on available Federal land~~

administered by the Price, Vernal, Moab, and Monticello Field Offices of the Bureau of Land Management; and

(2) shall submit, as a condition of certification under section 1103(a), a declaration to the Department of the Interior that a program under paragraph (1) has been established or amended.

(b) AMENDMENT OF PROGRAMS.—The State of Utah may amend a program developed and certified under this subtitle at any time.

(c) CERTIFICATION OF AMENDED PROGRAMS.—Any program amended under subsection (b) shall be certified under section 1103(a).

**SEC. 1103. PERMITTING AND REGULATORY PROGRAMS.**

(a) FEDERAL CERTIFICATION AND TRANSFER OF DEVELOPMENT RIGHTS.—Upon submission of a declaration by the State of Utah under section 1102(a)(2)—

(1) the program under section 1102(a)(1) shall be certified; and

(2) the State shall receive all rights from the Federal Government to permit all forms of energy resources covered by the program.

(b) ISSUANCE OF PERMITS.—

(1) No later than 60 days after the enactment of this Act, the Governor of the State of Utah shall make an election as to whether the State of Utah will process permits for the development of any form of energy resource on available Federal land within the area covered by the Field Offices referenced in section 1102(a)(1). In the event the Governor elects to assume the permitting as set forth herein, he shall notify the Secretary of the Interior of his decision within 60 days.

(2) Upon an election to assume permitting as set forth in paragraph (1), the process shall be in accordance with Federal statutes and regulations.

**SEC. 1104. JUDICIAL REVIEW.**

(a) JURISDICTION.—The United States District Court for the District of Utah shall have original and exclusive jurisdiction over any civil action brought pursuant to this title.

(b) EXPEDITED CONSIDERATION.—The Court shall set any civil action brought under this section for expedited consideration.

**SEC. 1105. COMPLETION OF ADMINISTRATIVE LAND EXCHANGE PROCESS.**



The land exchange application, referred to as UTL 78673 pending before the Moab Field Office, shall be considered in the public interest and completed.

**TITLE XII LONG TERM TRAVEL MANAGEMENT CERTAINTY**



**SEC. 1201. RIGHTS-OF-WAY FOR CERTAIN ROADS.**

(a) ~~IN GENERAL~~—Subject to valid existing rights and consistent with this section, the Secretary of the Interior shall acknowledge the State of Utah's and its counties' ownership of, and shall forever disclaim all Federal interest in, a right-of-way for public travel and access on all roads claimed as Class B, that are paved as of January 1, 2016, and identified as rights-of-way in judicial actions in the Federal court system as of January 1, 2016, in Uintah, Duchesne, Carbon, Emery, Grand, and San Juan counties, Utah.

(b) ~~APPLICABLE LAW~~—A right-of-way disclaimed under subsection (a) shall constitute the United States acceptance of the county's and State's RS 2477 ownership and that all Federal ownership authority is extinguished. The State and counties in return shall withdraw lawsuits in the Federal court system affecting those individual disclaimed roads.

(c) ~~ADMINISTRATION~~—

(1) Each right-of-way disclaimed by the Secretary of the Interior under the provisions covered by subsection (b) of this title shall consist of the full geographic extent authorized by Utah State law in effect as of January 1, 2016.

(2) Each right-of-way disclaimed pursuant to this title may be abandoned pursuant to Utah State law.

(3) The right-of-way area of disturbance shall generally remain the same as of January 1, 2016.

**SEC. 1202. GRAND COUNTY COUNCIL RECOMMENDATIONS FOR CERTAIN ROADS.**

The recommendations of the Grand County Council, as depicted on the map entitled "Grand County PLL Final Map 4-17-2015" and dated April 17, 2015, for Hey Joe Canyon, Tennile Canyon, and Mineral Canyon roads shall be implemented by the Secretary of the Interior, with the seasonal closures beginning the Tuesday following Memorial Day through Labor Day.

**SEC. 1203. UINTAH COUNTY ROAD CERTAINTY.**

Not later than two years after the enactment of this Act, and subject to valid existing rights and consistent with this section, the Secretary of the Interior shall grant a title V right-of-way to Uintah County for public travel and access upon all Class D roads, as claimed by the Uintah County on its duly adopted 2016 transportation map, and as described by GPS centerline

description on file with Uintah County as a January 1, 2016, and that are also identified on the 2008 Vertical Resource Management Plan Transportation Plan.

**TITLE XIII—LONG TERM GRAZING CERTAINTY**

**SEC. 1301—CURRENT PERMITTED USE.**

Unless otherwise specified by this title, and pursuant to existing permits, on Federal lands managed by the Secretary of Agriculture or the Secretary of the Interior in Summit, Duchesne, Uintah, Grand, Emery, Carbon, and San Juan Counties, the grazing of domestic livestock shall continue and any adjustments in the numbers of livestock permitted should be made as a result of revisions in the normal grazing and land management planning and policy setting process.

**SEC. 1302—BIGHORN SHEEP.**

On Federal lands managed by the Secretary of Agriculture or the Secretary of the Interior in Summit, Duchesne, Uintah, Grand, Emery, Carbon, and San Juan Counties, the viability or existence of bighorn sheep shall not be used to remove or alter the use of domestic sheep or cattle where such use was permitted as of January 1, 2016.

**SEC. 1303—PROTECTION OF GRAZING LANDS.**

To recognize the importance of public land grazing to the economy and culture of rural Utah, and to the State of Utah in general, it is the sense of Congress that this title shall ensure public grazing lands, including areas outside the areas designated in this title, not be reduced below current permitted levels, except for cases of extreme range conditions where water and forage is not available. The areas of public land that have reduced or eliminated grazing shall be reviewed and managed to support grazing at an economically viable level.

**DIVISION C—LOCAL PARTICIPATION**

**TITLE I—LOCAL PARTICIPATION AND PLANNING**

**Sec. 101. Definitions.—**

(a) Advisory Council.—The term “Advisory Council” means the Public Lands Initiative Planning and Implementation Advisory Council established under section 102(a) of this title.

**SEC. 102. PUBLIC LANDS INITIATIVE PLANNING AND IMPLEMENTATION ADVISORY COMMITTEE COUNCIL.**

(a) ESTABLISHMENT AND PURPOSE OF PUBLIC LANDS INITIATIVE PLANNING AND IMPLEMENTATION ADVISORY COMMITTEE.—The

(1) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of Agriculture shall jointly establish an advisory council, to be known as the “and maintain the Public Lands Initiative Planning and Implementation Advisory Committee Council” (in this title referred to as the “Advisory Committee”) to perform the duties in subsection (b) to (2) PURPOSE.—The purpose of the Advisory Committee is to advise the Secretary concerned or with respect to the



~~development and implementation of the management plans required by this Act and with respect to implementation of the Utah Public Lands Initiative Act.~~

~~(b) DUTIES.—The Advisory Committee shall advise the relevant Secretary with regard to—~~

~~(1) implementation of this title; and~~

~~(2) policies or programs that encourage coordination among the public, local elected officials, and public lands stakeholders, and the State, tribes, and the Federal Government.~~

~~(b) Applicable Law.—The Advisory Council shall be subject to—~~

~~(1) the Federal Advisory Committee Act (5 U.S.C. App.); and~~

~~(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).~~

~~(c) APPOINTMENT BY THE SECRETARIES.—~~

~~(1) NUMBER.—The Advisory Committee shall be comprised of no more than 22 members.~~

~~(2) COMMUNITY INTERESTS REPRESENTED.—Advisory Committee members shall reside in the State of Utah and represent the following:~~

~~(A) GOVERNMENTAL INTERESTS.—~~

~~(i) The Utah State Director of the Bureau of Land Management or a designated representative of the Director.~~

~~(ii) The Regional Forester of Region 4 of the United States Forest Service or a designated representative of the Forester.~~

~~(iii) A representative of the Bureau of Indian Affairs Western Region.~~

~~(iv) A representative of the Bureau of Indian Affairs Navajo Region.~~

~~(v) A representative of the National Park Service.~~

~~(vi) The Governor of the State of Utah or a designated representative of the Governor.~~

(b) (5)

(vi) The Director of the Utah Department of Natural Resources or a designated representative of the Director.

(vii) The Chairperson of the Summit County Council or a designated representative of the Chairperson.

~~(viii)~~ The Chairperson of the Uintah County Commission or a designated representative of the Chairperson.

(ix) The Chairperson of the Duchesne County Commission or a designated representative of the Chairperson.

(xi) The Chairperson of the Carbon County Commission or a designated representative of the Chairperson.

(xii) The Chairperson of the Emery County Commission or a designated representative of the Chairperson.

(xiii) The Chairperson of the Grand County Council or a designated representative of the Chairperson.

~~(xiv)~~ The Chairperson of the San Juan County Commission or a designated representative of the Chairperson.

(B) COMMUNITY INTERESTS.—

- (i) The grazing community.
- (ii) The off-highway vehicle community.
- (iii) The sportsmen or hunting community.
- (iv) The energy development industry.
- (v) The guides and outfitters community.
- (vi) The non-off-highway vehicle recreation community.
- (vii) The conservation community.
- (viii) Archaeological, cultural, and historic interests.

(ix) Biological interests.

~~(c) APPOINTMENT BY THE SECRETARIES~~ TERMS.—

~~(1) INITIAL APPOINTMENT.~~—The Secretaries of the Interior and Agriculture shall make initial appointments to the Advisory Committee not later than 180 days after the date of the enactment of this Act.

~~(2) APPOINTMENT AND TERM~~ TERM LENGTH.—Members of the Advisory Council shall be jointly appointed by the Secretaries of the Interior and Agriculture shall jointly appoint the members of the Advisory Committee for a term of 5 years beginning on the date of appointment.

~~(3) REAPPOINTMENT.~~—A member may be reappointed to serve on the Advisory Council for not more than 3 terms. The Secretaries of the Interior and Agriculture may not reappoint members designated under subsection (d)(2)(B) to more than 3 terms.

~~(4) VACANCIES.~~—The Secretaries of the Interior and Agriculture shall fill vacancies on the Advisory Committee as soon as practicable after the vacancy has occurred.

~~(d5) CHAIRPERSON.~~—The Secretaries of the Interior and Agriculture shall jointly select the chairperson of the Advisory Committee Council for a term of 5 years beginning on the date of appointment.

~~(e5) SERVICE WITHOUT COMPENSATION.~~—Members of the Advisory Committee Council shall serve without pay not receive any compensation.

~~(d) COMPOSITION OF ADVISORY COMMITTEE.~~—

~~(f3) PRESERVATION OF PUBLIC ADVISORY STATUS.~~—No individual serving member of the Advisory Council appointed to represent the interests under outlined in subparagraph (c)(2)(B) may be an officer or employee of the Federal Government or State of Utah.

~~(g4) BALANCED REPRESENTATION.~~—In appointing Advisory Committee members from the two categories in section 2, the Secretaries of the Interior and Agriculture shall provide ensure that membership of the Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Advisory Council for balanced and broad representation from within each category.

~~(he) ANNUAL ADVISORY COMMITTEE REPORT.~~—

(1) REPORT SUBMISSION.—The Advisory Committee shall submit a report no later than September 30 of each year to the Secretaries of the Interior and Agriculture, the Committee on Natural Resources of the House of Representatives, and the Committees on Agriculture, Nutrition, and Forestry, and Energy and Natural Resources of the Senate. If the Advisory Committee cannot meet the September 30 deadline in any year, the Secretary of the Interior or Secretary of Agriculture shall advise the Chair of each such Committee of the reasons for such delay and the date on which the submission of the report is anticipated.

(2) CONTENTS.—The report required by paragraph (1) shall describe—

(A) the activities of the Advisory Committee during the preceding year;

(B) the reports and recommendations made by the Advisory Committee to the Secretaries of the Interior and Agriculture during the preceding year; and

(C) an accounting of actions taken by the Secretaries of the Interior and Agriculture as a result of the recommendations.

~~(3) OTHER ADVISORY COMMITTEE AUTHORITIES AND REQUIREMENTS.—~~

~~(1) STAFF ASSISTANCE.—The Advisory Committee Council may request and the Secretaries of the Interior and Agriculture may provide periodic staff assistance from Federal employees under the jurisdiction of the relevant Secretary.~~

~~(2) MEETINGS.—~~

~~(1A) FREQUENCY.—The Advisory Committee Council shall meet at the call of the Secretaries of the Interior or Agriculture, the Chairperson, or a majority of the members. Meetings shall be held no fewer than 1 time a year. A majority constitutes a quorum for business of the Advisory Committee.~~

~~(2B) OPEN MEETINGS.—All meetings of the Advisory Committee shall be announced at least one week in advance in publications of general circulation and shall be open to the public.~~

(3) RECORDS.—The Advisory Committee shall maintain records of the meetings of the Advisory Committee and make the records available for public inspection.



**DIVISION D—BEARS EARS NATIONAL  
CONSERVATION AREA  
TITLE I—BEARS EARS NATIONAL  
CONSERVATION AREA**

**SEC. 101. FINDINGS.**

Congress finds the following:

(1) The lands within Bears Ears National Conservation Area have been used by Native Americans for thousands of years.

(2) The unique, intact archaeological record found throughout the Bears Ears National Conservation Area is sacred to numerous Native American tribes and Pueblos and is of great significance to American history.

(3) Tribes and Pueblos maintain deep connections and commitments to the lands within the Bears Ears National Conservation Area and continue to rely on and use these lands for ceremonies, spiritual rejuvenation, gathering herbs, firewood and cedar poles, hunting for game, and caretaking of sacred places.

(4) Many local residents, many with early pioneer heritage, have similarly strong attachments to the land and associated lifestyles, both vocational and avocational.

(5) Many visitors develop similar attachments and appreciation for these landscapes.

**SEC. 102. ESTABLISHMENT.**

Certain Federal land, comprising of approximately 857,603 acres administered by the Bureau of Land Management and U.S. Forest Service in San Juan County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated June 30, 2016, to be known as the "Bears Ears National Conservation Area".

(b) (5)

A large black rectangular redaction box covers the right side of the page, obscuring the text of section 102. The text "(b) (5)" is written in red at the top left of the redacted area.

**SEC. 103. MAP AND LEGAL DESCRIPTION.**

(a) ~~IN GENERAL.—Not later than two years~~ As soon as practicable from after the date of enactment of this Act, the relevant Secretary shall file a map and legal description of the National Conservation Areas established by sections 201 of this title with submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of the National Conservation Area established in section 102 of this title.

(b) **FORCE AND EFFECT.**—Each map and legal description submitted under this section shall have the same force and effect as if included in this title, except that the relevant Secretary may make minor modifications of any clerical or typographical errors in the map or legal description



provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Indian Affairs, the Bureau of Land Management, and the United States Forest Service.

**SEC. 104. ADMINISTRATION OF BEAR EARS NATIONAL CONSERVATION AREA.**

(a) PURPOSES.—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws, the relevant Secretary shall manage the Bears Ears National Conservation Area (hereinafter referred to as “Bears Ears”) established by section 102 in a manner that—

(1) protects, conserves, and enhances the unique and nationally important historic, cultural, scientific, scenic, recreational, archaeological, natural, and educational resources of Bears Ears;

(2) ~~maintains and enhances~~ encourages cooperative and innovative management practices between resource managers, private landowners, and the public in Bears Ears;

(3) recognizes and maintains historic uses of Bears Ears;

(4) provides for traditional access by indigenous persons for culturally significant subsistence, including but not limited to traditional gathering, wood cutting, hunting, and cultural and religious uses within Bears Ears;

(5) consistent with the Native American Graves Repatriation and Protection Act (Public Law 101-601; 25 U.S.C. 3001 et seq.; 104 Stat. 3048), the National Historic Preservation Act (Public Law 89-665; 54 U.S.C. 300101 et seq.), and the Utah State Antiquities Act (UCA 9-8-301-308) protects and preserves and minimizes disturbance to ~~Native American archaeological covered sites and properties~~, including human remains, from permitted uses of Bears Ears; and

(6) integrates Native American Traditional Ecological Knowledge as defined in 36 CFR 219.19 to improve social, economic, and ecological sustainability in accordance with U.S. Forest Service 2016 Planning Rule regulations (36 C.F.R. 219).

(b) MANAGEMENT PLANS.—

(1) PLAN REQUIRED.—~~Not later than 2 years~~ As soon as practicable after the date of enactment of this Act, the relevant Secretary shall develop a ~~management comprehensive~~ plan for the long-term management of ~~each Conservation Area~~ the Bears Ears National Conservation Area.

(b) (5)

(2) RECOMMENDATIONS AND CONSULTATION.— In developing the management plans required under paragraph (1), the relevant Secretary shall consult with appropriate state, local, and tribal government entities, members of the public, and the relevant Secretary shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act. If the relevant Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the relevant Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.

SEC. 105. ~~GENERAL PROVISIONS~~MANAGEMENT.

(b) (5)

The General Provisions in ~~title H section 2064~~ of Division A of this Act shall apply to this title.

SEC. 106. COOPERATING AGENCIES.

The Secretary of the Interior shall designate and involve as cooperating agencies interested tribes and Pueblos that trace their culture and heritage to the lands within the Bears Ears National Conservation Area in accordance with the National Environmental Policy Act (42 U.S.C. 4321 et seq.).

SEC. 107. BEARS EARS TRIBAL COMMISSION.

(b) (5)

(a) CREATION OF COMMISSION.— In preparing the management plan subject to section 104(b) for the Bears Ears, the Secretaries of the Interior and Agriculture shall create a Commission consisting of tribal representatives and federal agency staff, in recognition of the importance of tribal participation to the care and management of the area's natural and cultural resources.

a. Appointment by the Secretaries

i. Appointment and term— The Secretaries of the Interior and Agriculture shall appoint

1. Three federal members, one each from BLM, NPS, and USFS; and

2. No more than seven elected officers of tribal governments or their designated employees.

3. Members shall serve a term of five years beginning on the date of appointment.

ii. Basic requirements— The Secretaries of the Interior and Agriculture shall select tribal members of the Commission who demonstrate

1. A historical or geographical connection to the objects and lands of the Bears Ears National Conservation Area;

2. Relevant traditional knowledge; and

3. The ability to contribute to the management of the National Conservation Area.

iii. Duties - The Commission shall provide information and proposals as needed to integrate the Tribes' traditional knowledge and special expertise where relevant to the care and management of the Bears Ears National Conservation Area's natural and cultural resources, including in the development of the Management Plan developed under section 104(b) of this title. The Agencies shall carefully consider these proposals, and may use all applicable federal authorities to ensure that this Management Plan and management decisions incorporate, as appropriate, the information and proposals provided. Such input from the Commission may include, but need not be limited to:

1. Protections for and use of sacred sites;

2. Cultural and educational programming;

3. Plants, animals, species, resources;

4. Traditional use, such as gathering firewood;

5. Historical and archaeological resources;

6. Impacts of off-road use and off-road vehicles to cultural and environmental resources;

7. Recreational use, such as climbing; and

8. Resource use, such as grazing, timber production, and mining.

**SEC. 108. TRIBAL EMPLOYMENT.**

In employing individuals to perform any administrative, interpretation, construction, maintenance, or other service in the Bears Ears National Conservation Area, the Secretary of the Interior shall give priority consideration to members of tribes that meet publically posted job qualifications and criteria consistent with standard Federal hiring practices.

**SEC. 109. TRIBAL LIAISON.**

The Secretary of the Interior shall appoint a liaison to the tribes that enter into cooperating agency status pursuant to section 106. The liaison shall work to ensure the voice and perspectives

of the cooperating tribal entities are represented in the management of the Bears Ears National Conservation Area.

**SEC. 110. BEARS EARS ADVISORY COMMITTEE COUNCIL.** — Under the Public Lands Initiative Planning and Implementation Advisory Committee established under Division C of this Act, the Secretary of the Interior shall establish and maintain a subcommittee to advise the Secretary of the Interior with regard to—



(a) development and implementation of the management plan required under section 104(b) of this title; and

(b) administration of the Bears Ears National Conservation Area.

**(a) ESTABLISHMENT AND PURPOSE OF THE BEARS EARS ADVISORY COMMITTEE.**—

(1) **ESTABLISHMENT.**—The Secretary of the Interior shall establish and maintain the Bears Ears Advisory Committee to perform the duties in subsection (b).

(2) **PURPOSE.**—The purpose of the Bears Ears Advisory Committee is to advise the Secretary of the Interior on the Bears Ears National Conservation Area.

(b) **DUTIES.**—The Bears Ears Advisory Committee shall advise the Secretary of the Interior with regard to—

(1) implementation of the Bears Ears National Conservation Area Management Plan;  
and

(2) administration of the Bears Ears National Conservation Area.

**(c) APPOINTMENT BY THE SECRETARY.**—

(1) **APPOINTMENT AND TERM.**—The Secretary of the Interior shall appoint the members of the Bears Ears Advisory Committee for a term of five years beginning on the date of appointment. The Secretary of the Interior may not reappoint members to more than three terms.

(2) **BASIC REQUIREMENTS.**—The Secretary of the Interior shall ensure that the Bears Ears Advisory Committee established meets the requirements of subsection (d).

~~(3) INITIAL APPOINTMENT.—The Secretary of the Interior shall make initial appointments to the Bears Ears Advisory Committee not later than 180 days after the date of the enactment of this Act.~~

~~(4) VACANCIES.—The Secretary of the Interior shall make appointments to fill vacancies on the Bears Ears Advisory Committee as soon as practicable after the vacancy has occurred.~~

~~(5) COMPENSATION.—Members of the Bears Ears Advisory Committee shall not receive any compensation.~~

~~(d) COMPOSITION OF BEARS EARS ADVISORY COMMITTEE.—~~

~~(1) NUMBER.—The Bears Ears Advisory Committee shall be comprised of no more than 10 members.~~

~~(2) COMMUNITY INTERESTS REPRESENTED.—Bears Ears Advisory Committee members shall reside in the State of Utah and be representative of the following members:~~

~~(A) One representative with historical expertise in the Hole-in-the-Rock Trail.~~

~~(B) One representative with paleontological expertise.~~

~~(C) One representative with archaeological or historic expertise.~~

~~(D) One representative of the off-highway vehicle community.~~

~~(E) One representative of the non-off-highway vehicle recreation community.~~

~~(F) One representative from the conservation community.~~

~~(G) One representative from the sportsmen community.~~

~~(H) One representative from the livestock grazing community.~~

~~(I) One representative of the San Juan County commission.~~

~~(J) One representative of the Tribal Collaboration Commission.~~

(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual serving under section 2 may be an officer or employee of the Federal Government or State of Utah Government.

(4) BALANCED REPRESENTATION.—In appointing Bears Ears Advisory Committee members from the two categories in section 2, the Secretary of the Interior shall provide for balanced and broad representation from within each category.

(5) CHAIRPERSON.—The Secretary of the Interior shall select the chairperson of the Bears Ears Advisory Committee for a term of five years beginning on the date of appointment.

(e) ANNUAL BEARS EARS ADVISORY COMMITTEE REPORT.—

(1) REPORT SUBMISSION.—The Bears Ears Advisory Committee shall submit a report no later than September 30 of each year to the Secretary of the Interior, the Committee on Natural Resources of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate. If the Bears Ears Advisory Committee cannot meet the September 30 deadline in any year, the Secretary of the Interior shall advise the Chair of each such Committee of the reasons for such delay and the date on which the submission of the report is anticipated.

(2) CONTENTS.—The report required by paragraph (1) shall describe —

(A) the activities of the Bears Ears Advisory Committee during the preceding year;

(B) the reports and recommendations made by the Bears Ears Advisory Committee to the Secretary of the Interior during the preceding year; and

(C) an accounting of actions taken by the Secretary of the Interior as a result of the recommendations.

(f) OTHER BEARS EARS ADVISORY COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—The Bears Ears Advisory Committee may submit to the Secretary of the Interior a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—

(A) FREQUENCY.—The Bears Ears Advisory Committee shall meet at the call of the Secretary of the Interior, the Chairperson, or a majority of the members. Meetings shall be held no less than one time per year. A majority must be present to constitute an official meeting of the Bears Ears Advisory Committee.

(B) OPEN MEETINGS.—All meetings of the Bears Ears Advisory Committee shall be announced at least one week in advance in publications of general circulation and shall be open to the public.





# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

SEP 02 2016

The Honorable Rob Bishop  
The Honorable Jason Chaffetz  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Bishop and Mr. Chaffetz:

In accordance with your July 20, 2016, request, the Department of the Interior has prepared the enclosed technical assistance on H.R. 5780, the Utah Public Lands Initiative.

Please note that this technical assistance is provided only for those provisions of the bill that affect Departmental interests and, in many instances, is intended to ensure consistency with existing laws and improve implementation. In addition to what is noted throughout the draft, the Department would like the opportunity to work with the bill sponsors on the individual boundary modifications both to improve manageability and ensure protection of natural, cultural, and other resources in those areas.

Please also note that this assistance has not been cleared by the Office of Management and Budget. As reflected in the attached comments, with respect to a number of provisions, the Department would seek further discussions before taking a final position as to proposed language. Importantly, this assistance has also not been the subject of, and does not reflect input from, tribal consultation. Upon further conversations with tribal nations, the position of the Department may change on particular matters concerning the tribes.

Sincerely,

Christopher P. Salotti  
Legislative Counsel  
Office of Congressional and Legislative Affairs

Enclosure

## Conversation Contents

**Tentatively Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm**  
(tommy\_beaudreau@ios.doi.gov)

### Attachments:

/39. Tentatively Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm  
(tommy\_beaudreau@ios.doi.gov)/1.1 invite.ics

/39. Tentatively Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm  
(tommy\_beaudreau@ios.doi.gov)/1.2 invite.ics

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

---

**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Thu Sep 01 2016 13:36:24 GMT-0600 (MDT)  
**To:** tommy\_beaudreau@ios.doi.gov  
**Subject:** Tentatively Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)  
**Attachments:** invite.ics invite.ics

Nicole Buffa has replied "Maybe" to this invitation.

### **Sierra Club (Michael Brune, Athan Manuel) and Environment America (Margie Alt, Anna Aurilio)**

Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.

**When** Thu Sep 22, 2016 2pm – 2:30pm Eastern Time

**Where** Secretary's conference room 6151 ([map](#))

**Video call** (b) (5)

**Calendar** tommy\_beaudreau@ios.doi.gov

**Who**

- tommy\_beaudreau@ios.doi.gov - organizer
- molly\_click@ios.doi.gov - creator
- gisella\_ojeda-dodds@ios.doi.gov
- nicole\_buffa@ios.doi.gov

## FOR COMMITTEE USE ONLY

Invitation from [Google Calendar](#)

You are receiving this email at the account [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov) because you are subscribed for invitation replies on calendar [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov).

To stop receiving these emails, please log in to <https://www.google.com/calendar/> and change your notification settings for this calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#).

# FOR COMMITTEE USE ONLY

**From:** [nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)  
**To:** [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov); [nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)  
**Subject:** Sierra Club (Michael Brune, Athan Manuel) and Environment America (Margie Alt, Anna Aurilio)

---

Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.

## Conversation Contents

Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)

### Attachments:

/40. Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)/1.1 invite.ics  
/40. Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)/1.2 invite.ics

**Gisella Ojeda-dodds <gisella\_ojeda-dodds@ios.doi.gov>**

---

**From:** Gisella Ojeda-dodds <gisella\_ojeda-dodds@ios.doi.gov>  
**Sent:** Wed Aug 31 2016 10:36:27 GMT-0600 (MDT)  
**To:** tommy\_beaudreau@ios.doi.gov  
**Subject:** Accepted: Sierra Club (Michael Brune, Athan Manuel) and Environment... @ Thu Sep 22, 2016 2pm - 2:30pm (tommy\_beaudreau@ios.doi.gov)  
**Attachments:** invite.ics invite.ics

Gisella Ojeda-dodds has accepted this invitation.

### Sierra Club (Michael Brune, Athan Manuel) and Environment America (Margie Alt, Anna Aurilio)

Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.

**When** Thu Sep 22, 2016 2pm – 2:30pm Eastern Time

**Where** Secretary's conference room 6151 ([map](#))

**Video call** (b) (5)

**Calendar** tommy\_beaudreau@ios.doi.gov

**Who**

- tommy\_beaudreau@ios.doi.gov - organizer
- molly\_click@ios.doi.gov - creator
- gisella\_ojeda-dodds@ios.doi.gov
- nicole\_buffa@ios.doi.gov

Invitation from [Google Calendar](#)

You are receiving this email at the account tommy\_beaudreau@ios.doi.gov because you are subscribed for invitation replies on calendar tommy\_beaudreau@ios.doi.gov.



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Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More.](#)

# FOR COMMITTEE USE ONLY

**From:** [gisella\\_ojeda-dodds@ios.doi.gov](mailto:gisella_ojeda-dodds@ios.doi.gov)  
**To:** [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov); [gisella\\_ojeda-dodds@ios.doi.gov](mailto:gisella_ojeda-dodds@ios.doi.gov)  
**Subject:** Sierra Club (Michael Brune, Athan Manuel) and Environment America (Margie Alt, Anna Aurilio)

---

Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.



## Conversation Contents

Meeting request

**Athan Manuel <athan.manuel@sierraclub.org>**

---

**From:** Athan Manuel <athan.manuel@sierraclub.org>  
**Sent:** Tue Aug 23 2016 13:47:50 GMT-0600 (MDT)  
**To:** Katherine Rupp <katherine\_rupp@ios.doi.gov>  
**Subject:** Meeting request

Hope all is well. Happy NPS Centennial, too!

I am writing to request a meeting with Secretary Jewell on Thursday, September 22nd, for the Sierra Club's Mike Brune and Environment America's Margie Alt. Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.

Hope that date works for the Secretary's schedule. Thanks for your consideration. -  
Athan

--

Athan Manuel  
Director, Lands Protection Program  
Sierra Club  
50 F St. NW, Eight Floor  
Washington, DC 20001  
Direct line: 202-548-4580  
Fax: 202-547-6009  
Cell: 202-716-0006

**Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>**

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Tue Aug 23 2016 13:50:10 GMT-0600 (MDT)  
**To:** francis\_jacobucci@ios.doi.gov  
**CC:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: Meeting request

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FYI, Booch. You can guess how o feel about this one.

TPB

Begin forwarded message:

**From:** Athan Manuel <[athan.manuel@sierraclub.org](mailto:athan.manuel@sierraclub.org)>  
**Date:** August 23, 2016 at 3:47:50 PM EDT  
**To:** Katherine Rupp <[katherine\\_rupp@ios.doi.gov](mailto:katherine_rupp@ios.doi.gov)>  
**Cc:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Nicole Buffa <[nikki\\_buffa@ios.doi.gov](mailto:nikki_buffa@ios.doi.gov)>  
**Subject:** Meeting request

Hope all is well. Happy NPS Centennial, too!

I am writing to request a meeting with Secretary Jewell on Thursday, September 22nd, for the Sierra Club's Mike Brune and Environment America's Margie Alt. Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments.

Hope that date works for the Secretary's schedule. Thanks for your consideration. - Athan

--

Athan Manuel  
Director, Lands Protection Program  
Sierra Club  
50 F St. NW, Eight Floor  
Washington, DC 20001  
Direct line: 202-548-4580  
Fax: 202-547-6009  
Cell: 202-716-0006

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Tue Aug 23 2016 14:52:57 GMT-0600 (MDT)  
**To:** Athan Manuel <[athan.manuel@sierraclub.org](mailto:athan.manuel@sierraclub.org)>  
Katherine Rupp <[katherine\\_rupp@ios.doi.gov](mailto:katherine_rupp@ios.doi.gov)>,  
**CC:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>,  
[scheduling\\_sio@ios.doi.gov](mailto:scheduling_sio@ios.doi.gov)  
**Subject:** Re: Meeting request

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Thanks, Athan! I'm adding the Secretary's scheduling team. > On Aug 23, 2016, at 3:48 PM, Athan Manuel <athan.manuel@sierraclub.org> wrote: > > Hope all is well. Happy NPS Centennial, too! > > I am writing to request a meeting with Secretary Jewell on Thursday, September 22nd, for the Sierra Club's Mike Brune and Environment America's Margie Alt. Mike and Margie would like to discuss the current campaigns to designate the Grand Canyon Heritage, Bears Ears, and other new national monuments. > > Hope that date works for the Secretary's schedule. Thanks for your consideration. - Athan > > -- > Athan Manuel > Director, Lands Protection Program > Sierra Club > 50 F St. NW, Eight Floor > Washington, DC 20001 > Direct line: 202-548-4580 > Fax: 202-547-6009 > Cell: 202-716-0006

**"Iacobucci, Francis" <francis\_iacobucci@ios.doi.gov>**

---

**From:** "Iacobucci, Francis" <francis\_iacobucci@ios.doi.gov>  
**Sent:** Tue Aug 23 2016 18:30:52 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**CC:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Re: Meeting request

Good thing we'll be on travel. We'll take care of it.

On Tue, Aug 23, 2016 at 3:50 PM, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov> wrote:

FYI, Booch. You can guess how o feel about this one.

TPB

Begin forwarded message:

**From:** Athan Manuel <athan.manuel@sierraclub.org>  
**Date:** August 23, 2016 at 3:47:50 PM EDT  
**To:** Katherine Rupp <katherine\_rupp@ios.doi.gov>  
**Cc:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>, Nicole Buffa <nikki\_buffa@ios.doi.gov>  
**Subject:** Meeting request

Hope all is well. Happy NPS Centennial, too!

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Hope that date works for the Secretary's schedule. Thanks for your

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consideration. - Athan

--

Athan Manuel  
Director, Lands Protection Program  
Sierra Club  
50 F St. NW, Eight Floor  
Washington, DC 20001  
Direct line: 202-548-4580  
Fax: 202-547-6009  
Cell: 202-716-0006

--

Francis Iacobucci  
Director | Scheduling and Advance  
Office of the Secretary, U.S. Department of the Interior  
202.208.5723 (direct)

\*\*\*All scheduling requests for Secretary Jewell should be sent to [scheduling@ios.doi.gov](mailto:scheduling@ios.doi.gov)

## Conversation Contents

he's been busy

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Tue Aug 16 2016 12:28:40 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** he's been busy

<http://time.com/4454746/president-bears-ears-monument/>

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

## Conversation Contents

**Fwd: Ute Ltr and Opinion on Uncompahgre Restoration Issues**

**Attachments:**

/49. Fwd: Ute Ltr and Opinion on Uncompahgre Restoration Issues/1.1 Ute Ltr Lee Bishop Chaffetz re HR 5780 (8 2 16).pdf

**"Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>**

---

**From:** "Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>  
**Sent:** Tue Aug 02 2016 10:00:20 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Ute Ltr and Opinion on Uncompahgre Restoration Issues  
**Attachments:** Ute Ltr Lee Bishop Chaffetz re HR 5780 (8 2 16).pdf

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

**From:** **Rollie Wilson** <[RWilson@ndnlaw.com](mailto:RWilson@ndnlaw.com)>  
**Date:** Tue, Aug 2, 2016 at 11:33 AM  
**Subject:** Re: Ute Ltr and Opinion on Uncompahgre Restoration Issues  
**To:** "[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)" <[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)>  
**Cc:** "[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)" <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>, "[tana.fitzpatrick@bia.gov](mailto:tana.fitzpatrick@bia.gov)" <[tana.fitzpatrick@bia.gov](mailto:tana.fitzpatrick@bia.gov)>, "[Lawrence\\_Roberts@ios.doi.gov](mailto:Lawrence_Roberts@ios.doi.gov)" <[Lawrence\\_Roberts@ios.doi.gov](mailto:Lawrence_Roberts@ios.doi.gov)>, "[jody.cummings@sol.doi.gov](mailto:jody.cummings@sol.doi.gov)" <[jody.cummings@sol.doi.gov](mailto:jody.cummings@sol.doi.gov)>, "[bret.birdsong@sol.doi.gov](mailto:bret.birdsong@sol.doi.gov)" <[bret.birdsong@sol.doi.gov](mailto:bret.birdsong@sol.doi.gov)>, Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>, "[nkornze@blm.gov](mailto:nkornze@blm.gov)" <[nkornze@blm.gov](mailto:nkornze@blm.gov)>

Hi Michael,

The Ute Indian Tribe was pleased to meet with the Secretary a couple of weeks ago as a part of her meetings on the Utah Public Lands Initiative and the Bears Ears Monument issues. As a part of his comments, Ute Chairman Shawn Chapoose asked the Secretary to understand the broader impacts of the PLI, beyond Bears Ears, and the attempted taking of the Ute Indian Tribe's lands—the same lands that the Tribe seeks to have restored to trust status under the Indian Reorganization Act.

Now the legislation has been introduced for the PLI, H.R. 5780, the Tribe requests the assistance of DOI in opposing this legislation and its impacts on the Reservation. The



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Tribe also asks that DOI move forward with steps to restore the Tribe's lands under the IRA to finally put an end to decades of conflict with Utah over the status of the Tribe's lands.

Please find attached a recent letter the Tribe sent to members of the Utah Delegation regarding H.R. 5780. Thank you for your attention to this matter.

Rollie Wilson

Fredericks Peebles & Morgan LLP  
401 9th Street NW, Suite 700  
Washington, DC 20004  
Telephone: (202) 450-4887  
Cell: (202) 340-8232  
Fax: (202) 450-5106  
[www.ndnlaw.com](http://www.ndnlaw.com)

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---

**From:** Rollie Wilson <[rwilson@ndnlaw.com](mailto:rwilson@ndnlaw.com)>  
**Date:** Thursday, June 23, 2016 at 10:20 AM  
**To:** "[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)" <[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)>  
**Cc:** "[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)" <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>, Tana Fitzpatrick <[tana.fitzpatrick@bia.gov](mailto:tana.fitzpatrick@bia.gov)>, Lawrence Roberts <[Lawrence\\_Roberts@ios.doi.gov](mailto:Lawrence_Roberts@ios.doi.gov)>, "[jody\\_cumplings@sol.doi.gov](mailto:jody_cumplings@sol.doi.gov)" <[jody\\_cumplings@sol.doi.gov](mailto:jody_cumplings@sol.doi.gov)>, "[bret\\_birdsong@sol.doi.gov](mailto:bret_birdsong@sol.doi.gov)" <[bret\\_birdsong@sol.doi.gov](mailto:bret_birdsong@sol.doi.gov)>, Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>, "[nkornze@blm.gov](mailto:nkornze@blm.gov)" <[nkornze@blm.gov](mailto:nkornze@blm.gov)>  
**Subject:** Ute Ltr and Opinion on Uncompahgre Restoration Issues

Hi Michael,

During the Ute Indian Tribe's meeting with you on May 12th you raised a handful of questions related to moving forward with the Tribe's request for restoration of lands within its Uncompahgre Reservation under the IRA. Please find attached a letter and legal opinion responding to those questions. The Tribe looks forward to hearing your views on this and any other issues you think we may need to address.

Please let me know if you have any questions. Thanks for your consideration.

Rollie Wilson

Fredericks Peebles & Morgan LLP  
401 9th Street NW, Suite 700  
Washington, DC 20004  
Telephone: (202) 450-4887  
Cell: (202) 340-8232  
Fax: (202) 450-5106  
[www.ndnlaw.com](http://www.ndnlaw.com)

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--  
Elizabeth Klein  
Associate Deputy Secretary  
Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240  
ph: 202-513-0561

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Aug 03 2016 12:00:13 GMT-0600 (MDT)  
**To:** "Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>  
**CC:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Ute Ltr and Opinion on Uncompahgre Restoration Issues

Following up on my request to have a meeting on this generally, what about:

tommy  
liz  
nikki  
neil  
aaron  
justin pidot  
jack or hillary  
larry  
jody

All get in a room and discuss where we are on this? Is this too big of a meeting for an initial conversation?

Thanks,  
Nikki

On Tue, Aug 2, 2016 at 12:00 PM, Klein, Elizabeth <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)> wrote:

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

From: **Rollie Wilson** <[RWilson@ndnlaw.com](mailto:RWilson@ndnlaw.com)>  
Date: Tue, Aug 2, 2016 at 11:33 AM  
Subject: Re: Ute Ltr and Opinion on Uncompahgre Restoration Issues  
To: "[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)" <[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)>  
Cc: "[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)" <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>, "[tana.fitzpatrick@bia.gov](mailto:tana.fitzpatrick@bia.gov)" <[tana.fitzpatrick@bia.gov](mailto:tana.fitzpatrick@bia.gov)>, "[Lawrence\\_Roberts@ios.doi.gov](mailto:Lawrence_Roberts@ios.doi.gov)" <[Lawrence\\_Roberts@ios.doi.gov](mailto:Lawrence_Roberts@ios.doi.gov)>

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Department of the Interior  
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Washington, D.C. 20240  
ph: 202-513-0561

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[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

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**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Wed Aug 03 2016 12:02:15 GMT-0600 (MDT)  
**To:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**CC:** "Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>  
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**Sent:** Wed Aug 03 2016 12:05:46 GMT-0600 (MDT)  
**To:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**CC:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
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**Sent:** Wed Aug 03 2016 12:09:44 GMT-0600 (MDT)  
**To:** Elizabeth Klein <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>  
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**Date:** Thursday, June 23, 2016 at 10:20 AM  
**To:** "[michael connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)" <[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)>  
**Cc:** "[elizabeth klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)" <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>, Tana Fitzpatrick <[tana.fitzpatrick@bia.gov](mailto:tana.fitzpatrick@bia.gov)>, Lawrence Roberts <[Lawrence\\_Roberts@ios.doi.gov](mailto:Lawrence_Roberts@ios.doi.gov)>, "[jody.cummings@sol.doi.gov](mailto:jody.cummings@sol.doi.gov)" <[jody.cummings@sol.doi.gov](mailto:jody.cummings@sol.doi.gov)>, "[bret.birdsong@sol.doi.gov](mailto:bret.birdsong@sol.doi.gov)" <[bret.birdsong@sol.doi.gov](mailto:bret.birdsong@sol.doi.gov)>, Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>, "[nkornze@blm.gov](mailto:nkornze@blm.gov)" <[nkornze@blm.gov](mailto:nkornze@blm.gov)>  
**Subject:** Ute Ltr and Opinion on Uncompahgre Restoration Issues

Hi Michael,

During the Ute Indian Tribe's meeting with you on May 12th you raised a handful of questions related to moving forward with the Tribe's request for restoration of lands within its Uncompahgre Reservation under the IRA. Please find attached a letter and legal opinion responding to those questions. The Tribe looks forward to hearing your views on this and any other issues you think we may need to address.

Please let me know if you have any questions. Thanks for your consideration.

Rollie Wilson  
Fredericks Peebles & Morgan LLP  
401 9th Street NW, Suite 700  
Washington, DC 20004  
Telephone: (202) 450-4887  
Cell: (202) 340-8232  
Fax: (202) 450-5106  
[www.ndnlaw.com](http://www.ndnlaw.com)

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--

Elizabeth Klein  
Associate Deputy Secretary  
Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240  
ph: 202-513-0561

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)





**UTE INDIAN TRIBE**

P. O. Box 190  
Fort Duchesne, Utah 84026  
Phone (435) 722-5141 • Fax (435) 722-5072

August 2, 2016

The Honorable Mike Lee  
United States Senate  
361A Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Rob Bishop  
U.S. House of Representatives  
123 Cannon House Office Building  
Washington, D.C. 20515

The Honorable Jason Chaffetz  
U.S. House of Representatives  
2236 Rayburn House Office Building  
Washington, D.C. 20515

**Re: Impacts of H.R. 5780 on the Ute Indian Tribe's Uintah and Ouray Reservation**

Dear Senator Lee, Congressman Bishop, and Congressman Chaffetz:

On June 22, 2016, the Ute Indian Tribe provided Congressmen Bishop and Chaffetz substantial revisions to proposed legislation for a Utah Public Lands Initiative. Our revisions were needed to create a Public Lands Initiative that would benefit all of Utah. Our revisions would make the bill consistent with modern federal Indian law and Indian water rights, would resolve decades of federal mismanagement of our lands, and would provide opportunities for economic development benefiting the entire State of Utah.

We are very disappointed that the bill introduced on July 14, 2016, H.R. 5780, includes few of these revisions. Even worse, the bill continues to propose taking more than 100,000 acres of our Uintah and Ouray Reservation lands for the benefit of others. Given the lack of revisions to the bill and impact on our Reservation, the Ute Indian Tribe has no choice but to oppose the bill and ask that the legislation be revised and a new bill be introduced prior to any hearings.

Even the Utah School and Institutional Trust Lands Administration (SITLA) expressed its lack of support for the bill as introduced. In recent meetings SITLA reported to us that it had withdrawn proposals included in draft legislation that would exchange SITLA lands for lands within our Reservation. In addition, following introduction of the bill, SITLA expressed surprise to us that these provisions were still in the bill. SITLA recommitted to work in concert with the Tribe rather than attempt to take our lands and resources. Revisions and introduction of a new bill are needed prior to any hearings to address SITLA's current position.

**Ute Indian Tribe  
Impacts of H.R. 5780 on the Uintah and Ouray Reservation**

**August 2, 2016  
Page 2 of 3**

In addition, the bill continues to be based on incorrect interpretations of federal case law. In our revisions, we requested that the bill include a provision that would require the trust restoration of lands within our Reservation under the Indian Reorganization Act (IRA) the same as was done on many other reservations across the United States. In a July 13, 2016 letter, Senator Lee and Congressman Bishop rejected that request based primarily upon their statement that: “The controlling majority opinion in the 10th Circuit’s *Ute III* decision specifically held that Congress’ clear intent was that the Uncompahgre band not hold title to the land in question.”

This is incorrect. The Tenth Circuit Court of Appeals in *Ute III*, *Ute Indian Tribe v. Utah*, 773 F.2d 1087 (10<sup>th</sup> Cir. 1985) (en banc), *cert. denied*, 479 U.S. 994 (1986), analyzed the history of the Uncompahgre Reservation and held “that the opening of the Uncompahgre Reservation was never formally or informally negotiated between the federal government and the Tribe of Indians [and that t]here was never an understanding on the part of the Tribe that they would lose their reservation as a result of the 1897 Act.” The Court then expressly concluded: “Therefore, we hold that the Uncompahgre Reservation has not been disestablished or diminished.” *Ute III* at 1093.

In both *Ute V*, *Ute Indian Tribe v. Utah*, 114 F.3d 1513 (10<sup>th</sup> Cir. 1997), and *Ute VI*, *Ute Indian Tribe v. Utah*, 790 F.3d 1000 (10<sup>th</sup> Cir. 2015), the Tenth Circuit reiterated and reaffirmed this holding. In *Ute VI*, after again reaffirming that the Uncompahgre Reservation was neither disestablished nor diminished, the Tenth Circuit bluntly stated: “we hope this opinion will send the same message: that the time has come to respect the peace and repose promised by settled decisions.” *Ute VI*, 790 F.3d at 1013. Thus, on three separate occasions over the past thirty years, the Tenth Circuit held that Congress did NOT take, remove or eliminate the Tribe’s title to the land in question. As a result, these lands are eligible for restoration under the IRA.

We are also concerned that Tribal water development provisions we proposed for Title X of the bill were disregarded. As introduced, the bill proposes a water study for Uintah and Duchesne Counties, albeit to include an assessment for storage of the Ute Indian Tribe’s water and the use of water rights currently held by the Tribe. *See* Title X, Section 1003. However, the Tribe has already studied its storage needs for lands under the Uintah Indian Irrigation Project (Project) using Tribal water rights and has developed a plan for Tribal storage of its water rights. The Tribe has been waiting since 1906, when Congress authorized the Project, for the Tribal storage required to make water delivery under the Project more predictable and successful. There is no longer any need to study the issue. The Project simply needs to be built to benefit the Tribal and local economy.

We ask that these issues be resolved before the end of August 2016 or the Tribe will be forced to defend its homelands and strongly oppose the bill. As we stated in our June 22, 2016, letter, the Ute Indian Tribe would like to make clear its position on the bill:

- We cannot support legislation that includes the transfer of lands within our Uncompahgre Reservation to SITLA or others.
- Any legislation must include the “technical” changes we proposed to make the bill consistent with federal Indian and water rights law.



**Ute Indian Tribe  
Impacts of H.R. 5780 on the Uintah and Ouray Reservation**

**August 2, 2016  
Page 3 of 3**

- With the removal of provisions affecting the Uncompahgre Reservation and the inclusion of the "technical" changes, the Tribe could support legislation that includes its economic development proposals.
- In addition to the above, the Tribe would be a full supporter and strong advocate for legislation that also requires the restoration of lands within the Uncompahgre Reservation to trust status under existing law.

We appreciate your consideration of the Tribe's position and look forward to the full inclusion of the Tribe in the Utah Public Lands Initiative and H.R. 5780. As you know, the era of taking Indian lands and resources for the benefit of non-Indians is over. We are local managers too and ask that the bill be revised to increase our ability to manage our lands and resources for the benefit of the Ute Indian Tribe and the entire State of Utah.

Sincerely,



Shaun Chapoose, Chairman  
Ute Tribal Business Committee

## Conversation Contents

**Fwd: Outdoor Retailer**

**Attachments:**

/50. Fwd: Outdoor Retailer/1.1 image001.jpg

/50. Fwd: Outdoor Retailer/1.2 PRE\_MediaAdvisory\_July2016-Final.pdf

**"Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Mon Aug 01 2016 13:05:18 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: Outdoor Retailer  
**Attachments:** image001.jpg PRE\_MediaAdvisory\_July2016-Final.pdf

FYI.

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

**From:** **Matt Keller** <[matt\\_keller@twi.org](mailto:matt_keller@twi.org)>  
**Date:** Mon, Aug 1, 2016 at 12:20 PM  
**Subject:** Outdoor Retailer  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

Hi Nikki,

I wanted to give you a heads up about press conference happening this Thursday described in the attached.

Cheers,

MK

FOR COMMITTEE USE ONLY

**Matt Keller**  
**National Monuments Campaign Director**

**The Wilderness Society**

Office: 970.422.4349

Cell: 970.946.0906

[matt\\_keller@tw.s.org](mailto:matt_keller@tw.s.org)

[www.wilderness.org](http://www.wilderness.org)

Facebook: [www.facebook.com/TheWildernessSociety](http://www.facebook.com/TheWildernessSociety)

Twitter: [twitter.com/Wilderness](https://twitter.com/Wilderness)



*We protect wilderness and inspire Americans to care for our wild places*

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

## MEDIA ADVISORY

### Leading Utah Action Sports, Health & Outdoor Companies Will Call for National Monument Protection for Bears Ears

**WHAT:** Leading action sports, ski, health and outdoor companies, including key Utah industry voices, will join together at a live press event in calling for swift action from President Obama to permanently protect the Bears Ears region in southeastern Utah.

Outdoor Retailer [Summer Market](#) will bring together thousands of retailers and manufacturers to learn about new recreation products and equipment, and industry leaders see this as an opportunity to show a unified voice in support of efforts to protect the long-neglected Bears Ears. The business representatives will call for a designation that would protect more than 100,000 archeological sites as well as some of the most sought after recreational opportunities in the nation.

**WHO:** Participating companies include:

Black Diamond Equipment

POC

Rossignol

Pro Bar

Petzl

Armada

Skullcandy

Kuhl

Gregory

Treasure Mountain Inn

Patagonia

Keen Footwear

The North Face

Osprey Packs

Mountain Hardwear

**WHEN:** Thursday, August 4, 2016, 11:00 a.m.

**WHERE:** Salt Lake Marriott Downtown at City Creek (across from the Salt Palace)  
Salon G  
75 S W Temple, Salt Lake City, UT 84101

[\(Link to Marriott website\)](#)

**CONTACT:** Julie Evans, Verde Brand Communications  
970.946.0856 (cell)  
Julie@verdepr.com

For more information, visit: [www.protectbears.org](http://www.protectbears.org)



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JASON CHAFFETZ  
3RD DISTRICT, UTAH

COMMITTEE ON OVERSIGHT  
AND GOVERNMENT REFORM  
CHAIRMAN

COMMITTEE ON  
THE JUDICIARY

Congress of the United States  
House of Representatives  
Washington, DC 20515-4403

2236 RAYBURN HOUSE OFFICE BUILDING  
(202) 225-7751

DISTRICT OFFICES:  
PROVO  
51 S. UNIVERSITY AVENUE  
SUITE 318  
PROVO, UT 84601  
PHONE: (801) 851-2500

www.chaffetz.house.gov  
@JasonInTheHouse

July 20, 2016

The Honorable Sally Jewell  
Secretary  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

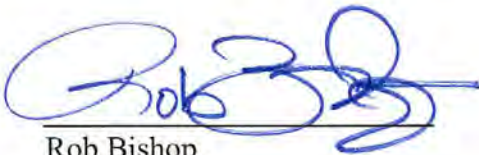
Dear Secretary Jewell,

The Utah Public Lands Initiative Act, HR 5780, was introduced on July 14, 2016. As you know, the bill seeks to resolve public lands management disputes on over 18 million acres of federal land in eastern Utah.

We are writing to request technical assistance from the Department of the Interior (Department) on HR 5780. As you know, the bill includes four divisions and 23 different titles, all of which will impact the Department in some form or fashion.

In preparation for the previously announced Congressional hearings, we ask that you provide the technical assistance, in writing, before Tuesday August 23, 2016. We look forward to continuing the productive dialogue.

Sincerely,



Rob Bishop  
Member of Congress



Jason Chaffetz  
Member of Congress

Cc: The Honorable Raul Grijalva, Ranking member House Committee on Natural Resources

## Conversation Contents

Thank You for the Work on Bears Ears

**Patrick Von Bargaen <patrick@38northsolutions.com>**

---

**From:** Patrick Von Bargaen <patrick@38northsolutions.com>  
**Sent:** Wed Jul 27 2016 13:28:40 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Thank You for the Work on Bears Ears

TOMMY:

On behalf of Nancy Pfund and Tom Baruch, Co-Chairs of the Conservation for Economic Growth Coalition (CEGC), I wanted first to thank you for Secretary Jewell's significant effort in considering the Bears Ears proposal. The investment of time and energy by leading administration officials — including Secretary Jewell, Jon Jarvis, Neil Kronze, Robert Bonnie, Dan Jiron, and many others — in visiting San Juan County the weekend before last, meeting with many stakeholders, getting out on the land to know the resource better, and sitting through that 3-1/2 hour public meeting in the heat in Bluff on Saturday was truly extraordinary.

Second, as you know better than we, there are many serious concerns with, and unacceptable provisions in, the Bishop-Chaffetz Public Lands Initiative legislation released last week. Despite starting discussions with stakeholders in early 2013, we are just seeing legislation now — three and a half years later. There is obviously precious little time left in the 114<sup>th</sup> Congress's calendar to fix and move such a complex piece of legislation. In the meantime, the Bears Ears region suffers on-going looting of archaeological resources and off-road vehicle damage.

Finally, we have just learned that we have successfully placed an op-ed drafted by Nancy and Tom with *Morning Consult* that fully supports President Obama should he decide to move forward and use the Antiquities Act to establish the Bears Ears National Monument as called for by the Bears Ears Inter-Tribal coalition. The op-ed should be published next week. And we will be looking other ways to support the resident on this issue throughout the coming months!

Cheers,  
PATRICK VON BARGEN  
38 North Solutions  
202-524-8887  
[www.38northsolutions.com](http://www.38northsolutions.com)



**"Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>**

---

**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Wed Jul 27 2016 13:30:57 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: Thank You for the Work on Bears Ears

I'm sure you received this as well.

TPB

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

**From:** **Patrick Von Barga** <[patrick@38northsolutions.com](mailto:patrick@38northsolutions.com)>  
**Date:** Wed, Jul 27, 2016 at 3:28 PM  
**Subject:** Thank You for the Work on Bears Ears  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>

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[www.38northsolutions.com](http://www.38northsolutions.com)

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Jul 27 2016 13:58:23 GMT-0600 (MDT)  
**To:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Thank You for the Work on Bears Ears

I didn't!

On Jul 27, 2016, at 3:31 PM, Beaudreau, Tommy <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

I'm sure you received this as well.

TPB

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

**From:** Patrick Von Bargaen <[patrick@38northsolutions.com](mailto:patrick@38northsolutions.com)>  
**Date:** Wed, Jul 27, 2016 at 3:28 PM  
**Subject:** Thank You for the Work on Bears Ears  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>

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38 North Solutions  
202-524-8887  
[www.38northsolutions.com](http://www.38northsolutions.com)

**Patrick Von Bargaen <patrick@38northsolutions.com>**

---

**From:** Patrick Von Bargaen <patrick@38northsolutions.com>  
**Sent:** Mon Aug 01 2016 10:26:11 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Thank You for the Work on Bears Ears

TOMMY:

Our Bears Ears op-ed was published this morning, and I wanted to be sure you saw it (below). Thanks again!

<https://morningconsult.com/opinions/bears-ears-monument-will-protect-heritage-boost-economic-growth/>

Cheers,  
PATRICK VON BARGEN  
38 North Solutions  
202-524-8887



[www.38northsolutions.com](http://www.38northsolutions.com)

On Jul 27, 2016, at 12:28 PM, Patrick Von Bargaen  
<[patrick@38northsolutions.com](mailto:patrick@38northsolutions.com)> wrote:

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PATRICK VON BARGEN  
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202-524-8887  
[www.38northsolutions.com](http://www.38northsolutions.com)

## Conversation Contents

Fwd: Oregon national monument possibilities

**"O'Leary, Kathleen" <kathleen\_oleary@ios.doi.gov>**

---

**From:** "O'Leary, Kathleen" <kathleen\_oleary@ios.doi.gov>  
**Sent:** Tue Jul 19 2016 11:03:51 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Oregon national monument possibilities

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

**From:** **Leshy, John** <[leshyj@uchastings.edu](mailto:leshyj@uchastings.edu)>  
**Date:** Tue, Jul 19, 2016 at 11:26 AM  
**Subject:** Oregon national monument possibilities  
**To:** Marigrace Caminiti <[Marigrace.Caminiti@sol.doi.gov](mailto:Marigrace.Caminiti@sol.doi.gov)>

Hi, Marigrace. Could you do me a favor and forward the email below to Tommy Boudreau and Mike Connor, with a cc to Kornze? Thanks so much. By the way, I spent Sunday and part of yesterday with Alec in Providence RI, not far from where he's living. He tells me he's probably going to be in DC visiting friends in a few weeks and may try to stop by to see you. Take care, John

Sent from my iPhone

Greetings, gentlemen.

I write to urge you to schedule a "listening session" in Bend, Oregon, in August or September to consider a possible new monument designation in Oregon's Owyhee Canyonlands and a possible enlargement of the Cascade-Siskiyou National Monument. I've floated the Owyhee and know firsthand of its spectacular qualities. I also have a long involvement in Cascade-Siskiyou.

My understanding is that currently there is a bit of a stalemate between the Administration and Senator Wyden, with the Administration asking for an

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expression of public support for monument designation/enlargement before a listening session is scheduled and held, and the Senator wanting at this point only to express public support for having a listening session, without committing to anything further until afterward.

I sense some frustration in both camps. Without taking sides, it seems to me a mistake to allow an excellent opportunity to bolster the President's legacy and protect some worthy beautiful country to be sidetracked by this kind of disagreement. I'd urge going forward with the listening session without a pre-commitment from the Senator that he would support the use of the Antiquities Act in either place. This would fulfill an important purpose of such these sessions -- to understand public concerns and the depth of public support before a decision is made.

While the outcome of the session cannot be predicted, I think there's an excellent chance a Bend listening session would produce a big win for the President and for public land protection generally. Bend is a high desert community with a genuine legacy in the old rural West, but it is also a fast-growing exemplar of the new West, attracting greenish workers, progressives, and retirees. It has a population approaching 100,000 (metro area 160,000) and is usually rated as one of the best places in the nation to live. In my experience, including several visits there, most people in Bend love their quality of life, and that means they love Oregon's public lands and want to protect them. (San Juan County, Utah, where Bears Ears is located, has less than 10% of the population of greater Bend.)

An Owyhee monument has plenty of local supporters who, I believe, could organize a real love-fest for the use of the Antiquities Act. Finally, and perhaps needless to say, such a demonstration of how most Oregonians feel about their public lands could purge the distasteful legacy of the Malheur Refuge takeover early this year.

Thanks for listening. John

John D. Leshy



--

**Marigrace Caminiti**

Executive Assistant to the Solicitor  
US Department of the Interior  
1849 C Street, NW, Rm. 6415  
Washington, DC 20240  
202-208-4423 - main number  
202-208-3111 - direct  
202-208-5584 - fax  
202-528-0486 or 202-359-2949 -cell/wcell

\*\*\*\*\*

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**"Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>**

**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Wed Jul 27 2016 08:31:39 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: Oregon national monument possibilities

Can't remember whether I sent this to you or not.

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

**From:** O'Leary, Kathleen <kathleen\_oleary@ios.doi.gov>  
**Date:** Tue, Jul 19, 2016 at 1:03 PM  
**Subject:** Fwd: Oregon national monument possibilities  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>

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

**From:** Leshy, John <leshyj@uchastings.edu>  
**Date:** Tue, Jul 19, 2016 at 11:26 AM  
**Subject:** Oregon national monument possibilities  
**To:** Marigrace Caminiti <Marigrace.Caminiti@sol.doi.gov>



Hi, Marigrace. Could you do me a favor and forward the email below to Tommy Boudreau and Mike Connor, with a cc to Kornze? Thanks so much. By the way , I spent Sunday and part of yesterday with Alec in Providence RI, not far from where he's living. He tells me he's probably going to be in DC visiting friends in a few weeks and may try to stop by to see you. Take care, John

Sent from my iPhone

Greetings, gentlemen.

I write to urge you to schedule a "listening session" in Bend, Oregon, in August or September to consider a possible new monument designation in Oregon's Owyhee Canyonlands and a possible enlargement of the Cascade-Siskiyou National Monument. I've floated the Owyhee and know firsthand of its spectacular qualities. I also have a long involvement in Cascade-Siskiyou.

My understanding is that currently there is a bit of a stalemate between the Administration and Senator Wyden, with the Administration asking for an expression of public support for monument designation/enlargement before a listening session is scheduled and held, and the Senator wanting at this point only to express public support for having a listening session, without committing to anything further until afterward.

I sense some frustration in both camps. Without taking sides, it seems to me a mistake to allow an excellent opportunity to bolster the President's legacy and protect some worthy beautiful country to be sidetracked by this kind of disagreement. I'd urge going forward with the listening session without a pre-commitment from the Senator that he would support the use of the Antiquities Act in either place. This would fulfill an important purpose of such these sessions -- to understand public concerns and the depth of public support before a decision is made.

While the outcome of the session cannot be predicted, I think there's an excellent chance a Bend listening session would produce a big win for the President and for public land protection generally. Bend is a high desert community with a genuine legacy in the old rural West, but it is also a fast-growing exemplar of the new West, attracting greenish workers, progressives, and retirees. It has a population approaching 100,000 (metro area 160,000)

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and is usually rated as one of the best places in the nation to live. In my experience, including several visits there, most people in Bend love their quality of life, and that means they love Oregon's public lands and want to protect them. (San Juan County, Utah, where Bears Ears is located, has less than 10% of the population of greater Bend.)

An Owyhee monument has plenty of local supporters who, I believe, could organize a real love-fest for the use of the Antiquities Act. Finally, and perhaps needless to say, such a demonstration of how most Oregonians feel about their public lands could purge the distasteful legacy of the Malheur Refuge takeover early this year.

Thanks for listening. John

John D. Leshy

--  
**Marigrace Caminiti**

Executive Assistant to the Solicitor  
US Department of the Interior  
1849 C Street, NW, Rm. 6415  
Washington, DC 20240  
202-208-4423 - main number  
202-208-3111 - direct  
202-208-5584 - fax  
202-528-0486 or 202-359-2949 -cell/wcell

\*\*\*\*\*

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**Nicole Buffa** <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Jul 27 2016 09:02:56 GMT-0600 (MDT)  
**To:** "Beaudreau, Tommy" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Oregon national monument possibilities

Hadn't seen. Pisses me off that he's going straight to you guys.

On Jul 27, 2016, at 10:31 AM, Beaudreau, Tommy <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

Can't remember whether I sent this to you or not.

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

**From:** **O'Leary, Kathleen** <[kathleen\\_oleary@ios.doi.gov](mailto:kathleen_oleary@ios.doi.gov)>  
**Date:** Tue, Jul 19, 2016 at 1:03 PM  
**Subject:** Fwd: Oregon national monument possibilities  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>

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

**From:** **Leshy, John** <[leshyj@uchastings.edu](mailto:leshyj@uchastings.edu)>  
**Date:** Tue, Jul 19, 2016 at 11:26 AM  
**Subject:** Oregon national monument possibilities  
**To:** Marigrace Caminiti <[Marigrace.Caminiti@sol.doi.gov](mailto:Marigrace.Caminiti@sol.doi.gov)>

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## Conversation Contents

July 26 -- Greenwire is ready

**"E&E Publishing" <ealerts@eenews.net>**

---

**From:** "E&E Publishing" <ealerts@eenews.net>  
**Sent:** Tue Jul 26 2016 11:19:48 GMT-0600 (MDT)  
**To:** <tommy\_beaudreau@ios.doi.gov>  
**Subject:** July 26 -- Greenwire is ready



## Conversation Contents

**Fwd: letter from the Bears Ears Inter-Tribal Coalition**

**Attachments:**

/58. Fwd: letter from the Bears Ears Inter-Tribal Coalition/1.1 BEITC letter July 23.pdf

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Sun Jul 24 2016 08:35:15 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: letter from the Bears Ears Inter-Tribal Coalition  
**Attachments:** BEITC letter July 23.pdf

Begin forwarded message:

**From:** Natasha Hale <[bearspress@gmail.com](mailto:bearspress@gmail.com)>  
**To:** "[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)" <[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)>  
**Cc:** Regina Lopez <[rwhiteskunk@utemountain.org](mailto:rwhiteskunk@utemountain.org)>, "[alomahquahu@hopi.nsn.us](mailto:alomahquahu@hopi.nsn.us)" <[alomahquahu@hopi.nsn.us](mailto:alomahquahu@hopi.nsn.us)>, "[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>, "[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)" <[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)>  
**Subject:** **letter from the Bears Ears Inter-Tribal Coalition**

Dear Casey,

It was wonderful to see you at the top of the Bears Ears last week. I'm glad we all had a chance to break bread, and relax in the grassy meadow just below the buttes. It was such a beautiful day.

Per the request of the Coalition leaders cc'd here, I'm attaching the Coalition's response to your July 18th letter and email.

My best,  
Natasha





**BEARS EARS INTER-TRIBAL COALITION**

A Partnership of the Hopi, Navajo, Uintah Ouray Ute, Ute Mountain Ute, and Zuni Governments

July 23, 2016

Honorable Jason Chaffetz  
2236 Rayburn Office Building  
Washington, DC 20515

Honorable Rob Bishop  
123 Cannon Office Building  
Washington, DC 201515

Dear Casey;

Thank you very much for your email of July 18. We appreciate your coming to our summer gathering and enjoyed seeing you there.

We also thank you for the invitation, which is obviously very sincere, to meet with you and members of the Utah delegation. At the same time, we do not see how further discussions can be productive. The basic problem is that our two sides hold dramatically different views on what should be done in the Bears Ears area. Our proposal calls for strong conservation measures and deep involvement of the Tribes in monument management. The current version of the PLI is highly protective of mining and other forms of development to the detriment of land protection. Leaving aside many other issues, just to take three major concerns, we are miles apart on these:

1. We strongly believe that the Bears Ears area should be defined by the boundaries set forth in our proposal of October 15, 2015. Our documentation of this is detailed and extensive. We have spent a great deal of time and effort, and have consulted extensively with elders and other Indian people who are deeply connected to this landscape, to determine those areas

in order to provide protection to our sacred sites and cultural resources. Many of our people believe that the area should actually be larger.

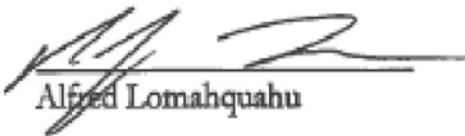
2. We have proposed a withdrawal from mining of the entire area. That is consistent with the practice in nearly all national monuments and parks, and we are satisfied that it is necessary to protect our sacred sites and cultural resources.

3. We examined the area of collaborative management in great depth, including calling in distinguished leaders on federal land management, and put forth a practical, comprehensive proposal. The current PLI bill, which allows only a weak advisory role for tribes and does not even come close to true collaborative management as described in our proposal.

We have labored extensively to reach our approaches to each of those issues and believe that our proposal presents the best way to resolve them. The PLI bill is diametrically opposed to each one of them as well as many other issues in our proposal. Frankly, we see no indication that the PLI made a serious attempt to include any aspects of our proposal.

Again, we appreciate your inquiry very much. At the same time we, as well as you, are extremely busy at this point and we do not see how it could be fruitful to go to the trouble of arranging a meeting given the profound differences between our respective approaches to the Bears Ears landscape.

Best regards,



Alfred Lomahquahu  
Hopi Vice-Chairman  
Co-Chair, Bears Ears  
Inter-tribal Coalition



Regina Lopez-Whiteskunk  
Ute Mountain Ute Tribe Council Member  
Co-Chair, Bears Ears  
Inter-tribal Coalition



## Conversation Contents

Fwd:

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Sun Jul 24 2016 08:34:25 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd:

For discussion tomorrow. Will send their response next.

Begin forwarded message:

**From:** Charles F Wilkinson <[Charles.Wilkinson@colorado.edu](mailto:Charles.Wilkinson@colorado.edu)>  
**Date:** July 23, 2016 at 4:55:12 PM EDT  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** <no subject>

Dear Nikki;

Thanks for all that you did out in Utah. The tone of the proceedings on those three days and maybe especially at the Bears Ears meadow and Bluff, was truly outstanding and really mattered. You had a whole lot to do with that.

Thank you.

We have spent a good deal of time talking over our response to Casey's email. At bottom, the tribal leaders were just absolutely determined not to be drawn back into any negotiations. They feel so insulted on so many levels, ranging from face-to-face insults to the fact that the PLI just basically ignores the tribal proposal and differs dramatically from it. Beyond that, there's just the futility of it: the tribal leaders believe, and we agree with them, that the two sides' basic values are so far apart that the delegation is just not going to make anywhere near the adjustments we would need to have made. There are very few people I've dealt with over the years that are flat incapable of reaching a true middle-ground settlement, but these people are that.

Having said that, we are well aware that, in an ideal world, you and the Secretary and others would like us to do some further negotiating with the state. We respect that and would very much like to oblige it. You will shortly receive the letter we sent back and please know that we very much had the administration's perspective--one I would have if I were in your chair--in mind. But these people are impossible.

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I am out of the country all of next week, but I would love to take a few moments to get caught up when I get back.

My best spirits,  
Charles



## Conversation Contents

Fwd: Phone Call

**"Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>**

---

**From:** "Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>  
**Sent:** Tue Oct 25 2016 15:05:46 GMT-0600 (MDT)  
"Milakofsky, Benjamin"  
**To:** <benjamin\_milakofsky@ios.doi.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>, Nicole Buffa  
<nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: Phone Call

I'm seeing now in the email that Pam did indicate the subject of her call(s). Nikki - I think you missed this discussion at the top of the scheduling meeting. I can certainly call her back and hear whatever it is, but does it make more sense for you to call her?

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

**From:** **Gulac, Catherine** <[catherine\\_gulac@ios.doi.gov](mailto:catherine_gulac@ios.doi.gov)>  
**Date:** Tue, Oct 25, 2016 at 2:10 PM  
**Subject:** Phone Call  
**To:** Elizabeth Klein <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>

Hi Liz,  
Pam Robinson from Governor Sandoval's office called for you or Mike.

Her number is C - 775-450-1784  
Desk - 775-684-5774

Subject: Gold Butte

Thanks.  
Cathy

*Catherine Gulac*  
U.S. Department of the Interior  
Office of the Deputy Secretary  
1849 C St, NW, MS-7328  
Washington, D.C. 20240  
202-208-6291 Office / 202-208-1739 Direct / 202-208-1873 Fax  
[Catherine\\_Gulac@ios.doi.gov](mailto:Catherine_Gulac@ios.doi.gov)

--  
Elizabeth Klein  
Associate Deputy Secretary  
Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240  
ph: 202-513-0561

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

---

**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Tue Oct 25 2016 15:17:35 GMT-0600 (MDT)  
**To:** "Klein, Elizabeth" <elizabeth\_klein@ios.doi.gov>  
"Milakofsky, Benjamin"  
**CC:** <benjamin\_milakofsky@ios.doi.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Phone Call

I've already reached out and we will talk today or tomorrow. Feel free to tell her that she and I should talk. Thanks!

On Oct 25, 2016, at 5:05 PM, Klein, Elizabeth <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)> wrote:

I'm seeing now in the email that Pam did indicate the subject of her call(s). Nikki - I think you missed this discussion at the top of the scheduling meeting. I can certainly call her back and hear whatever it is, but does it make more sense for you to call her?

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**From:** **Gulac, Catherine** <[catherine\\_gulac@ios.doi.gov](mailto:catherine_gulac@ios.doi.gov)>  
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**To:** Elizabeth Klein <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>

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1849 C St, NW, MS-7328

## FOR COMMITTEE USE ONLY

Washington, D.C. 20240  
202-208-6291 Office / 202-208-1739 Direct / 202-208-1873 Fax  
[Catherine\\_Gulac@ios.doi.gov](mailto:Catherine_Gulac@ios.doi.gov)

—  
Elizabeth Klein  
Associate Deputy Secretary  
Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240  
ph: 202-513-0561

## Conversation Contents

Re: Meeting with Secretary Jewel September 26th or 27

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Thu Sep 22 2016 06:42:42 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Benjamin Milakofsky <[benjamin\\_milakofsky@ios.doi.gov](mailto:benjamin_milakofsky@ios.doi.gov)>, Kate P Kelly <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>, Blake Androff <[Blake\\_Androff@ios.doi.gov](mailto:Blake_Androff@ios.doi.gov)>, Sarah Neimeyer <[sarah\\_Neimeyer@ios.doi.gov](mailto:sarah_Neimeyer@ios.doi.gov)>  
**CC:** "kerry\_mcnellis@ios.doi.gov" <[kerry\\_mcnellis@ios.doi.gov](mailto:kerry_mcnellis@ios.doi.gov)>, Francis Iacobucci <[francis\\_iacobucci@ios.doi.gov](mailto:francis_iacobucci@ios.doi.gov)>  
**Subject:** Re: Meeting with Secretary Jewel September 26th or 27

For discussion.

On Sep 22, 2016, at 8:40 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

Thanks, Jeremy. I am adding our schedulers to this email. They will get back to you and run this through our process here.

Thanks for your email.

All my best,  
Nikki

On Sep 21, 2016, at 11:56 PM, J Clement **(b) (6)** wrote:

Good Evening,

We were excited to have Secretary Jewell visit the Moapa Reservation last Thursday. During Secretary Jewell's visit, former Moapa Chairman William Anderson spoke with her about the tribe's support for protecting Gold Butte and mentioned support petitions that the 419 Club (tribal youth group) collected for Gold Butte.

Secretary Jewell told Mr. Anderson that she would like to have the



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419 Club deliver the petitions to her in person for a photo/media opportunity and suggested that this could take place during the [White House Tribal Nations Conference Sep. 26-27](#).

We have made arrangements for four youth leaders to travel to Washington D.C. next week to make this presentation. I would like to work with you and your staff to arrange a 5 minute intercept opportunity for the youth leaders to present their petitions to Secretary Jewell.

We arrive in DC [Sunday evening, 9/25](#). We are available before [12:30pm](#) and [after 2pm on Monday, 9/26](#) and [between 11am and 4:30pm on Tuesday, 9/27](#).

Thank you for your assistance with this request.

Jeremy Clement  
Moapa 419 Youth Group Advisor  
[702-743-5484](tel:702-743-5484)

**"Kelly, Katherine" <kate\_kelly@ios.doi.gov>**

---

**From:** "Kelly, Katherine" <kate\_kelly@ios.doi.gov>  
**Sent:** Thu Sep 22 2016 07:13:40 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Benjamin Milakofsky <benjamin\_milakofsky@ios.doi.gov>, Blake Androff <Blake\_Androff@ios.doi.gov>, Sarah Neimeyer <sarah\_Neimeyer@ios.doi.gov>  
**CC:** "kerry\_mcnellis@ios.doi.gov" <kerry\_mcnellis@ios.doi.gov>, Francis Iacobucci <francis\_iacobucci@ios.doi.gov>  
**Subject:** Re: Meeting with Secretary Jewel September 26th or 27

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For discussion.

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Moapa 419 Youth Group Advisor  
[702-743-5484](tel:702-743-5484)

--  
Kate Kelly  
Senior Advisor  
Department of the Interior  
(202) 208 2409  
[kate\\_kelly@ios.doi.gov](mailto:kate_kelly@ios.doi.gov)



**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

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Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Benjamin Milakofsky <[benjamin\\_milakofsky@ios.doi.gov](mailto:benjamin_milakofsky@ios.doi.gov)>, Blake Androff <[Blake\\_Androff@ios.doi.gov](mailto:Blake_Androff@ios.doi.gov)>, Sarah Neimeyer <[sarah\\_Neimeyer@ios.doi.gov](mailto:sarah_Neimeyer@ios.doi.gov)>, "kerry\_mcnellis@ios.doi.gov" <[kerry\\_mcnellis@ios.doi.gov](mailto:kerry_mcnellis@ios.doi.gov)>, Francis Iacobucci <[francis\\_iacobucci@ios.doi.gov](mailto:francis_iacobucci@ios.doi.gov)>  
**CC:**  
**Subject:** Re: Meeting with Secretary Jewel September 26th or 27

Great! I like it too.

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Secretary Jewell told Mr. Anderson that she would like to have the 419 Club deliver the petitions to her in person for a photo/media opportunity and suggested that this could take place during the [White House Tribal Nations Conference](#) Sep. 26-27.

We have made arrangements for four youth leaders to travel to Washington D.C. next week to make this presentation. I would like to work with you and your staff to arrange a 5 minute intercept opportunity for the youth leaders to present their petitions to Secretary Jewell.

We arrive in DC Sunday evening, 9/25. We are available before 12:30pm and after 2pm on Monday, 9/26 and between 11am and 4:30pm on Tuesday, 9/27.

Thank you for your assistance with this request.

Jeremy Clement  
Moapa 419 Youth Group Advisor  
[702-743-5484](tel:702-743-5484)

Kate Kelly  
Senior Advisor  
Department of the Interior  
(202) 208 2409  
[kate\\_kelly@ios.doi.gov](mailto:kate_kelly@ios.doi.gov)

**"McNellis, Kerry" <kerry\_mcnellis@ios.doi.gov>**

---

**From:** "McNellis, Kerry" <kerry\_mcnellis@ios.doi.gov>  
**Sent:** Thu Sep 22 2016 07:21:01 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
"Kelly, Katherine" <kate\_kelly@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Benjamin Milakofsky <benjamin\_milakofsky@ios.doi.gov>, Blake Androff <Blake\_Androff@ios.doi.gov>, Sarah Neimeyer <sarah\_Neimeyer@ios.doi.gov>, Francis Iacobucci <francis\_iacobucci@ios.doi.gov>  
**CC:**



FOR COMMITTEE USE ONLY

**Subject:** Re: Meeting with Secretary Jewel September 26th or 27

Got it - we'll find some time on Tuesday that works for them and move forward with scheduling.

Thanks!

On Thu, Sep 22, 2016 at 9:19 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:  
Great! I like it too.

On Sep 22, 2016, at 9:13 AM, Kelly, Katherine <[kate\\_kelly@ios.doi.gov](mailto:kate_kelly@ios.doi.gov)> wrote:

I like it. Ben suggests the Tuesday time is better, if possible.

On Thu, Sep 22, 2016 at 8:42 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

For discussion.

On Sep 22, 2016, at 8:40 AM, Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

Thanks, Jeremy. I am adding our schedulers to this email. They will get back to you and run this through our process here.

Thanks for your email.

All my best,  
Nikki

On Sep 21, 2016, at 11:56 PM, J Clement  
(b) (6) wrote:

Good Evening,

We were excited to have Secretary Jewell visit the Moapa Reservation last Thursday. During Secretary Jewell's visit, former Moapa Chairman William Anderson spoke with her about the tribe's support for protecting Gold Butte and mentioned support petitions that the 419 Club (tribal youth group) collected for Gold Butte.

Secretary Jewell told Mr. Anderson that she would like to have the 419 Club deliver the petitions to her in person for a photo/media opportunity and suggested that this could take place during

the [White House Tribal Nations Conference](#) Sep. 26-27.

We have made arrangements for four youth leaders to travel to Washington D.C. next week to make this presentation. I would like to work with you and your staff to arrange a 5 minute intercept opportunity for the youth leaders to present their petitions to Secretary Jewell.

We arrive in DC Sunday evening, 9/25. We are available before 12:30pm and after 2pm on Monday, 9/26 and between 11am and 4:30pm on Tuesday, 9/27.

Thank you for your assistance with this request.

Jeremy Clement  
Moapa 419 Youth Group Advisor  
[702-743-5484](tel:702-743-5484)

--

Kate Kelly  
Senior Advisor  
Department of the Interior  
(202) 208 2409  
[kate\\_kelly@ios.doi.gov](mailto:kate_kelly@ios.doi.gov)

--

Kerry J. McNellis  
Deputy Director  
Office of Scheduling and Advance  
Office of the Secretary, U.S. Department of the Interior  
[kerry\\_mcnellis@ios.doi.gov](mailto:kerry_mcnellis@ios.doi.gov) | C: 202-809-2193

## Conversation Contents

**Fwd: Follow up from September 15th event**

**Attachments:**

/18. Fwd: Follow up from September 15th event/1.1 Picture (Device Independent Bitmap) 1.jpg

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Mon Sep 19 2016 07:51:37 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: Follow up from September 15th event  
**Attachments:** Picture (Device Independent Bitmap) 1.jpg

Let's discuss. Thanks!

Begin forwarded message:

**From:** Nicole Layman <[nicole\\_layman@twi.org](mailto:nicole_layman@twi.org)>  
**Date:** September 18, 2016 at 7:03:36 PM PDT  
**To:** "Nicole Buffa ([nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov))" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Subject:** **Follow up from September 15th event**



## Conversation Contents

Fwd: Fw: \*\*\*MEDIA ADVISORY\*\*\* TOMORROW At 12:00pm PT/3:00pm ET: Reid to Host Press Conference on Gold Butte Damage Report

**Attachments:**

/20. Fwd: Fw: \*\*\*MEDIA ADVISORY\*\*\* TOMORROW At 12:00pm PT/3:00pm ET: Reid to Host Press Conference on Gold Butte Damage Report/1.1 image001.jpg

/20. Fwd: Fw: \*\*\*MEDIA ADVISORY\*\*\* TOMORROW At 12:00pm PT/3:00pm ET: Reid to Host Press Conference on Gold Butte Damage Report/1.2 image003.jpg

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Aug 17 2016 07:47:27 GMT-0600 (MDT)  
**To:** Neil Kornze <nkornze@blm.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Fw: \*\*\*MEDIA ADVISORY\*\*\* TOMORROW At 12:00pm PT/3:00pm ET: Reid to Host Press Conference on Gold Butte Damage Report  
**Attachments:** image001.jpg image003.jpg

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

**From:** **Moffat, Sara (Reid)** <[Sara\\_Moffat@reid.senate.gov](mailto:Sara_Moffat@reid.senate.gov)>  
**Date:** Wed, Aug 17, 2016 at 9:21 AM  
**Subject:** Fw: \*\*\*MEDIA ADVISORY\*\*\* TOMORROW At 12:00pm PT/3:00pm ET: Reid to Host Press Conference on Gold Butte Damage Report  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

FYI

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Senate Democratic Leader Harry Reid <[Senate\\_Democratic\\_Leader\\_<wbr>Harry\\_Reid@REID.SENATE.GOV](mailto:Senate_Democratic_Leader_<wbr>Harry_Reid@REID.SENATE.GOV)>  
**Sent:** Wednesday, August 17, 2016 9:17 AM  
**To:** [DPCC-PRESS@DEMOCRATIC-MESSAGE-CENTER.SENATE.GOV](mailto:DPCC-PRESS@DEMOCRATIC-MESSAGE-CENTER.SENATE.GOV)  
**Reply To:** Senate Democratic Leader Harry Reid  
**Subject:** \*\*\*MEDIA ADVISORY\*\*\* TOMORROW At 12:00pm PT/3:00pm ET: Reid to Host Press Conference on Gold Butte Damage Report

cid:image001.jpg@01D081A7.EA837670

***For Planning Purposes***

**Date:** Wednesday, August 17, 2016

**CONTACT:** Kristen Orthman (202) 224-2939

**\*\*\*MEDIA ADVISORY\*\*\***



**TOMORROW At 12:00pm PT/3:00pm ET**

## **Reid to Host Press Conference on Gold Butte Damage Report**

**Las Vegas, NV** – Nevada Senator Harry Reid will host a press conference announcing the release of the second Gold Butte damage report compiled by Friends of Gold Butte, a local group working toward the permanent protection of the area. The report documents damage to cultural, historic, and natural resources in the area from September 2015 through April 2016. Senator Reid will be joined by a coalition of community leaders, activists and organizations working to protect the natural treasures in Gold Butte.

**WHO:** Senator Harry Reid (D-NV)

Rep. Dina Titus (D-NV)

Rossi Ralenkotter, President/CEO of the Las Vegas Convention and Visitors Authority

Virginia Valentine, President of the Nevada Resort Association

Frank Adams, Mesquite resident and former Metropolitan Police Department officer

Jocelyn Torres, Nevada Program Director for the Conservation Lands Foundation

**WHAT:** Press conference

**WHEN:** Thursday, August 18 at 12:00 p.m. PT/ 3:00 p.m. ET

**WHERE:** Mandalay Bay – Foundation Room

3950 S Las Vegas Blvd.

Las Vegas, NV 89119

###

cid:image002.png@01D081A7.EA837670

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To unsubscribe from the DPCC-PRESS list, click the following link:

[DPCC-PRESS@ios.doi.gov](mailto:DPCC-PRESS@ios.doi.gov)

--  
Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

## Conversation Contents

**Gold Butte Monument Designation.docx**

**Attachments:**

/22. Gold Butte Monument Designation.docx/1.1 Gold Butte Monument Designation.docx

**Paul Eaton <peaton@vetvoicefoundation.org>**

---

**From:** Paul Eaton <peaton@vetvoicefoundation.org>  
**Sent:** Fri Jul 22 2016 12:42:23 GMT-0600 (MDT)  
**To:** <nicole\_buffa@ios.doi.gov>, Beaudreau  
<tommy\_beaudreau@ios.doi.gov>  
**Subject:** Gold Butte Monument Designation.docx  
**Attachments:** Gold Butte Monument Designation.docx

Tommy My message intent for the meeting last week was to deliver the attached letter. Essentially, we support the designation of Gold Butte as a monument and standby by to provide veteran pushback against anticipated local opposition. Have a great weekend. Cheers Paul > > > > > > Sent from my iPad





The Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear President Obama:

On behalf of Vet Voice Foundation's 450,000 members, I am writing to urge you to protect Gold Butte as a national monument. Covering almost 350,000 acres in southeastern Nevada, Gold Butte is a treasure trove of cultural, historic, and natural wonders. These wonders include thousands of petroglyphs, historic mining- and pioneer-era artifacts, rare and threatened wildlife such as the Mojave Desert tortoise and desert bighorn sheep, dramatic geologic features like sculpted red sandstone and rock spires, and fossil track-sites dating back 170 to 180 million years.

Protected open spaces are important to veterans reintegrating to civilian life. Research shows the solace of a personal experience in the outdoors has huge healing contributions to even the most severe mental health conditions. Our national public lands are also a place where veterans repair and renew bonds with family and friends after long deployments. Unfortunately, despite the urging of Senator Harry Reid and Representative Dina Titus, Congress has failed to act to protect Gold Butte. Your administration has the opportunity, and the authority, to set in place permanent protection measures for Nevada's piece of the Grand Canyon.

Time is running out for Gold Butte--due to events in the past several years, this treasured landscape has seen a large increase in destruction to critical habitat, ancient petroglyphs and pioneer heritage sites. Reckless law breakers should not be able to hold hostage lands belonging to all Americans and these lands should no longer suffer at the hands of a few. As military veterans, we have not forgotten the oath we swore to sacrifice ourselves to defend the lands we love. The commitment we feel from our service to defend the American way of life extends to the public lands that belong to all American citizens.

There is important work to be done to protect America's last great wildlands, places of important cultural and historical significance, and places veterans use to heal from the trauma of war. As veterans we served to protect our nation's citizens, values and lands. We have the opportunity to continue that oath and ensure that future generations are provided the chance to learn, explore, recreate, nurture and heal in a cherished piece of American history. Please designate Gold Butte as a National Monument.

Respectfully,

Paul D. Eaton  
Major General, US Army (Retired) and Managing Director  
Vet Voice Foundation

CC:  
The Honorable Harry Reid, United States Senate  
The Honorable Dina Titus, United States House of Representatives  
The Honorable Sally Jewell, Secretary, U.S. Department of Interior  
The Honorable Neil Kornze, Director, Bureau of Land Management  
Christy Goldfuss, Managing Director, White House Council on Environmental Quality

## Conversation Contents

Gold Butte in Nevada as a national monument

**Nancy Pfund <nancy@dblparkers.vc>**

---

**From:** Nancy Pfund <nancy@dblparkers.vc>  
**Sent:** Wed Jul 06 2016 13:47:27 GMT-0600 (MDT)  
**To:** "tommy\_beaudreau@ios.doi.gov"  
<tommy\_beaudreau@ios.doi.gov>  
**Subject:** Gold Butte in Nevada as a national monument

Tommy:

As Co-Chair of the Conservation for Economic Growth Coalition (CEGC), I am writing today to support you and Secretary Jewell in moving along the proposal to designate Gold Butte in Nevada as a national monument. As you know from previous communications, the venture capitalists and entrepreneurs who comprise the CEGC strongly support monument designations because of the value of access to protected lands to our innovation economy. CEGC supported the designation of Basin & Range because protected public lands in Nevada can be a real asset to entrepreneurial companies that seek to expand into the state. My understanding is that a public meeting was held in Nevada that demonstrated strong support for Gold Butte as the next potential monument designation, and that business and tribal leaders, Nevada families, and people from all walks of life are working to permanently protect these 350,000 acres of land featuring red sandstone canyons and cliffs and remarkable cultural heritage sites. We want to add our voices at CEGC to that chorus of support, with a note of urgency that time may be running out to protect this national treasure. Please pass along our thoughts to the Secretary and tell her that we are anxious to help her convince the President that now is the time for a Gold Butte designation.

Thank you!  
Nancy

Nancy Pfund  
Managing Partner  
DBL Partners  
[nancy@dblparkers.vc](mailto:nancy@dblparkers.vc)

Sent from my iPad

**Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>**

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>



FOR COMMITTEE USE ONLY

**Sent:** Wed Jul 06 2016 13:55:00 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:** Fwd: Gold Butte in Nevada as a national monument

TPB

Begin forwarded message:

**From:** Nancy Pfund <[nancy@dblparkers.vc](mailto:nancy@dblparkers.vc)>  
**Date:** July 6, 2016 at 3:47:27 PM EDT  
**To:** "[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** **Gold Butte in Nevada as a national monument**

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Thank you!  
Nancy

Nancy Pfund  
Managing Partner  
DBL Partners  
[nancy@dblparkers.vc](mailto:nancy@dblparkers.vc)

Sent from my iPad

---

**"Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**



FOR COMMITTEE USE ONLY

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Wed Jul 06 2016 16:57:14 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Gold Butte in Nevada as a national monument

OKey doke.

On Wed, Jul 6, 2016 at 3:55 PM, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

TPB

Begin forwarded message:

**From:** Nancy Pfund <[nancy@dblparkers.vc](mailto:nancy@dblparkers.vc)>  
**Date:** July 6, 2016 at 3:47:27 PM EDT  
**To:** "[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)" <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** **Gold Butte in Nevada as a national monument**

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Nancy

Nancy Pfund  
Managing Partner  
DBL Partners  
[nancy@dblparkers.vc](mailto:nancy@dblparkers.vc)

Sent from my iPad

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

## Conversation Contents

Fwd: Greenwire - BLM chief tours possible monument area where Bundy cows roam

**"Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>**

---

**From:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
**Sent:** Fri Jun 17 2016 11:38:53 GMT-0600 (MDT)  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, "interior\_press@ios.doi.gov" <interior\_press@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, Felipe Mendoza <felipe\_mendoza@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, Janice Schneider <janice\_schneider@ios.doi.gov>  
**To:**  
**Subject:** Fwd: Greenwire - BLM chief tours possible monument area where Bundy cows roam

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

**From:** **Leff, Craig** <cleff@blm.gov>  
**Date:** Fri, Jun 17, 2016 at 1:20 PM  
**Subject:** Greenwire - BLM chief tours possible monument area where Bundy cows roam  
**To:** BLM\_WO\_100\_POLICY <blm\_wo\_100\_policy@blm.gov>, Beverly Winston <bwinston@blm.gov>, "Krauss, Jeff" <jkrauss@blm.gov>, Megan Crandall <mcranal@blm.gov>, Kimberly Brubeck <kbrubeck@blm.gov>, John Ruhs <jruhs@blm.gov>, Christopher Rose <crose@blm.gov>, Stephen Clutter <sclutter@blm.gov>, Jessica Kershaw <jessica\_kershaw@ios.doi.gov>

### **PUBLIC LANDS:**

#### **BLM chief tours possible monument area where Bundy cows roam**

Scott Streater, E&E reporter

Published: Friday, June 17, 2016

The head of the Bureau of Land Management yesterday visited an area of federal land in Nevada for the first time since a tense standoff with armed ranchers two years ago blocked the agency from removing Cliven Bundy's illegally grazing livestock there.

BLM Director Neil Kornze yesterday visited the Gold Butte area to "get a firsthand look" at the damage done by the illegal grazing and other activities, an agency spokesman said, and to assess what needs to be done to



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repair the lands.

Senate Minority Leader Harry Reid (D-Nev.) has asked President Obama to consider designating Gold Butte a national monument.

The 1,000 or so head of cattle from Bundy's 160-acre ranch in Bunkerville, Nev., are still roaming on federal land in and around the Gold Butte region, but Bundy is in jail facing federal felony charges for the 2014 standoff.

BLM has not actively managed the area northeast of Las Vegas since the standoff "due to safety and security concerns," the agency said today in a statement.

Kornze hiked yesterday in the Whitney Pockets area with BLM Nevada State Director John Ruhs, Clark County Commissioner Marilyn Kirkpatrick and Las Vegas Metropolitan Police Department Capt. James LaRochelle.

"We had an excellent visit to Gold Butte and we'll be increasing our presence there in the months ahead," Kornze said today in a statement. "This area is a real treasure. We look forward to working with our local partners to restart the many important efforts we had underway."

In addition to the illegal grazing, the agency says vandals have caused significant damage to the area, which includes world-renowned rock art and other ancient cultural sites, and is a popular destination for hiking, camping and exploring.

Specifically, vandals harmed some of the area's red sandstone formations, though BLM did not detail the extent or type of damage.

BLM has estimated that the Bundy cattle trampled sensitive soils, devoured native saplings and bedded down against Native American artifacts ([Greenwire](#), Feb. 26). One of Bundy's bulls attacked a Nevada wildlife official, while others have run roughshod over a community garden and a golf course ([Greenwire](#), April 11).

While Kornze toured the site to survey the damage, a BLM spokesman said there are no plans to round up the illegally grazing cattle as the agency "continues to cooperate with the Department of Justice on the ongoing legal matters related to the Bunkerville situation."

A coalition of green groups last month urged Kornze to direct the agency to round up Bundy's trespassing cattle now that Bundy and his sons are behind bars ([E&ENews PM](#), May 9).

In the last month, BLM archaeologists and officials with the agency's state office, as well as law enforcement officers, have visited the area, the agency said.

Meanwhile, Reid has said the illegally grazing cattle have thwarted his legislative proposal to designate a Gold Butte National Conservation Area.

It's not clear whether a national conservation area designation through congressional action or a monument designation by Obama under the Antiquities Act would require restoration work to be completed.

BLM said it plans to partner with the National Park Service on critical repairs to communications infrastructure, as well as coordinate with Clark County on road maintenance.

The bureau will continue collaborating with the nearby communities to develop plans for future projects that address the spread of noxious and invasive weeds, as well as reduce the potential threat of wildland fire through hazardous fuels reduction projects, the agency said.

"BLM employees in southern Nevada have been hard at work developing restoration plans for some of Gold Butte's extraordinary resources," Ruhs said in a statement. "We look forward to continuing this important work with our partners and creating a positive future for this incredible area."

Email: [sstreater@eenews.net](mailto:sstreater@eenews.net)

--

**Craig Leff**

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**BLM Communications**

**202-208-6913 (office)**

**202-549-9218 (cell)**

--

Jessica Kershaw

Senior Adviser & Press Secretary

U.S. Dept of the Interior

@DOIPressSec

202-208-6416

## Conversation Contents

**Fwd: DRAFT BLM PR - BLM Returns to Work in Gold Butte**

**Attachments:**

/28. Fwd: DRAFT BLM PR - BLM Returns to Work in Gold Butte/2.1  
GBSiteVisitPressRelease6-16-16FINAL DRAFT.docx

**Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>**

---

**From:** Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>  
**Sent:** Thu Jun 16 2016 20:21:17 GMT-0600 (MDT)  
**To:** Connor Michael <[michael\\_connor@ios.doi.gov](mailto:michael_connor@ios.doi.gov)>, Beaudreau Tommy <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Klein Elizabeth <[elizabeth\\_klein@ios.doi.gov](mailto:elizabeth_klein@ios.doi.gov)>  
**Subject:** Fwd: DRAFT BLM PR - BLM Returns to Work in Gold Butte

FYI

Sent from my iPhone

Begin forwarded message:

**From:** "Leff, Craig" <[cleff@blm.gov](mailto:cleff@blm.gov)>  
**Date:** June 16, 2016 at 9:25:35 PM EDT  
**To:** Janice Schneider <[janice\\_schneider@ios.doi.gov](mailto:janice_schneider@ios.doi.gov)>  
**Cc:** Neil Kornze <[nkornze@blm.gov](mailto:nkornze@blm.gov)>  
**Subject:** DRAFT BLM PR - BLM Returns to Work in Gold Butte

Hi Janice. FYI- pasted below is a draft press release that the BLM plans to issue tomorrow morning re-capping Neil's trip today to Gold Butte. Our target roll out time is 11am. It will be a national release, so either Kimberly Brubeck, BLM Spokesperson, or I will be the contact.

Thanks,  
Craig

\*\*\*\*\*

# News Release

Washington, D.C.

Contact: XXX



## **BLM Returns to Work in Gold Butte**

### *Director Kornze and Local Leaders Visit Area*

LAS VEGAS – The Bureau of Land Management (BLM) is moving forward with plans to resume work in southern Nevada’s Gold Butte region. The Gold Butte area contains important habitat for Desert Tortoise and other species, and is home to world-renowned rock art and other ancient cultural sites. The region is also a popular destination for recreation enthusiasts who enjoy hiking, camping and exploring the area’s unique geology.

Due to safety and security concerns, BLM employees have not conducted field work in the Gold Butte area in northeastern Clark County since early 2014. With the support of the local community, BLM officials have determined that the conditions are now right to resume work. BLM archaeologists, law enforcement officers, and local agency leadership have all visited the area over the past month.

BLM Director Neil Kornze and BLM Nevada State Director John Ruhs toured Gold Butte yesterday, along with Clark County Commissioner Marilyn Kirkpatrick and Captain James LaRochelle of the Las Vegas Metropolitan Police Department.

“We had an excellent visit to Gold Butte and we’ll be increasing our presence there in the months ahead,” Director Kornze said. “This area is a real treasure. We look forward to working with our local partners to restart the many important efforts we had underway.”

The group visited the Whitney Pockets area, which is popular with visitors who come to hike and view the singular geologic features, rock art and other cultural resources. Some of the area’s famous red sandstone formations have been impacted by vandals. Nearby, a large Joshua tree had been illegally cut down and left onsite. There was also evidence that cattle have trampled and overgrazed certain areas. The group also explored the famed Falling Man petroglyph site as part of their tour of the broader area. Time will be needed to make a complete assessment of the condition of the Gold Butte region.

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POTENTIAL QUOTE FROM COMMISSIONER KIRKPATRICK

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-BLM-

—  
**Craig Leff**  
**BLM Communications**  
**202-208-6913 (office)**  
**202-549-9218 (cell)**

**"Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>**

---

**From:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
**Sent:** Fri Jun 17 2016 08:17:38 GMT-0600 (MDT)  
Blake Androff <blake\_androff@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Elizabeth Klein <Elizabeth\_Klein@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, Felipe Mendoza <felipe\_mendoza@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, Nikki Buffa <nicole\_buffa@ios.doi.gov>, "interior\_press@ios.doi.gov" <interior\_press@ios.doi.gov>  
**To:**  
**Subject:** Fwd: DRAFT BLM PR - BLM Returns to Work in Gold Butte  
**Attachments:** GBSiteVisitPressRelease6-16-16FINAL DRAFT.docx

For your awareness re: NK tour yesterday.

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

**From:** **Leff, Craig** <cleff@blm.gov>  
**Date:** Thu, Jun 16, 2016 at 9:01 PM  
**Subject:** DRAFT BLM PR - BLM Returns to Work in Gold Butte  
**To:** Jessica Kershaw <jessica\_kershaw@ios.doi.gov>, Paul Ross <paul\_ross@ios.doi.gov>, Frank Quimby <Frank\_Quimby@ios.doi.gov>  
**Cc:** Megan Crandall <mcrandal@blm.gov>, "Krauss, Jeff" <jkrauss@blm.gov>, Kimberly Brubeck <kbrubeck@blm.gov>, "Ellis, Steven A" <sellis@blm.gov>, Linda Lance <llance@blm.gov>

Jessica/Paul/Frank - as discussed, attached and pasted below is the final cleared release that we plan to put out tomorrow. Target time is 11am ET. We may have some photos or b-roll that we'll link to in the transmittal email, but not in the release. We're waiting for a quote from the commissioner but plan to move out around 11 regardless. Kimberly or I will be the contact. Please let me know if you have any concerns.

Thanks,  
Craig

\*\*\*\*\*

# News Release

Washington, D.C.  
For immediate release

**Contact:** XXX  
**Date:** June 17, 2016

**BLM Returns to Work in Gold Butte**

*Director Kornze and Local Leaders Visit Area*



## FOR COMMITTEE USE ONLY

LAS VEGAS – The Bureau of Land Management (BLM) is moving forward with plans to resume work in southern Nevada’s Gold Butte region. The Gold Butte area contains important habitat for Desert Tortoise and other species, and is home to world-renowned rock art and other ancient cultural sites. The region is also a popular destination for recreation enthusiasts who enjoy hiking, camping and exploring the area’s unique geology.

Due to safety and security concerns, BLM employees have not conducted field work in the Gold Butte area in northeastern Clark County since early 2014. With the support of the local community, BLM officials have determined that the conditions are now right to resume work. BLM archaeologists, law enforcement officers, and local agency leadership have all visited the area over the past month.

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-BLM-

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**Craig Leff**  
**BLM Communications**  
**202-208-6913 (office)**  
**202-549-9218 (cell)**

--

Jessica Kershaw  
Senior Adviser & Press Secretary  
U.S. Dept of the Interior  
@DOIPressSec  
202-208-6416



# News Release

Washington, D.C.  
For immediate release

**Contact:** XXX  
**Date:** June 17, 2016

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-BLM-

## Look & Feel Rollout Video Shoot June 15, 2016

**Monday, June 13, 2016** Chad Douglas arrives in Las Vegas; conducts initial site visits and finalizes shoot locations

**Tuesday, June 14, 2016** BLM Dir. arrives in Las Vegas

- Chad Douglas obtains b-roll
- Megan Crandall arrives in Las Vegas; coordinates with Chad Douglas re: final shoot questions and b-roll selection

**Wednesday, June 15, 2016** Look & Feel Video Filming

5:30 a.m.

Meet at SNDO\*

4701 North Torrey Pines, Dr.  
Las Vegas, NV 89130

\*Need to determine if Dir. would prefer to be picked up at hotel or would like to travel to SNDO himself

- Travel to 1<sup>st</sup> Red Rock NCA film site

6 a.m.

Arrive at portal sign location on State Route 157 (aka Kyle Canyon Road) approximately 6.7 miles from intersection with US 95.

- Meet Megan and Chad

6:10 a.m.

Film BLM Dir. speaking in front of sign and gather basic sign b-roll

6:30 a.m.

Depart sign location

- Travel to Red Spring

7 a.m.

Arrive at Red Spring

- Meet Red Rock/Sloan Field Office Field Manager Catrina Williams, Supervisory Outdoor Recreation Specialist Josh Travers, Outdoor Recreation Planner Kathy August and Red Rock/Sloan Supervisory Law Enforcement Ranger (b) (6), (b) (7)(C)

7:20 a.m.

Travel 2<sup>nd</sup> Red Rock NCA film site

- Kraft Boulders parking lot and set-up for filming

7:25 a.m.

Film BLM Dir. at Kraft Boulders near Red Spring

- Same general TPs

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6-13-16

- Footage will be used to provide shot variety if needed in final product.
  - Travel to 3<sup>rd</sup> Red Rock NCA film site
- 7:45 a.m. Arrive at Red Spring boardwalk and set-up for filming
- 8 a.m. Film Supervisory Outdoor Recreation Specialist Josh Travers at Red Spring boardwalk
- 8:25 a.m. Travel to 3<sup>rd</sup> Red Rock NCA film site
- 9 a.m. Arrive at Willow Spring and set-up for filming
- 9:15 a.m. Film Outdoor Recreation Planner Kathy August at Willow Spring
- Travel back to Red Rock visitor center
- 9:30 a.m. Arrive Red Rock visitor center
- 9:45 a.m. Travel to Sloan Canyon NCAS
- 10:45 a.m. Arrive Sloan Canyon
- Take photos/gather footage of Sloan Canyon signage
  - Meet Sloan Canyon National Conservation Area Manager Robbie McAboy
- 11:00 a.m. Tour Sloan Canyon NCA visitor contact station
- 11:45 a.m. Depart Sloan Canyon NCA\*
- Travel back to SNDO
  - Balance of afternoon free



**BLM Dir. TPs\* for Look & Feel Rollout Video**

\*150 words equal approximately 1 minute; TPs below are 146 words

- The BLM's National Conservation Lands encompass some of the most scenic, culturally rich, scientifically important and least-known public lands in America.
- These specially designated places—National Monuments, National Conservation Areas, Wilderness Areas, Wild and Scenic Rivers—belong to all Americans.
- To highlight these areas and welcome visitors to BLM-managed public lands, we're unveiling a vibrant new look on our signage.
- The unique and contemporary look will tell the millions of visitors we see every year that these are truly special places.
- As you travel and visit public lands this summer, we hope that you will get to see as many of the 45 other signs like this one as possible.
- Each one will help you recognize these places as being part of America's National Conservation Lands—lands conserved and managed by the BLM, where you can find unmatched opportunities to recreate, explore and learn.
- To learn more about your public lands and the Leave No Trace Program go to: [www.blm.gov](http://www.blm.gov)

**Site Visit  
June 16, 2016**

- Thursday, June 16, 2016** Site Visit
- 5:00 a.m. LEOs leave from BLM office to GB meeting site (Cottonwood Cove) to inspect the area
- (b) (6), (b) (7)(C)
- 5:15 a.m. Gayle Marrs-Smith will pick up Tim Smith from residence
- 5:30 a.m. Gayle and Tim will pick up BLM-NV State Dir. at hotel\*  
\*Dir. will travel on own to SNDO to facilitate travel to airport at end of site visit.
- Travel to SNDO  
4701 North Torrey Pines, Dr.  
Las Vegas, NV 89130
  - Meet VIPs, BLM-NV State Dir. LEOs, and PAOs at SNDO
  - VIPs: Commissioner Marilyn Kirkpatrick and Las Vegas Metro PD Northeast Commander Capt. LaRoche
  - BLM-NV State Dir.: John Ruhs,
  - LEOs: (b) (6), (b) (7)(C)
  - PAOs: Megan Crandall, Chad Douglas
- 6 a.m. Depart SNDO
- Leaving in 2 vehicles driven by LEOs
  - Travel I-15 to Riverside Exit (Hwy. 170)
- 7:30 a.m. Exit onto Gold Butte Road from Hwy. 170
- 8:00 a.m. Meet additional LEOs at Cottonwood Cove
- (b) (6), (b) (7)(C)
- 8:30 a.m. Arrive at Whitney Pockets
- Stops will include damage caused by livestock, range improvements, petroglyphs, unique geologic features
- 9:00 a.m. Arrive Devil's Throat
- Other stops may include Government Spring, Key West Spring and Mud Wash
  - Stops will include damage caused by livestock, range improvements, petroglyphs, unique geologic features

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6-13-16

10:30 a.m.

Depart Gold Butte area for return to SNDO\*

\*Must leave the area by 10:30 a.m. in order to make afternoon flight time of 3:50 p.m.



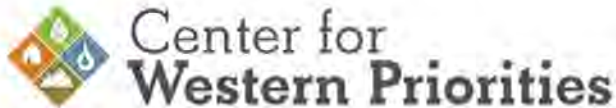
*Conversation Contents*

New Poll Reveals the Keys to Nevada's "Outdoor Voting Bloc"

**Center for Western Priorities <[info@westernpriorities.org](mailto:info@westernpriorities.org)>**

---

**From:** Center for Western Priorities <[info@westernpriorities.org](mailto:info@westernpriorities.org)>  
**Sent:** Wed Jun 01 2016 11:11:11 GMT-0600 (MDT)  
**To:** <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** New Poll Reveals the Keys to Nevada's "Outdoor Voting Bloc"



**CONTACT**

Aaron Weiss, Media Director  
Center for Western Priorities  
[aaron@westernpriorities.org](mailto:aaron@westernpriorities.org)  
720-279-0019

**FOR IMMEDIATE RELEASE**

JUNE 1, 2016

## **New Poll Reveals Views of Nevada's "Outdoor Voting Bloc"**

*Opportunity for candidates to win support with pro-outdoors positions on public lands*

**Winning the West effort highlights importance of outdoor issues for campaigns looking to gain votes in Nevada and Mountain West swing states**

The [Center for Western Priorities](http://www.winningthewestpoll.com) released its 2016 *Winning the West* poll, showing that Nevada's swing voters support public lands and oppose anti-public lands activist and rancher Cliven Bundy. The poll is being released as Nevada comes into sharp focus as a swing state and as candidates stake out their views on national public lands in the West.

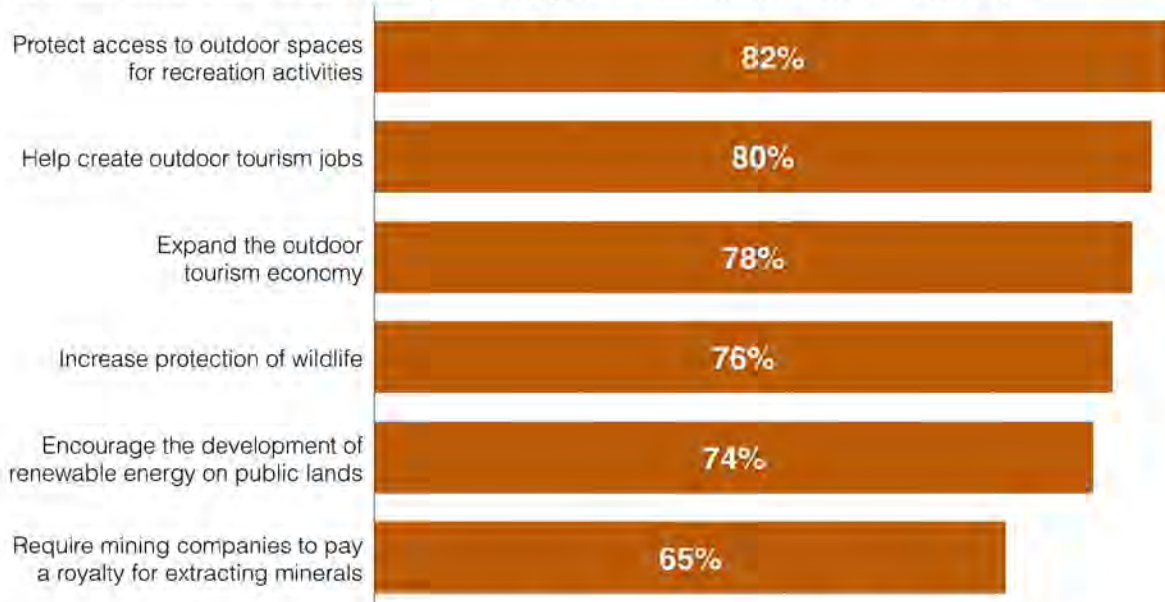
According to the *Winning the West* poll—conducted for the first time in Nevada—voters gave Nevada's outdoor tourism and recreation economy an even higher approval rating than the state's gaming industry.

**By a nearly two-to-one margin**, voters overwhelmingly rejected the idea that there are too many public lands in Nevada, and **by a 71 to 11 percent margin**, they supported designating a new national monument in Gold Butte to protect 350,000 acres of land with red sandstone canyons and cultural heritage sites.

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Looking to the upcoming elections in the swing state, the poll showed candidate positions on public lands issues can move voters in their direction.

### Nevada voters are more likely to support a candidate who wants to...



In a hypothetical matchup, Nevada's ticket-splitting swing voters, **by a 54 to 27 percent margin**, favored a Democratic candidate who believes Nevada's deserts and mountains are an important part of the state's economy, wants to prioritize recreation and renewable energy development on public lands, and supports balanced management of shared outdoor spaces, over a Republican candidate who believes states should manage public lands, supports selling some public lands to close the budget deficit, opposes new national monuments, and stands with Cliven Bundy in his dispute with the federal government.

"When you think of a state with voters who are passionate about the outdoors and access to recreation, Nevada might not be the first that comes to mind. Our poll shows otherwise," said **Brian Gottlieb, Managing Director at Purple Strategies**. "The takeaway for candidates is they have a real opportunity to gain support based on their commitment to Nevada's outdoor economy and the positions they take on how public lands should be used and protected. Candidates who are pro-outdoors can win the state's 'outdoors voting bloc' in November."

The poll also highlighted some "third-rail" public lands issues that do not move Nevada voters. Very small percentages were more likely to support a candidate who supported Cliven Bundy and his cause (19 percent), wanted to open public lands to private development (31 percent), or proposed selling public lands to reduce the budget deficit (28 percent).

"This poll confirms Nevadans take a backseat to no one in their passion for outdoor spaces," said **Center for Western Priorities Executive Director Jennifer Rokala**. "From the breathtaking desert landscapes to the majestic mountain peaks, public lands support Nevada's economy and define the state's way of life. Candidates seeking voter support in the state should know that extreme positions and disrespecting public lands do not fly in Nevada."

In addition to the poll in Nevada, the Center for Western Priorities' *Winning the West* effort previously conducted a poll and focus groups with Colorado voters and will be conducting a poll of Montana voters in the coming weeks. The updated [Winning the West website](#)—which



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includes poll results, focus group videos, and issue ads—is intended to educate candidates and campaigns about how important it is to show support for public lands and access to the outdoors, particularly among swing voters in Mountain West purple states.

The *Winning the West* poll in Nevada was conducted by Purple Insights. It included 700 telephone interviews of likely 2016 voters in Nevada between May 2nd and 5th. Respondents were randomly selected from a voter file and language of choice interviewing was available to Spanish-speaking voters. Fifty-two percent of interviews were completed with voters on landlines and 48 percent were completed with voters on their cell phones. The margin of error is +/-3.7 percent.

Jennifer Rokala and Brian Gottlieb are available for video and audio interviews. For more information, visit [westernpriorities.org/winningthewest/](http://westernpriorities.org/winningthewest/). To speak with an expert on public lands, contact Aaron Weiss at 720-279-0019 or [aaron@westernpriorities.org](mailto:aaron@westernpriorities.org).

###

*The Center for Western Priorities is a conservation policy and advocacy organization focused on land and energy issues across the American West.*

[Center for Western Priorities](http://Center for Western Priorities) | 820 16th Street Ste 450, Denver, CO 80202 | 303.974.7761

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## Conversation Contents

Senator Reid is calling the Secretary on Monday. Gold Butte.

---

### "Willison, Drew (Reid)" <Drew\_Willison@reid.senate.gov>

**From:** "Willison, Drew (Reid)" <Drew\_Willison@reid.senate.gov>  
**Sent:** Thu May 12 2016 13:04:12 GMT-0600 (MDT)  
**To:** "tommy\_beaudreau@ios.doi.gov"  
<tommy\_beaudreau@ios.doi.gov>  
**Subject:** Senator Reid is calling the Secretary on Monday. Gold Butte.

Happy to preview of you want before then. Best, Drew

---

### Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Thu May 12 2016 13:41:16 GMT-0600 (MDT)  
**To:** "Willison, Drew (Reid)" <Drew\_Willison@reid.senate.gov>  
**Subject:** Re: Senator Reid is calling the Secretary on Monday. Gold Butte.

We'll get the call scheduled, of course, and yes let's talk in advance. On my way into some meetings. You around tomorrow? TPB > On May 12, 2016, at 3:04 PM, Willison, Drew (Reid) <Drew\_Willison@reid.senate.gov> wrote: > > Happy to preview of you want before then. > > Best, > > Drew

---

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**From:** "Willison, Drew (Reid)" <Drew\_Willison@reid.senate.gov>  
**Sent:** Thu May 12 2016 13:46:05 GMT-0600 (MDT)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: Senator Reid is calling the Secretary on Monday. Gold Butte.

Yep. > On May 12, 2016, at 3:41 PM, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov> wrote: > > We'll get the call scheduled, of course, and

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<Drew\_Willison@reid.senate.gov> wrote: >> >> Happy to preview of you want before  
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## Conversation Contents

Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America

**Attachments:**

/32. Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America/1.1 image003.jpg  
/32. Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America/1.2 image004.jpg  
/32. Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America/1.3 image005.jpg  
/32. Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America/1.4 image006.png  
/32. Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America/1.5 image001.jpg  
/32. Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America/1.6 image002.jpg

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

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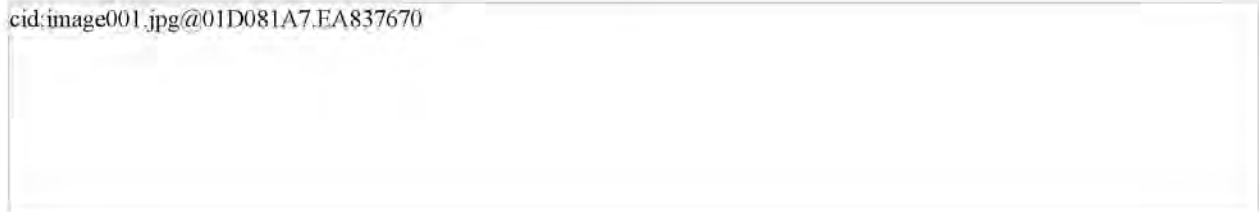
**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Thu Apr 07 2016 12:46:11 GMT-0600 (MDT)  
**To:** Blake Androff <Blake\_Androff@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Jessica Kershaw <jessica\_kershaw@ios.doi.gov>  
**Subject:** Fwd: Reid: We Must Protect Nevada's Gold Butte, Lands Across America  
**Attachments:** image003.jpg image004.jpg image005.jpg image006.png image001.jpg image002.jpg

With pictures.

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

**From:** Senate Democratic Leader Harry Reid <[Senate\\_Democratic\\_Leader\\_Harry\\_Reid@reid.senate.gov](mailto:Senate_Democratic_Leader_Harry_Reid@reid.senate.gov)>  
**Date:** Thu, Apr 7, 2016 at 12:27 PM  
**Subject:** Reid: We Must Protect Nevada's Gold Butte, Lands Across America  
**To:** [DPCC-PRESS@democratic-message-center.senate.gov](mailto:DPCC-PRESS@democratic-message-center.senate.gov)

cid:image001.jpg@01D081A7.EA837670



***For Immediate Release***

**Date:** Thursday, April 7, 2016

**CONTACT:** Kristen Orthman, [\(202\) 224-2939](tel:202-224-2939)

## **Reid: We Must Protect Nevada's Gold Butte, Lands Across America**

*"Congress created the Antiquities Act to empower the president to protect our cultural, historic and natural resources when and where Congress cannot – or will not. Many of our current national parks were created using this authority... Unfortunately, many Senate Republicans want to undermine the Antiquities Act. They*



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*refuse to defend our cultural and historic antiquities that are being systematically destroyed.”*

*“Because of trouble caused by the Bundys and their pals, the federal employees tasked with safely guarding these antiquities were prevented from doing their jobs. These employees have been under constant physical and mental threat for doing what the American people have tasked them to do.”*

*“I’ve tried to protect Gold Butte for a long time. And the reason we haven’t been able to do anything to this point is that the Bundy boys and his pals. So that’s why I’m grateful for the Antiquities Act. Because of this legislation and because of the fact that the Bundys are in jail, I’m going to reach out to the White House. And there’s no guarantee we’ll get it done. We’ll see if President Obama will protect this area. He has the authority, as any president does, to stop this sort of destruction and stop it now.”*

**Washington, D.C.** – Nevada Senator Harry Reid spoke on the Senate floor today about the need to protect and preserve Gold Butte in Nevada and other sites throughout the nation. Below are his remarks:

I’m grateful that the presiding officer today is from the state of Nevada, my friend, the junior Senator from Nevada. When I think of home, I think of the desert.

You can’t talk about Nevada as a desert only, even though the vast majority of the state is a very arid place. We also have the beautiful Sierra Nevada Mountains, the Ruby Mountains. We are the most mountainous state in the union except Alaska with 314 separate mountain ranges. We have 32 mountains over 11,000 feet high. We have one mountain that we share with California that is almost 14,000 feet high. It is a beautiful state.

But today, I’m going to focus on some of those arid places, places where I was born and raised. Having been back here in Washington for such a long time – 37 years – I think of the blue skies that are so prevalent in Nevada. They hover over a canvas. No one could paint a picture as beautiful as that, of these mountains in the middle of the desert, these Joshua trees or of the sagebrush.

It is that beauty that’s drawing thousands of visitors to Nevada and Nevada’s wilderness every year. Yesterday, the *Reno Gazette-Journal* wrote an article reporting how important this industry is to our country:

“The big time solitude found in the big empty spaces of the western U.S. generates big money for regional economies.

“That’s according to a study that attempts to put a dollar value on ‘quiet recreation’ on Bureau of Land Management property.

“It found that sports like hiking and mountain biking on BLM land generated more than \$1.8 billion in spending in 2014, that’s roughly equivalent to two months of gambling revenue in Las Vegas casinos.”

Our public lands are jewels that we must protect.

To its credit, the Bureau of Land Management and their dedicated employees do a remarkable job in safeguarding these national treasures so that Americans can enjoy them.

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When I was first elected, the Bureau of Land Management was on par with the internal revenue service. No one liked them. Now they are admired. They've done a remarkably good job to take care of public lands.

John Sterling, the Executive Director of The Conservation Alliance, told the *Reno Gazette-Journal*, quote:

"The BLM is the final frontier for a primitive experience on our public lands. They represent the future of outdoor recreation."

Most Americans are familiar with what happened earlier this year in Oregon. The Malheur National Wildlife Refuge in Oregon was taken over. A dangerous group of militants staged an armed takeover of the refuge, they came with their canvas shirts and their camouflage pants and their guns and their all-terrain vehicles to take over the federal property. And they did. They damaged the refuge to the tune of about, maybe \$20 million: defecating on some of the ruins in the facility and stopping the Native Americans from being able to do their annual fishing.

This particular episode of domestic terrorism has roots in Nevada, I'm sorry to say. They were led by the sons of Cliven Bundy. Cliven who, as we speak, is where he should be – in jail. Two of his sons are in jail, too, having participated in the unlawful takeover. Cliven Bundy is a Nevadan who has been breaking federal laws for decades.

I'm disappointed that some of my colleagues supported this outrageous lawbreaker. Teddy Roosevelt created this national wildlife refuge in Oregon. This radical president, Theodore Roosevelt – and I say that sarcastically because he wasn't. He was a great president. He created this refuge in 1908. Roosevelt used the tools at his disposal as president – including the Antiquities Act – to protect our national heritage so that generations of Americans could enjoy it.

Congress created the Antiquities Act to empower the president to protect our cultural, historic and natural resources when and where Congress cannot – or will not. Many of our current national parks were created using this authority. In fact, 16 presidents – eight Democrats and eight Republicans – have used this authority to protect these lands for the benefit of the American people. Even George W. Bush used the Antiquities Act.

Unfortunately, many Senate Republicans want to undermine the Antiquities Act. They refuse to defend our cultural and historic antiquities that are being systematically destroyed. But that is why the Antiquities Act was created – to safeguard against these threats in the absence of Congressional action.


Take, for example, Gold Butte, the area where Cliven Bundy illegally grazed his cattle. It is a stunning landscape.

Is this worth protecting? Look at it. Is this worth protecting? This is not doctored up, colored. That's the way it is. We don't get a lot of clouds in Nevada, especially this part of Nevada. It doesn't happen often, but this is part of the greatness of Nevada. Look at that. Is that worth preserving?

Of course it is. This has such magnificent areas. Sandstone formations like this, petroglyphs dating back thousands of years.

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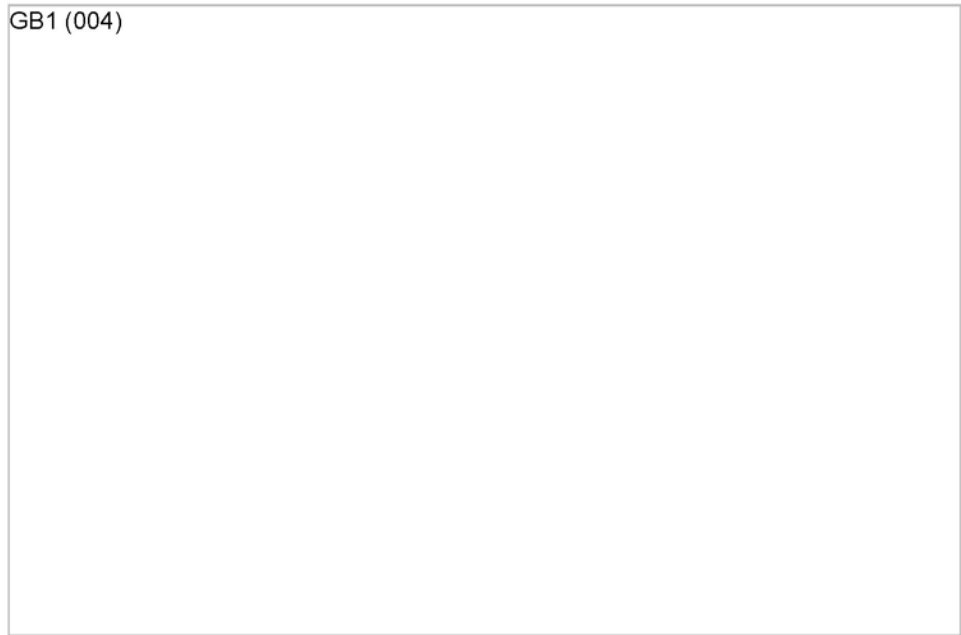
GB5 (004)



Take a look at this: Petroglyphs. These Indian writings and drawings are centuries old. They're in the area that we want to protect: Gold Butte. Look at that. Panel after panel of this magnificent part of history.

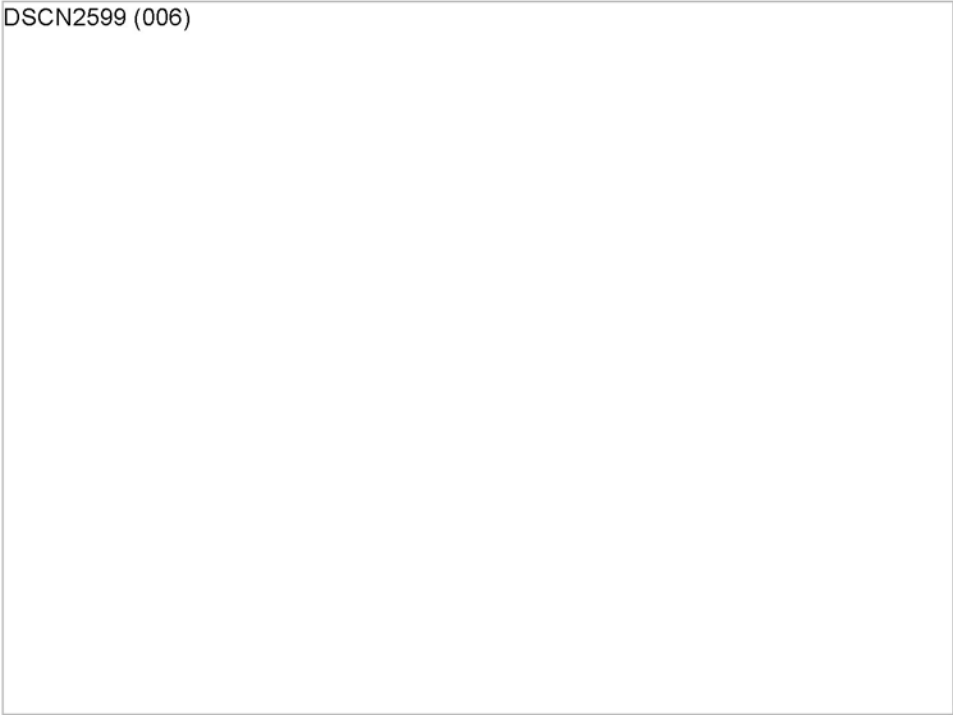
But because of trouble caused by the Bundys and their pals, the federal employees tasked with safely guarding these antiquities were prevented from doing their jobs. These employees have been under constant physical and mental threat for doing what the American people have tasked them to do. Petroglyphs are being destroyed, drawn over, shot at and stolen.

GB1 (004)



This is one such example. The white area in the middle was vulgar graffiti that experts attempted to remove. Just underneath, you can see bullet-holes. People have used this petroglyph as target practice.


DSCN2599 (006)



The final picture I want to show is the Joshua tree damage. I know a lot of about Joshua trees because in Searchlight we have some of the thickest Joshua forests in the world.

These trees are so stunning. They grow about two inches a year. They last for up to 150 years. People don't understand these trees are so terrific. They have been brutalized by these criminals. Someone chopped this one down. This tree, we don't know how old it was, but 100 years old probably, 80 years old. Look at that beautiful tree behind it. So that's really unfortunate, but that's what they do. They just destroy. This is sad.

GB damage 3 (003)



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I've tried to protect Gold Butte for a long time. And the reason we haven't been able to do anything to this point is that the Bundy boys and his pals. So that's why I'm grateful for the Antiquities Act. Because of this legislation and because of the fact that the Bundys are in jail, I'm going to reach out to the White House. And there's no guarantee we'll get it done. We'll see if President Obama will protect this area. He has the authority, as any president does, to stop this sort of destruction and stop it now.

Threats to our public lands are threats to our economy, our environment and our culture. When we preserve our lands, we preserve America, and that's what we're trying to do: Preserve this beautiful, beautiful place.

I say again, is this worth protecting? Is this worth preserving? Of course it is.

###

cid:image002.png@01D081A7.EA837670

Link: [http://www.reid.senate.gov/press\\_releases/2016-04-07-reid-we-must-protect-nevadas-gold-butte-lands-across-](http://www.reid.senate.gov/press_releases/2016-04-07-reid-we-must-protect-nevadas-gold-butte-lands-across-)

[america](#)

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—  
Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



A large, layered rock formation in a desert landscape. The rock face is covered in numerous petroglyphs, including circular designs, handprints, and abstract shapes. The sky is blue with scattered white clouds. The foreground shows more rock formations and some sparse, dry vegetation.


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A large, weathered rock formation, possibly a hoodoo, stands prominently in a desert landscape. The rock is reddish-brown and has a complex, eroded structure with several protrusions and a large, dark opening. The ground is covered in reddish-brown sand and scattered rocks. The sky is filled with dramatic, dark clouds, suggesting a storm or late afternoon light. The overall scene is rugged and atmospheric.

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## Conversation Contents

Clip: E&E: Reid promises designation where Bundy cows roam

**"Duran, Leah" <leah\_duran@ios.doi.gov>**

---

**From:** "Duran, Leah" <leah\_duran@ios.doi.gov>  
**Sent:** Thu Apr 07 2016 12:03:25 GMT-0600 (MDT)  
**To:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
Kate Kelly <kate\_kelly@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, "Kristen (Kris) Sarri" <kristen\_sarri@ios.doi.gov>, Nikki Buffa <nicole\_buffa@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, Chelsea Welch <chelsea\_welch@ios.doi.gov>, Felipe Mendoza <felipe\_mendoza@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov" <interior\_press@ios.doi.gov>, Rachael Johnson <rachael\_johnson@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Craig Leff <cleff@blm.gov>, Jeff Krauss <jkrauss@blm.gov>  
**CC:**  
**Subject:** Clip: E&E: Reid promises designation where Bundy cows roam

### NATIONAL MONUMENTS:

#### Reid promises designation where Bundy cows roam

Phil Taylor, E&E reporter

*Published: Thursday, April 7, 2016*

Senate Minority Leader Harry Reid (D-Nev.) today said he'll coax President Obama to designate hundreds of thousands of acres of scenic Nevada desert surrounding Cliven Bundy's ranch as a national monument, a move Reid said is now possible thanks to the rancher's recent arrest.

Reid has previously pushed legislation to designate a 350,000-acre Gold Butte National Conservation Area as well as 220,000 acres of wilderness protections within it, but it has stalled without the support of Sen. Dean Heller (R-Nev.).

"Because of this legislation and now the fact that the Bundys are all in jail, I'm going to reach out to the White House, and I guarantee we'll get it done," Reid said in a speech this morning on the Senate floor. "That's for sure, to see if President Obama will protect this area."

Reid's office later issued a press release walking back the senator's statement, saying there's "no guarantee" the president will act.

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"We'll see if President Obama will protect this area," Reid said in the written statement.

Gold Butte, an arid mesa of Joshua trees, creosote bushes and Native American petroglyphs, is a favorite spot for hikers and campers thanks to its proximity to Las Vegas about 80 miles to the southwest.

Bundy for decades has used the lands to graze hundreds of cattle without a permit, stifling government restoration efforts and scientific research. When the Bureau of Land Management tried to remove the cattle two years ago, Bundy enlisted hundreds of supporters -- scores of them armed -- to force the agency to retreat.

Conservation groups, including the footwear company Keen, have been prodding Obama to protect the area using his authority under the 1906 Antiquities Act.

Reid's involvement is notable, given his sway in the Oval Office. Reid took credit for prodding Obama last summer to designate the 700,000-acre Basin and Range National Monument in Nevada, a sweeping expanse of rugged mountains and sagebrush valleys that encompasses artist Michael Heizer's massive "City" project.

Last summer, Reid, who is set to retire at the end of this session, told the *Las Vegas Review-Journal* he was taking a break from pushing executive protections and would let the Gold Butte proposal "work its way through the system."

It appears that with the FBI's arrest of Bundy on Feb. 10 in Portland, Ore., and separate arrests of four of his sons, his bodyguard and roughly a dozen others involved in the 2014 Gold Butte standoff, Reid has changed his stance.

The monument proposal is clearly on the White House's radar. In February 2015, Interior Deputy Secretary Michael Connor attended a public meeting in Las Vegas with Reid and Rep. Dina Titus (D-Nev.) to discuss their proposals to protect Nevada's public lands, including Gold Butte.

Such a designation would be controversial given Republican opposition to the president's use of the Antiquities Act, and particularly given Gold Butte's symbolism as a rallying point for anti-government activists.

An email to a Heller spokesman was not immediately returned this morning, but the senator has long opposed a monument designation.

"The use of your authority under the Antiquities Act would not serve the area well and would escalate anger and frustrations with the Department of the Interior government in a region of our state where tensions are already presently high," Heller said in a letter to Obama in summer 2014.

Republicans are trying to include language in this year's spending bills that would restrict Obama's ability to ban energy development and mining under the act.

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Obama "has the authority, as any president does, to stop this sort of destruction and stop it now," Reid said. "Congress created the Antiquities Act to empower the president to protect our culture, our historic and natural resources when and where Congress cannot or will not."



Monument designations do not appropriate more money to federal lands agencies, but they do tend to give protected lands higher priority when agencies allocate funding and personnel like law enforcement.

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Reid yesterday touted a report commissioned by the Small Business Majority, a left-leaning advocacy group, that highlighted the local economic benefits of national monuments designated by Obama ([Greenwire](#), April 6).

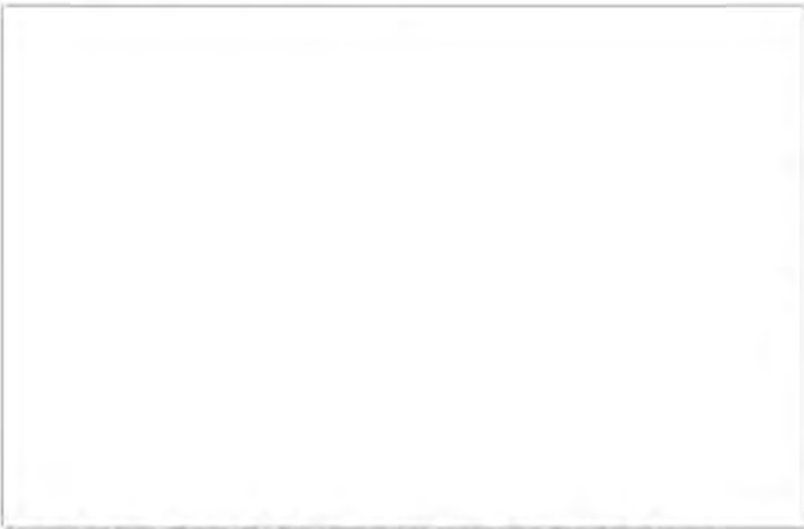
On Wed, Apr 6, 2016 at 9:23 PM, Kershaw, Jessica <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)> wrote:

## ABQ Journal: Heinrich, business group tout economic impact of national monuments

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By Michael Coleman / Journal Washington Bureau  
Wednesday, April 6th, 2016 at 10:28am

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Sen. Martin Heinrich, D-N.M., is photographed in his office on Capitol Hill in Washington, Wednesday, March 11, 2015, with some of his hunting memorabilia including elk antlers and skull mounted on the wall behind his desk. A bipartisan group of senators is working on legislation that would dramatically improve access to federal land for hunting, fishing and outdoor recreation.

President Barack Obama's designation of 17 new national monuments is helping to pump \$156 million per year into local economies, according to a report released in Washington today.

Sen. Martin Heinrich joined Senate Minority Leader Harry Reid at a Capitol Hill news conference this morning to tout the findings released by a left-leaning interest group called the **Small Business Majority**.

The **report** comes as debate over the Antiquities Act heats up in Congress. The Act, passed in 1906, was designed to protect significant cultural and natural resources, but some conservatives argue that it gives the nation's chief executive too much power to block large swaths of public land from development.



Heinrich, a Democrat in his first term, has made public land preservation a key part of his legislative agenda and he strongly **encouraged** Obama to designate both the Organ Mountains-Desert Peaks monument near Las Cruces and the Rio Grande del Norte monument near Taos. Obama made the designations in 2013 and 2014 respectively.

Heinrich has long endorsed the idea that wilderness protections generate revenues for local communities in the form of hotel stays, restaurant visits and purchases of outfitting equipment, fishing and hunting guides and other activity.

“While while these lands belong to all of us, it’s our local communities that get to benefit,” Heinrich said today.

The Small Business Majority arrived at its \$156 million annual economic impact estimate based on an average of 3.9 million non-local visitors to the 17 national monuments analyzed in the study between 2011 and 2015.

Monument selection for the benchmark analysis was based on data quality and availability as well as site similarity, including location in the west, monument designation in 2000 or later and the presence of multiple types of recreation, the report said. This analysis also made a distinction between non-local visitation (new money to the local economy) and local visitation.

According to the report, “National monument visitation results in approximately \$58 million in labor income per year, with the lodging industries producing the most labor income in the local economy (\$10.5 million). Other key sectors supported by visitor spending include restaurants (\$7.4 million) and gasoline (\$8.7 million).

Average expenditures made by non-local visitors whose primary trip purpose was to visit one of the national monuments total \$129 million, while local visitors spend about \$51 million on primary trips to the national monuments.”

Reid said the study proved the economic advantage to protecting lands for recreation.

“Too often, we only view land as valuable when it is being developed, mined, drilled or logged,” Reid said. “I have long been convinced that there is value in keeping some of our nation’s places wild.”

Rep. Steve Pearce, R-N.M., opposed Obama’s designation of the Organ Mountains monument citing concerns that it could inhibit border patrols and crimp potential economic development. Republican Sen. Mike Lee of Utah recently **told** Energy & Environment, a trade publication, that Obama has overreached with the Antiquities Act. He said failed federal land policies were a catalyst for the recent armed standoff at Malheur National Wildlife Refuge in Oregon.

“This is the natural consequence of the federal government owning a whole lot of land in the western United States and managing that land in a way that very often is in conflict with the needs of the local economy and the needs of average, everyday Americans who are trying to earn a living,” said Lee.

Last month, Rep. Jason Chaffetz, chairman of the House Oversight and Government

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Reform Committee, and Rep. Mike Bishop, chairman of the House Natural Resources Committee, wrote to Interior Secretary Sally Jewell complaining that Obama's conservation-based monument designations have lacked transparency.

"The broad and frequent application of the Antiquities Act raises questions about the lack of transparency and consultation with local stakeholders leading up to the president's designation of national monuments," the legislators wrote.

Jessica Kershaw  
Senior Adviser & Press Secretary  
U.S. Dept of the Interior  
@DOIPressSec  
202-208-6416

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**Leah Duran**  
Public Affairs Specialist  
U.S. Department of the Interior  
Office: (202) 208-3311  
Cell: (202) 713-8638



## Conversation Contents

### **"Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>**

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**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Thu Apr 07 2016 11:30:21 GMT-0600 (MDT)  
**To:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Subject:**

#### **Reid promises designation where Bundy cows roam**

Phil Taylor, E&E reporter

Published: Thursday, April 7, 2016

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monuments designated by Obama ([Greenwire](#), April 6).



## Conversation Contents

Fwd: Meeting Request for William Anderson

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

---

**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Thu Mar 03 2016 15:46:14 GMT-0700 (MST)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Meeting Request for William Anderson

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

**From:** **Dan Fenn** <[dan@wcfnd.org](mailto:dan@wcfnd.org)>  
**Date:** Thu, Mar 3, 2016 at 5:42 PM  
**Subject:** Meeting Request for William Anderson  
**To:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Cc:** "Ojeda-dodds, Gisella" <[gisella\\_ojeda-dodds@ios.doi.gov](mailto:gisella_ojeda-dodds@ios.doi.gov)>

Hi Nikki!

Please allow me to formally request a meeting on March 15 for William Anderson, Former Chairman, Moapa band of Paiute Indians (Nevada). Mr. Anderson would like to discuss with you tribal support for the proposed Gold Butte National Monument.

As you may know, to the [Moapa band of Paiutes](#), Gold Butte is sacred land. Evidence of earlier settlement can be found in rock shelters, grinding stones, and the remnants of ancient pottery and tools. Stunning rock art can be found throughout Gold Butte, with panels up to 90 feet long.

Mr. Anderson's recent media clips include:

<http://www.npr.org/sections/thetwo-way/2016/01/27/464490320/dispute-over-cattle-grazing-blocks-patrols-of-federal-land>

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<https://www.whitehouse.gov/blog/2013/06/25/responsibility-future-generations-renewable-energy-development-tribal-lands>

Thank you for your consideration,  
Dan

--

Dan Fenn  
Program Manager  
Western Conservation Foundation  
202-550-2253  
[www.wcfnd.org](http://www.wcfnd.org)

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>**

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Thu Mar 03 2016 17:06:22 GMT-0700 (MST)  
**To:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Subject:** Re: Meeting Request for William Anderson

Let's discuss in the morning.

TPB

On Mar 3, 2016, at 5:46 PM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

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---

**From:** "Beaudreau, Tommy" <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Fri Mar 04 2016 06:40:16 GMT-0700 (MST)  
**To:** "Kathleen O'Leary" <kathleen\_oleary@ios.doi.gov>  
**Subject:** Fwd: Meeting Request for William Anderson

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

From: **Buffa, Nicole** <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
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202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**"Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Tue Mar 08 2016 08:56:00 GMT-0700 (MST)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Re: Meeting Request for William Anderson

We forgot to discuss this... Let me know when you are free!

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On Thu, Mar 3, 2016 at 7:06 PM, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)> wrote:

Let's discuss in the morning.

TPB

On Mar 3, 2016, at 5:46 PM, Buffa, Nicole <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)> wrote:

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

From: **Dan Fenn** <[dan@wcfnd.org](mailto:dan@wcfnd.org)>

Date: Thu, Mar 3, 2016 at 5:42 PM

Subject: Meeting Request for William Anderson

To: "Buffa, Nicole" <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

Cc: "Ojeda-dodds, Gisella" <[gisella\\_ojeda-dodds@ios.doi.gov](mailto:gisella_ojeda-dodds@ios.doi.gov)>

Hi Nikki!

Please allow me to formally request a meeting on March 15 for William Anderson, Former Chairman, Moapa band of Paiute Indians (Nevada). Mr. Anderson would like to discuss with you tribal support for the proposed Gold Butte National Monument.

As you may know, to the [Moapa band of Paiutes](#), Gold Butte is sacred land. Evidence of earlier settlement can be found in rock shelters, grinding stones, and the remnants of ancient pottery and tools. Stunning rock art can be found throughout Gold Butte, with panels up to 90 feet long.

Mr. Anderson's recent media clips include:

<http://www.npr.org/sections/thetwo-way/2016/01/27/464490320/dispute-over-cattle-grazing-blocks-patrols-of-federal-land>

<http://lasvegassun.com/news/2013/feb/16/gold-butte-shows-regions-history/>

<https://www.whitehouse.gov/blog/2013/06/25/responsibility-future-generations-renewable-energy-development-tribal-lands>

Thank you for your consideration,  
Dan

--

Dan Fenn  
Program Manager  
Western Conservation Foundation  
202-550-2253  
[www.wcfnd.org](http://www.wcfnd.org)

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861



FOR COMMITTEE USE ONLY

[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

--

Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)



## Conversation Contents

Fwd: Fw: RJ - Reid talks about his goals for final year in U.S. Senate

**"Buffa, Nicole" <nicole\_buffa@ios.doi.gov>**

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**From:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Sent:** Sun Jan 03 2016 07:17:03 GMT-0700 (MST)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Fwd: Fw: RJ - Reid talks about his goals for final year in U.S. Senate

FYI only.

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

**From:** **Moffat, Sara (Reid)** <[Sara\\_Moffat@reid.senate.gov](mailto:Sara_Moffat@reid.senate.gov)>  
**Date:** Saturday, January 2, 2016  
**Subject:** Fw: RJ - Reid talks about his goals for final year in U.S. Senate  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>

Flagging the below.

Hope you had a very happy New Year!

Sara

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Orthman, Kristen (Reid) <[Kristen\\_Orthman@REID.SENATE.GOV](mailto:Kristen_Orthman@REID.SENATE.GOV)>  
**Sent:** Saturday, January 2, 2016 1:31 PM  
**To:** [REID-NV-BREAKING@DEMOCRATIC-MESSAGE-CENTER.SENATE.GOV](mailto:REID-NV-BREAKING@DEMOCRATIC-MESSAGE-CENTER.SENATE.GOV)  
**Reply To:** Broad, Joseph (Reid)  
**Subject:** RJ - Reid talks about his goals for final year in U.S. Senate

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**RJ - Reid talks about his goals for final year in U.S. Senate**

**By Peter Urban**

WASHINGTON — Sen. Harry Reid's focus is clear as he prepares for his final year in office. The 76-year-old Nevadan plans to use his leadership position in the Senate to drive a national agenda that he believes will help the middle class, get more Democrats elected and benefit his home state.

Reid announced in March that he would not run for re-election in 2016, signaling an end to a

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remarkable six-decade career in public office that took him from a back-bencher in the Nevada Legislature to the leader of the Democratic Caucus in the U.S. Senate, a position he has held since 2004. During his 11 years as either majority or minority leader, Reid has had enormous influence in shaping congressional action and inaction — and that will remain true in his final year.

Although Democrats will be in the minority in 2016, Reid has proved adept in a narrowly divided Senate to block many Republican initiatives and force compromise on must-pass legislation. He is also allowed daily floor times in the Senate where he speaks his — and the Democrats' — mind on issues often aimed at the upcoming Senate and presidential elections. Reid hopes that Democrats will keep the presidency and regain the Senate majority for 2017.

Reid sat down with Las Vegas Review-Journal reporters in his office off the Senate floor to discuss the new year, just as Congress was getting ready to adjourn for 2015.

### **Minimum wage, student loans**

"I hope that we can do something for the middle class — raise the minimum wage and do something about the fact that my daughters, my granddaughters, should be able to get paid the same amount as a man that does the same work," Reid said. "We have a tremendous problem out there with the debt of college students and their parents. We should relieve that somewhat."

Many Democrats are campaigning for the federal minimum wage to be increased to \$15 an hour, saying that more and more adults depend on minimum-wage jobs for their livelihood — requiring them to take on several jobs to stay above poverty. Democrats have also pushed for pay equity, citing statistics that women earn significantly less than men who hold similar jobs. They also want to lower interest rates on federal student loans, which are set by statute at a level higher than what the marketplace would demand.

The senator sees these issues, which are national in scope, as important for Nevada, too. Similarly, he sees the increase in federal spending that Democrats secured in an end-of-year omnibus appropriations bill as benefiting his home state. Additional agency funding gives the state an opportunity to seek more federal assistance. Reid said he plans to fight for Nevada's fair share — that probably means contacting agency heads to remind them of how those newly acquired dollars arrived in their coffers.

Reid pointed to an example of new funding that he expects Las Vegas might try to tap.

The year-end spending bill gives the U.S. Treasury authority to transfer up to \$2 billion more to a fund used to combat neighborhood blight. Although the measure was pushed largely by Michigan lawmakers seeking additional help for the economically ailing Detroit, Reid said Las Vegas could use it to clear vacant homes and buildings that need razing. The city's housing market was particularly hard-hit during the subprime mortgage crisis earlier this decade.

"We need to tear some of those places down," Reid said. "That's not cheap. So what we did in the bill saves government money and allows places like Detroit and Las Vegas to tear down some of those buildings."

Under the bill, the Treasury Department has until the end of 2017 to transfer unused money from the Home Affordable Modification Program to shore up the Hardest Hit Fund, which helps communities to get rid of blighted buildings.



### **Yucca Mountain, public lands**

Reid also pointed to the omnibus for what it did not include — additional funding for the Yucca Mountain nuclear repository project — as a win for Nevada. Reid has opposed burying spent nuclear fuel deep in the mountain 100 miles northwest of Las Vegas.

"Notice there is nothing in these bills for Yucca Mountain," Reid said with a chuckle.

President Barack Obama shelved the project in 2010, but supporters in Congress have tried to make funding available to potentially revive the project. Reid is adamant that the project will remain dead long past his Senate tenure. The Obama administration is moving toward a different solution to long-term storage of nuclear waste as it seeks to develop a siting process reliant on local and state support.

Reid has introduced a handful of Nevada-centric bills — most looking to preserve public lands. The bills aren't likely to become law — few do given the modern-day gridlock in Congress — but that doesn't mean they will go unanswered. Reid has shown in the past that he can secure action on his proposals by inserting them into must-pass legislation or turning to the administration for help.

He pointed to preserving Gold Butte as a potential beneficiary of White House intervention and noted that Democrats had succeeded this year in stymieing Republican attempts to limit Obama's ability to name new federal preserves.

"As far as the president doing anything administratively, the only place he might do something is Gold Butte," Reid said. "That is something I'm sure he is looking at."

The environmentally sensitive Southern Nevada region has become more vulnerable to intruders and vandals since the Bureau of Land Management largely withdrew from Gold Butte after [armed confrontation with supporters of rancher Cliven Bundy](#).

Friends of Gold Butte have documented disturbances to the desert landscape. Off-road vehicle tracks now mar an area adjacent to one of the area's signature petroglyph panels, the group said.

The organization said the evidence of lawlessness underscores a need for the federal government to step in and increase protections for the scenic region, 350,000 acres between Lake Mead and the Arizona border that has been called Nevada's piece of the Grand Canyon.

"That is a beautiful area," Reid said. "I've been there, and it is stunning. It shouldn't be ruined by people who desecrate those old Indian writings."

### **Tourism, transportation**

Reid said he will continue to look for ways to boost tourism — the mainstay of Nevada's economy.

"Let's understand the future of Nevada, as in the past, is tourism. And, so one of the things we need to focus on is what we can do to help," Reid said.

He would like to find more funding for transportation projects. Nevada could use more help to improve its highways and airports, he said, noting that Las Vegas had 4 million visitors in November alone.



"We need to do more. We have a \$2 trillion backlog of infrastructure projects," Reid said. "There are 64,000 structurally deficient bridges in America, and the problems with the highways are severe."

But to do that, Reid said there needs to be a steady revenue stream to keep the Highway Trust Fund solvent. Some Democrats support a small increase in the federal fuel tax, which hasn't been raised in decades. The increase, he said, would be a good investment given the number of jobs that are created from transportation construction projects.

"That's certainly one way to do it, and there are other new ideas they've come up with," he said.

Reid would consider revisiting the recently approved highway bill but acknowledged that is unlikely to occur in his final year in office.

"We have a highway bill now, which I guess people will use as an excuse not to do more," he said. "Which is unfortunate."

### **Visa waivers, online poker**

Reid does believe that lawmakers will consider revisiting recently adopted changes to the visa waiver program that allows visa-free travel from 38 countries. The legislation adopted after the Paris terrorism attacks has posed some unintended consequences, he said. It could block travel for some people with dual citizenship including the father of tennis star Andre Agassi, a Las Vegas resident. Agassi's father was born in Iran.

"There are a couple of problems with it," Reid said. "The Republicans pushed it too hard and too fast."

Reid is also keeping an eye on gaming and still favors allowing online poker. There was "a chance" in the omnibus bill to allow Internet poker under federal Wire Act but, Reid said, "it didn't work out."

The Justice Department has maintained that all forms of Internet gambling, including sports wagering, casino games and card games, are illegal under the federal law.

"I've said publicly I think the attorney general made a mistake," Reid said. He would like to see Internet poker legalized but is doubtful that Congress will agree in the near term.

"It'd be nice, but I don't see it happening tomorrow," he said.

Reid plans to continue serving as he has in the past. He will speak on the Senate floor as the Democratic leader. He will raise money to elect more Democrats to the Senate, and he will support the Democratic nominee for president. He hasn't endorsed a Democrat yet, deciding to wait until after the Nevada caucuses to weigh in.

Reid said he also wants to restore the appropriations process in Congress. In recent years, the House and Senate have failed to pass appropriations bills on time — leading to stopgap spending bills, government shutdowns or end-of-year omnibus bills crafted by legislative leaders with most members cut out of the process.

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"What I want to do is work with everybody to try and re-establish the appropriations process," he said. "House Speaker Paul Ryan (R-Wis.) and I had a conversation about that goal."

<http://www.reviewjournal.com/politics/reid-talks-about-his-goals-final-year-us-senate>

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To unsubscribe from the REID-NV-BREAKING list, click the following link:  
[&\\*TICKET\\_URL\(REID-NV-BREAKING.SIGNOFF\):](#)

--  
Nikki Buffa  
Deputy Chief of Staff  
US Department of the Interior  
202-219-3861  
[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)

**Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>**

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Sun Jan 03 2016 07:20:50 GMT-0700 (MST)  
**To:** "Buffa, Nicole" <nicole\_buffa@ios.doi.gov>  
**Subject:** Re: RJ - Reid talks about his goals for final year in U.S. Senate

I'm sure he was talking just about NV. "As far as the president doing anything administratively, the only place he might do something is Gold Butte," Reid said. "That is something I'm sure he is looking at." TPB > On Jan 3, 2016, at 9:17 AM, Buffa, Nicole <nicole\_buffa@ios.doi.gov> wrote: > > "As far as the president doing anything administratively, the only place he might do something is Gold Butte," Reid said. "That is something I'm sure he is looking at."

**Nicole Buffa <nicole\_buffa@ios.doi.gov>**

---

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**From:** Nicole Buffa <nicole\_buffa@ios.doi.gov>  
**Sent:** Sun Jan 03 2016 09:35:36 GMT-0700 (MST)  
**To:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Subject:** Re: RJ - Reid talks about his goals for final year in U.S. Senate

Yeah. For sure. > On Jan 3, 2016, at 9:20 AM, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov> wrote: > > I'm sure he was talking just about NV. > > "As far as the president doing anything administratively, the only > place he might do something is Gold Butte," Reid said. "That is > something I'm sure he is looking at." > > TPB > >> On Jan 3, 2016, at 9:17 AM, Buffa, Nicole <nicole\_buffa@ios.doi.gov> wrote: >> >> "As far as the president doing anything administratively, the only place he might do something is Gold Butte," Reid said. "That is something I'm sure he is looking at."



## Conversation Contents

**Fwd: National Trust letter to President Obama re potential Gold Butte National Monument**

**Attachments:**

/37. Fwd: National Trust letter to President Obama re potential Gold Butte National Monument/1.1 12.21 President Obama Gold Butte Letter\_SKM.FINAL.pdf

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

---

**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Tue Dec 22 2015 09:12:39 GMT-0700 (MST)  
**To:** Fay Iudicello <[fay\\_iudicello@ios.doi.gov](mailto:fay_iudicello@ios.doi.gov)>, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: National Trust letter to President Obama re potential Gold Butte National Monument  
**Attachments:** 12.21 President Obama Gold Butte Letter\_SKM.FINAL.pdf

Begin forwarded message:

**From:** Tom Cassidy <[TCassidy@savingplaces.org](mailto:TCassidy@savingplaces.org)>  
**Date:** December 22, 2015 at 6:55:44 AM PST  
**To:** Nicole Buffa <[Nicole\\_buffa@ios.doi.gov](mailto:Nicole_buffa@ios.doi.gov)>  
**Cc:** "Michael Bean ([michael\\_bean@ios.doi.gov](mailto:michael_bean@ios.doi.gov))" <[michael\\_bean@ios.doi.gov](mailto:michael_bean@ios.doi.gov)>, "Sarah Neimeyer ([Sarah\\_Neimeyer@ios.doi.gov](mailto:Sarah_Neimeyer@ios.doi.gov))" <[Sarah\\_Neimeyer@ios.doi.gov](mailto:Sarah_Neimeyer@ios.doi.gov)>  
**Subject:** National Trust letter to President Obama re potential Gold Butte National Monument

Nikki,

I've attached a letter that Stephanie Meeks is sending today to President Obama requesting that he take action to permanently protect Gold Butte in Nevada, either through encouraging legislation or exercising his authority under the Antiquities Act to establish a Gold Butte National Monument.

**FOR COMMITTEE USE ONLY**

Stephanie wanted to ensure the Secretary also sees the letter and I thought that you would be the best way for me to ensure that happened!

I will be forwarding separately to Neil Kornze – I know he has been an advocate for this place. And to Christy and her team at CEQ.

If you have any questions concerning this matter, please do not hesitate to communicate with me.

Best,

Tom

**Thomas J. Cassidy, Jr.** | VICE PRESIDENT FOR GOVERNMENT RELATIONS AND POLICY  
P 202.588.6078 F 202.588.6462

**NATIONAL TRUST FOR HISTORIC PRESERVATION**  
The Watergate Office Building  
2600 Virginia Avenue NW Suite 1000 Washington, DC 20037  
[SavingPlaces.org](http://SavingPlaces.org)



e



National Trust *for*  
Historic Preservation  
*Save the past. Enrich the future.*

December 21, 2015

Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

I am writing to request that you take action to permanently protect Gold Butte in Nevada either by encouraging Congress to pass Senator Reid and Congresswoman Titus' legislation, S.199 and H.R. 856, or by exercising your authority under the Antiquities Act to establish a Gold Butte National Monument by the end of your term. Gold Butte deserves protection equal to its significance as one of our nation's cultural and natural treasures.

The rare and wonderful landscape of Gold Butte lies in the red rock outcroppings of the southern Nevada desert where the Great Basin, Mojave Desert and Colorado Plateau ecosystems converge. Like its rich mixture of natural systems, the region's complex story of human history is still preserved in the open spaces and canyon walls of Gold Butte.

The evidence of the human story of Gold Butte begins as early as 10,000 B.C. with the stone spear points of Paleoindian big-game hunters. Cave walls and ceilings still show the stains of black smoke from many of the early people's fires, and roasting pits for agave—long a staple food here—dot the landscape. Perhaps most compelling, however, is the rock art, created by people of diverse time periods. One of the largest panels, at 90 feet long, is tucked away in one of Gold Butte's many sandstone canyons.

Later, Spaniards and Pioneers forged the Old Spanish Trail and the Mormon Road through the area between 1844 and 1900. Historic grazing and mining sites are common throughout Gold Butte, with the earliest mine in the area dating back to 1861.

While the beautiful red rock areas of Gold Butte have the highest concentration of many of these cultural resources they also have the most visitors. The lack of permanent protection leaves these irreplaceable resources vulnerable to inadvertent and, unfortunately at times, even purposeful damage. National monument designation would increase protection, management and interpretation of Gold Butte's long and rich history for visitors now and in the future.

Stephanie K. Meeks | PRESIDENT

The Watergate Office Building 2600 Virginia Avenue NW Suite 1000 Washington, DC 20037  
E [smeeks@savingplaces.org](mailto:smeeks@savingplaces.org) P 202.588.6105 F 202.588.6082 [www.PreservationNation.org](http://www.PreservationNation.org)



The National Trust is deeply committed to ensuring the protection of historic sites that tell the stories of all Americans. We have been proud to support your use of the Antiquities Act to protect nationally significant and culturally diverse sites at such places as Fort Monroe National Monument, Pullman, Chimney Rock, Harriet Tubman, Chavez and Organ Mountains Desert Peaks. We look forward to continuing our collaboration with your Administration to expand and enhance the protection of our national treasures.

With warmest regards,



Stephanie K. Meeks

## Conversation Contents

**Fwd: Gold Butte**

**Attachments:**

/38. Fwd: Gold Butte/1.1 NPCA Letter to Obama re Gold Butte Designation\_11-18-15 copy.pdf

**Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>**

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**From:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>  
**Sent:** Wed Nov 18 2015 19:15:30 GMT-0700 (MST)  
**To:** Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** Fwd: Gold Butte  
**Attachments:** NPCA Letter to Obama re Gold Butte Designation\_11-18-15 copy.pdf

FYI

Begin forwarded message:

**From:** Ani Kame'enui <[akameenui@npca.org](mailto:akameenui@npca.org)>  
**Date:** November 18, 2015 at 8:04:01 PM EST  
**To:** Nicole Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>, Neil <[nkornze@blm.gov](mailto:nkornze@blm.gov)>  
**Subject: Gold Butte**

Hey folks,

It's my pleasure to pass along the attached letter in support of permanent protection of the Gold Butte area in Nevada. We are excited about the great opportunity to see this landscape protected and recognize the benefits it provides to the region as a whole. Please see the attached letter to President Obama from NPCA on this issue.

Thanks so much and let me know if you have any questions.

Best,  
Ani

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Ani Kame'enui

Director, Natural Resource Policy | National Parks Conservation Association

202-454-3391 (direct) | 202-360-6437 (cell) | [akameenui@npca.org](mailto:akameenui@npca.org)





18 November 2015

The Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Ave.  
Washington, DC 20500

**RE: PROTECTED PUBLIC LANDS BENEFIT NEVADA'S ECONOMY**

Dear President Obama,

Since 1919, the National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our Nevada Field Office and more than one million members and supporters nationwide, I write to urge you to take action to permanently protect Gold Butte as a national monument. This unique and scenic area of geologic wonder, which adjoins Lake Mead National Recreation Area and Grand Canyon Parashant National Monument, is more than worthy of such protections.

Permanent protection of this area, with proposed management by the Bureau of Land Management, recognizes the important natural and cultural resources of the area. Moreover, safeguarding this area will assist the National Park Service in managing resources within Lake Mead and Grand Canyon Parashant boundaries by protecting the larger connected landscape. Threats within that landscape are imminent and ongoing, and include willful destruction of wildlife habitats, native petroglyphs and pioneer heritage sites, thereby calling for improved protection of the region.

Designation of Gold Butte through presidential privilege would mirror the longstanding legislation from Senator Reid and Congresswoman Dina Titus (S.199 and H.R. 856) to protect this area. Certainly, our relevant experience in working with community leaders to create Tule Springs Fossil Beds National Monument has provided a helpful perspective for the value of both local support for designations of special places, as well as the significance of protections to local communities. A national monument will no doubt enhance Nevada's tourism-based economy and assure economic, community and conservation benefits now and in future generations.

Thank you for your consideration. NPCA stands ready to support your efforts to permanently protect Gold Butte, enhancing your legacy of protecting public lands,

historic and cultural sites, and capturing all parts of the American story through the Antiquities Act.

Sincerely,

A handwritten signature in blue ink that reads "Theresa Pierno". The signature is fluid and cursive.

Theresa Pierno, President and CEO  
National Parks Conservation Association

cc. Senator Harry Reid  
Senator Dean Heller  
Congresswoman Dina Titus  
Ms. Christy Goldfuss, Managing Director,  
White House Council on Environmental Quality  
Mr. Neil Kornze, Director, Bureau of Land Management  
Mr. Jon Jarvis, Director, National Park Service

## Conversation Contents

**KEEN Live Monumental, Reception Invitation 9.29.15**

**Attachments:**

/39. KEEN Live Monumental, Reception Invitation 9.29.15/1.1  
KEENLiveMonumental\_ReceptionInvitation\_9.29.pdf

**Kirsten Blackburn <kirsten.blackburn@keenfootwear.com>**

---

**From:** Kirsten Blackburn <kirsten.blackburn@keenfootwear.com>  
**Sent:** Wed Sep 16 2015 16:11:23 GMT-0600 (MDT)  
**To:** "tommy\_beaudreau@ios.doi.gov"  
<tommy\_beaudreau@ios.doi.gov>  
**Subject:** KEEN Live Monumental, Reception Invitation 9.29.15  
**Attachments:** KEENLiveMonumental\_ReceptionInvitation\_9.29.pdf

Hello Tommy,

For the last 9 weeks, KEEN has been road-tripping across the country in a 1976 GMC motorhome, advocating for the protection of over 3,000,000 acres of the places we all play. We have been activating our fans, local communities, and small business owners across the United States to join us to create lasting change; to show widespread support for the designations of four new National Monuments: Owyhee Canyonlands in Oregon, Mojave Trails in California, Gold Butte in Nevada, and Birthplace of Rivers in West Virginia.

Tommy, please join us as we both celebrate the places and the people behind these four incredible antiquities, and demonstrate the wide national support for their protection.

**KEEN Live Monumental Reception**

The Mott House  
122 Maryland Ave NE, Washington D.C.  
Tuesday, September 29<sup>th</sup>, 2015  
Doors 5pm, Reception 6pm-8pm  
*Appetizers and Beverages will be served.*

Please RSVP to [livemonumental@keenfootwear.com](mailto:livemonumental@keenfootwear.com)

**\*This is a widely attended event, cohosted by The Wilderness Society and The Pew Charitable Trusts\***

We look forward to sharing the evening with you.

Best,

**FOR COMMITTEE USE ONLY**

The KEEN Effect Team

Kirk Richardson, Linda Balfour, Kirsten Blackburn, and Chris Enlow



# LIVE MONUMENTAL

CREATE LASTING CHANGE



## PLEASE JOIN KEEN FOR A LIVE MONUMENTAL RECEPTION

★ CELEBRATE 3 MILLION ACRES ★  
IN 5 PLACES WE PLAY ACROSS THE COUNTRY

DWYHEE CANYONLANDS, OR • MOJAVE TRAILS, CA • GOLD BUTTE, NV  
• BIRTHPLACE OF RIVERS, WV • BOULDER WHITE CLOUDS, ID •

THE MOTT HOUSE  
122 MARYLAND AVE NE  
WASHINGTON, DC 20002

TUESDAY, SEPTEMBER 29TH, 2015  
DOORS 5:00PM  
RECEPTION 6:00-8:00PM

★ THIS IS A WIDELY ATTENDED EVENT ★

PLEASE RSVP TO  
[LIVEMONUMENTAL@KEENFOOTWEAR.COM](mailto:LIVEMONUMENTAL@KEENFOOTWEAR.COM)

APPETIZERS & BEVERAGES WILL BE SERVED



THIS EVENT IS CO-HOSTED BY THE WILDERNESS SOCIETY  
AND THE PEW CHARITABLE TRUSTS





## Conversation Contents

Fwd: Trying again with the document this time,,,,

**Attachments:**

/40. Fwd: Trying again with the document this time,,,,/1.1 monument.pdf

### **"Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>**

---

**From:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
**Sent:** Thu May 07 2015 15:57:55 GMT-0600 (MDT)  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Kate Kelly <kate\_kelly@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov" <interior\_press@ios.doi.gov>  
**To:**  
**Subject:** Fwd: Trying again with the document this time,,,,  
**Attachments:** monument.pdf

Please give me a ring on my cell to discuss: 202-669-0968.

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

**From:** Steve Tetreault <stetreault@stephensmedia.com>  
**Date:** Thu, May 7, 2015 at 5:52 PM  
**Subject:** Trying again with the document this time,,,,  
**To:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>

Hi Jessica,

Can I check with you or anyone there whether the attached document is authentic. It says it is a draft proclamation for the president to establish a "Basin and Range" National Monument in Nevada. Released by Nevada congressman Cresent Hardy a short while ago...

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Thanks much!

Steve Tetreault  
Las Vegas Review-Journal -- DC

--

Stephan R. Tetreault  
Bureau chief, Las Vegas Review-Journal  
GateHouse Media Washington Bureau  
969 National Press Building  
Washington DC 20045  
202-783-1760  
202-557-4306 cell  
Twitter @STetreaultDC

--

Jessica Kershaw  
Press Secretary, U.S. Dept of the Interior  
@DOIPressSec  
O: 202-208-6416  
C: 202-669-0968

**"Androff, Blake" <blake\_androff@ios.doi.gov>**

---

**From:** "Androff, Blake" <blake\_androff@ios.doi.gov>  
**Sent:** Thu May 07 2015 16:01:02 GMT-0600 (MDT)  
**To:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>, Kate Kelly  
<kate\_kelly@ios.doi.gov>, Sarah Neimeyer  
**CC:** <sarah\_neimeyer@ios.doi.gov>, John Blair  
<john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov"  
<interior\_press@ios.doi.gov>  
**Subject:** Re: Trying again with the document this time,,,,

You can refer Steve to CEQ. Taryn is expecting incoming.

On Thu, May 7, 2015 at 5:57 PM, Kershaw, Jessica <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>  
wrote:

Please give me a ring on my cell to discuss: 202-669-0968.

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Subject: Trying again with the document this time,,,,

FOR COMMITTEE USE ONLY

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O: 202-208-6416  
C: 202-669-0968

--

**Blake Androff**  
Director of Communications  
U.S. Department of the Interior  
Office: (202) 208-6416 | Cell: (202) 725-7435

**Blake Androff** <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)>

---

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**From:** Blake Androff <blake\_androff@ios.doi.gov>  
**Sent:** Thu May 07 2015 16:24:19 GMT-0600 (MDT)  
**To:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>, Kate Kelly  
<kate\_kelly@ios.doi.gov>, Sarah Neimeyer  
**CC:** <sarah\_neimeyer@ios.doi.gov>, John Blair  
<john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov"  
<interior\_press@ios.doi.gov>  
**Subject:** Re: Trying again with the document this time,,,,

<http://m.reviewjournal.com/news/nevada/draft-would-proclaim-new-national-monument-nevada-land-surrounding-city-artwork>

**Blake Androff**

Director of Communications  
U.S. Department of the Interior  
Office: [\(202\) 208-6416](tel:202-208-6416) | Cell: [\(202\) 725-7435](tel:202-725-7435)

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Please give me a ring on my cell to discuss: 202-669-0968.

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**Date:** Thu, May 7, 2015 at 5:52 PM  
**Subject:** Trying again with the document this time,,,,  
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Las Vegas Review-Journal -- DC



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Jessica Kershaw  
Press Secretary, U.S. Dept of the Interior  
@DOIPressSec  
O: 202-208-6416  
C: 202-669-0968

<monument.pdf>

**Jessica Kershaw <jessica\_kershaw@ios.doi.gov>**

---

**From:** Jessica Kershaw <jessica\_kershaw@ios.doi.gov>  
**Sent:** Thu May 07 2015 16:39:50 GMT-0600 (MDT)  
**To:** Blake Androff <blake\_androff@ios.doi.gov>  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>, Kate Kelly  
**CC:** <kate\_kelly@ios.doi.gov>, Sarah Neimeyer  
<sarah\_neimeyer@ios.doi.gov>, John Blair  
<john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov"  
<interior\_press@ios.doi.gov>  
**Subject:** Re: Trying again with the document this time,,,,

AP national is now poking around - referring to CEQ.

Sent from my iPhone

On May 7, 2015, at 6:24 PM, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)> wrote:

<http://m.reviewjournal.com/news/nevada/draft-would-proclaim-new-national-monument-nevada-land-surrounding-city-artwork>

**Blake Androff**  
Director of Communications  
U.S. Department of the Interior

FOR COMMITTEE USE ONLY

Office: [\(202\) 208-6416](tel:2022086416) | Cell: [\(202\) 725-7435](tel:2027257435)

On May 7, 2015, at 5:57 PM, Kershaw, Jessica  
<[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)> wrote:

Please give me a ring on my cell to discuss: 202-669-0968.

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

From: **Steve Tetreault** <[stetreault@stephensmedia.com](mailto:stetreault@stephensmedia.com)>  
Date: Thu, May 7, 2015 at 5:52 PM  
Subject: Trying again with the document this time,,,,,  
To: "Kershaw, Jessica" <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>

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Press Secretary, U.S. Dept of the Interior  
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FOR COMMITTEE USE ONLY

O: 202-208-6416

C: 202-669-0968

<monument.pdf>

**Jessica Kershaw <jessica\_kershaw@ios.doi.gov>**

---

**From:** Jessica Kershaw <jessica\_kershaw@ios.doi.gov>  
**Sent:** Thu May 07 2015 16:48:47 GMT-0600 (MDT)  
**To:** Blake Androff <blake\_androff@ios.doi.gov>  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Kate Kelly <kate\_kelly@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov" <interior\_press@ios.doi.gov>  
**CC:**  
**Subject:** Re: Trying again with the document this time,,,,,

And E/E. Same drill.

Sent from my iPhone

On May 7, 2015, at 6:42 PM, Jessica Kershaw <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)> wrote:

AP national is now poking around - referring to CEQ.

Sent from my iPhone

On May 7, 2015, at 6:24 PM, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)> wrote:

<http://m.reviewjournal.com/news/nevada/draft-would-proclaim-national-monument-nevada-land-surrounding-city-artwork>

**Blake Androff**

Director of Communications

U.S. Department of the Interior

Office: [\(202\) 208-6416](tel:2022086416) | Cell: [\(202\) 725-7435](tel:2027257435)

On May 7, 2015, at 5:57 PM, Kershaw, Jessica <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)> wrote:

Please give me a ring on my cell to discuss: 202-669-0968.



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From: **Steve Tetreault**

<[stetreault@stephensmedia.com](mailto:stetreault@stephensmedia.com)>

Date: Thu, May 7, 2015 at 5:52 PM

Subject: Trying again with the document this time,,,

To: "Kershaw, Jessica"

<[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>

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--

Jessica Kershaw

Press Secretary, U.S. Dept of the Interior

@DOIPressSec

O: 202-208-6416

C: 202-669-0968

<monument.pdf>

**"Beyer, Emily" <emily\_beyer@ios.doi.gov>**

---

**From:** "Beyer, Emily" <emily\_beyer@ios.doi.gov>  
**Sent:** Fri May 08 2015 05:43:25 GMT-0600 (MDT)  
**To:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau  
<tommy\_beaudreau@ios.doi.gov>, Kate Kelly  
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<sarah\_neimeyer@ios.doi.gov>, John Blair  
<john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov"  
<interior\_press@ios.doi.gov>  
**Subject:** Re: Trying again with the document this time,,,,

## NATIONAL MONUMENTS:

### **Nev. congressman says document points to massive designation**

Phil Taylor, E&E reporter

Published: Friday, May 8, 2015

President Obama is planning to designate a 700,000-acre national monument in rangelands of east-central Nevada, according to a document obtained by Rep. Cresent Hardy (R-Nev.) and shared with Nevada media.

The six-page draft proclamation was prepared by the White House and has been circulating among federal agencies the past week, Hardy's spokesman said, according to a [report](#) in the *Las Vegas Review-Journal*.

If true, the so-called Basin and Range National Monument in portions of Lincoln and Nye counties would be Obama's largest land-based designation yet under the 1906 Antiquities Act, a conservation law that has been a target of Republicans in Congress including Hardy.

In January, Hardy co-sponsored a [bill](#) by Rep. Mark Amodei (R-Nev.) to prohibit the president from designating national monuments in Nevada without approval from Congress.

Hardy said the Basin and Range monument would lie under the airspace of the Nevada Test and Training Range and include one of the most heavily used military operating areas in the country. The Air Force and its partners flew nearly 20,000 aircraft sorties in the area last year, exercises that would be "drastically impaired as a result of this monument designation," Hardy said.

"If the president presses forward with this initiative, it will be at the cost of national security measures and military preparedness, and will be done in direct opposition to the residents and visitors that respectfully make recreational use of this area as is," Hardy wrote in an [op-ed](#) on his website yesterday. "His initiative smacks of a lack of transparency, and is devoid of meaningful local input."

But Kristen Orthman, a spokeswoman for Senate Minority Leader Harry Reid (D-Nev.),



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who has introduced legislation to withdraw more than 800,000 acres of the Basin and Range area from future mineral development, said Hardy is "getting a little bit ahead of himself."

"We will not allow those who have no interest in the protection of the Basin and Range area to demagogue it with a misinformation campaign built heavy on partisan rhetoric but short on actual facts," she said in an email to reporters last night. "Sen. Reid believes this area deserves protection -- that is why he introduced legislation to do so in 2014. But in lieu of legislation, Senator Reid fully supports President Obama if he decides to designate this area, which he has the legal authority to do so."

Orthman said the Basin and Range is "uniquely Nevada" and deserves protection as "one of the most beautiful places on earth."

Reid, in fact, has been seeking the Obama administration's help in protecting public lands in Nevada since as far back as last October, according to a letter obtained by *E&E Daily* ([Greenwire](#), Jan. 20).

Reid on Oct. 24, 2014, sent a [letter](#) to Interior Secretary Sally Jewell asking her to convene a public stakeholder meeting in Las Vegas to discuss various conservation efforts in southern Nevada, including his legislation to protect Basin and Range as well as Gold Butte and the Tule Springs Fossil Beds National Monument.

The letter appears to have paid off. In February, Interior Deputy Secretary Michael Connor attended a public meeting in Las Vegas with Reid and Rep. Dina Titus (D-Nev.) to discuss their proposals to protect more than 1 million acres of Nevada public lands.

That visit suggests monument designations for those areas are on the president's radar. Past Obama monuments have been preceded by secretarial visits.

Reid's bill, and the alleged monument, would also protect artist Michael Heizer's "City," an earth sculpture that has taken decades to build and will be as large as the National Mall, according to media reports.

Heizer has used bulldozers, cranes and other heavy machinery "to reshape a slice of desert into his vision," according to the *Review-Journal*.

Museums including the Los Angeles County Museum of Art, the Museum of Modern Art in New York and the Institute of Contemporary Art in Boston have rallied to protect the federal lands surrounding Heizer's work.

It's also a top campaign of conservation groups including the Center for Biological Diversity and the Conservation Lands Foundation.

Permanent protection would "not only [safeguard] recreational opportunities for Nevadans but will also secure outdoor laboratories for future generations of scientists, academics and adventurers," CLF wrote in a [blog entry](#) last month.

On Thu, May 7, 2015 at 4:57 PM, Kershaw, Jessica <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)> wrote:

| Please give me a ring on my cell to discuss: 202-669-0968.

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Emily Beyer  
Deputy Press Secretary  
U.S. Department of the Interior



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Office: (202) 208-5205 | Cell: (202) 568-0168  
[emily\\_beyer@ios.doi.gov](mailto:emily_beyer@ios.doi.gov)

**"Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>**

---

**From:** "Kershaw, Jessica" <jessica\_kershaw@ios.doi.gov>  
**Sent:** Fri May 08 2015 14:13:45 GMT-0600 (MDT)  
**To:** "Beyer, Emily" <emily\_beyer@ios.doi.gov>  
Nikki Buffa <nicole\_buffa@ios.doi.gov>, Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>, Kate Kelly <kate\_kelly@ios.doi.gov>, Blake Androff <blake\_androff@ios.doi.gov>, Sarah Neimeyer <sarah\_neimeyer@ios.doi.gov>, John Blair <john\_blair@ios.doi.gov>, "interior\_press@ios.doi.gov" <interior\_press@ios.doi.gov>  
**CC:**  
**Subject:** Re: Trying again with the document this time,,,,

FYI:

Steve Tetreault @STetreaultDC 38s38 seconds ago

.@RepRobBishop: Obama plan for #BasinRange monument "purely insulting to Congress...This will be pursued" #Nevada #lvj

On Fri, May 8, 2015 at 7:43 AM, Beyer, Emily <[emily\\_beyer@ios.doi.gov](mailto:emily_beyer@ios.doi.gov)> wrote:

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Phil Taylor, E&E reporter

Published: Friday, May 8, 2015

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Las Vegas Review-Journal -- DC

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Stephan R. Tetreault  
Bureau chief, Las Vegas Review-Journal  
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969 National Press Building  
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202-557-4306 cell  
Twitter @STetreaultDC

--

Jessica Kershaw

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Press Secretary, U.S. Dept of the Interior  
@DOIPressSec  
O: 202-208-6416  
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--

Emily Beyer  
Deputy Press Secretary  
U.S. Department of the Interior  
Office: (202) 208-5205 | Cell: (202) 568-0168  
[emily\\_beyer@ios.doi.gov](mailto:emily_beyer@ios.doi.gov)

--

Jessica Kershaw  
Press Secretary, U.S. Dept of the Interior  
@DOIPressSec  
O: 202-208-6416  
C: 202-669-0968

**Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>**

---

**From:** Tommy Beaudreau <tommy\_beaudreau@ios.doi.gov>  
**Sent:** Fri May 08 2015 15:36:42 GMT-0600 (MDT)  
**To:** Michael Connor <michael\_connor@ios.doi.gov>  
**Subject:** Fwd: Trying again with the document this time,,,,

TPB

Begin forwarded message:

**From:** "Kershaw, Jessica" <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>  
**Date:** May 8, 2015 at 4:13:45 PM EDT  
**To:** "Beyer, Emily" <[emily\\_beyer@ios.doi.gov](mailto:emily_beyer@ios.doi.gov)>  
**Cc:** Nikki Buffa <[nicole\\_buffa@ios.doi.gov](mailto:nicole_buffa@ios.doi.gov)>, Tommy Beaudreau <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>, Kate Kelly <[kate\\_kelly@ios.doi.gov](mailto:kate_kelly@ios.doi.gov)>, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)>, Sarah Neimeyer <[sarah\\_neimeyer@ios.doi.gov](mailto:sarah_neimeyer@ios.doi.gov)>, John Blair <[john\\_blair@ios.doi.gov](mailto:john_blair@ios.doi.gov)>, "[interior\\_press@ios.doi.gov](mailto:interior_press@ios.doi.gov)" <[interior\\_press@ios.doi.gov](mailto:interior_press@ios.doi.gov)>  
**Subject:** Re: Trying again with the document this time,,,,



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**Steve Tetreault** @STetreaultDC 38s38 seconds ago

.@RepRobBishop: Obama plan for #BasinRange monument "purely insulting to Congress...This will be pursued" #Nevada #lvvj

On Fri, May 8, 2015 at 7:43 AM, Beyer, Emily <[emily\\_beyer@ios.doi.gov](mailto:emily_beyer@ios.doi.gov)> wrote:

## **NATIONAL MONUMENTS:**

### **Nev. congressman says document points to massive designation**

Phil Taylor, E&E reporter

Published: Friday, May 8, 2015

President Obama is planning to designate a 700,000-acre national monument in rangelands of east-central Nevada, according to a document obtained by Rep. Cresent Hardy (R-Nev.) and shared with Nevada media.

The six-page draft proclamation was prepared by the White House and has been circulating among federal agencies the past week, Hardy's spokesman said, according to a **report** in the *Las Vegas Review-Journal*.

If true, the so-called Basin and Range National Monument in portions of Lincoln and Nye counties would be Obama's largest land-based designation yet under the 1906 Antiquities Act, a conservation law that has been a target of Republicans in Congress including Hardy.

In January, Hardy co-sponsored a **bill** by Rep. Mark Amodei (R-Nev.) to prohibit the president from designating national monuments in Nevada without approval from Congress.

Hardy said the Basin and Range monument would lie under the airspace of the Nevada Test and Training Range and include one of the most heavily used military operating areas in the country. The Air Force and its partners flew nearly 20,000 aircraft sorties in the area last year, exercises that would be "drastically impaired as a result of this monument designation," Hardy said.

"If the president presses forward with this initiative, it will be at the cost of national security measures and military preparedness, and will be done in direct opposition to the residents and visitors that respectfully make recreational use of this area as is," Hardy wrote in an **op-ed** on his website yesterday. "His initiative smacks of a lack of transparency, and is devoid of meaningful local input."

But Kristen Orthman, a spokeswoman for Senate Minority Leader Harry Reid (D-Nev.), who has introduced legislation to withdraw more than 800,000 acres of the Basin and Range area from future mineral development, said Hardy is "getting a little bit ahead of himself."

"We will not allow those who have no interest in the protection of the Basin



and Range area to demagogue it with a misinformation campaign built heavy on partisan rhetoric but short on actual facts," she said in an email to reporters last night. "Sen. Reid believes this area deserves protection -- that is why he introduced legislation to do so in 2014. But in lieu of legislation, Senator Reid fully supports President Obama if he decides to designate this area, which he has the legal authority to do so."

Orthman said the Basin and Range is "uniquely Nevada" and deserves protection as "one of the most beautiful places on earth."

Reid, in fact, has been seeking the Obama administration's help in protecting public lands in Nevada since as far back as last October, according to a letter obtained by *E&E Daily* ([Greenwire](#), Jan. 20).

Reid on Oct. 24, 2014, sent a [letter](#) to Interior Secretary Sally Jewell asking her to convene a public stakeholder meeting in Las Vegas to discuss various conservation efforts in southern Nevada, including his legislation to protect Basin and Range as well as Gold Butte and the Tule Springs Fossil Beds National Monument.

The letter appears to have paid off. In February, Interior Deputy Secretary Michael Connor attended a public meeting in Las Vegas with Reid and Rep. Dina Titus (D-Nev.) to discuss their proposals to protect more than 1 million acres of Nevada public lands.

That visit suggests monument designations for those areas are on the president's radar. Past Obama monuments have been preceded by secretarial visits.

Reid's bill, and the alleged monument, would also protect artist Michael Heizer's "City," an earth sculpture that has taken decades to build and will be as large as the National Mall, according to media reports.

Heizer has used bulldozers, cranes and other heavy machinery "to reshape a slice of desert into his vision," according to the *Review-Journal*.

Museums including the Los Angeles County Museum of Art, the Museum of Modern Art in New York and the Institute of Contemporary Art in Boston have rallied to protect the federal lands surrounding Heizer's work.

It's also a top campaign of conservation groups including the Center for Biological Diversity and the Conservation Lands Foundation.

Permanent protection would "not only [safeguard] recreational opportunities for Nevadans but will also secure outdoor laboratories for future generations of scientists, academics and adventurers," CLF wrote in a [blog entry](#) last month.

On Thu, May 7, 2015 at 4:57 PM, Kershaw, Jessica  
<[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)> wrote:

Please give me a ring on my cell to discuss: 202-669-0968.

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

From: **Steve Tetreault** <[stetreault@stephensmedia.com](mailto:stetreault@stephensmedia.com)>  
Date: Thu, May 7, 2015 at 5:52 PM  
Subject: Trying again with the document this time,,,,,  
To: "Kershaw, Jessica" <[jessica\\_kershaw@ios.doi.gov](mailto:jessica_kershaw@ios.doi.gov)>

Hi Jessica,

Can I check with you or anyone there whether the attached document is authentic. It says it is a draft proclamation for the president to establish a "Basin and Range" National Monument in Nevada. Released by Nevada congressman Crescent Hardy a short while ago...

I want to check if this doc is real.

Beyond that I want to ask for comment from Secretary Jewell on what appears to be this national monument proposal moving forward...

Thanks much!

Steve Tetreault  
Las Vegas Review-Journal -- DC

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