Conversation Contents

Fwd: Daily News Clips

"Roberts, Lawrence" <lawrence_roberts@ios.doi.gov>

From:	"Roberts, Lawrence" <lawrence_roberts@ios.doi.gov>
Sent:	Mon Nov 30 2015 11:02:07 GMT-0700 (MST)
To:	Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>, Elizabeth Klein <elizabeth_klein@ios.doi.gov>
Subject:	Fwd: Daily News Clips

FYI - forwarding op-ed on Bears Ears.

---------- Forwarded message ----------
From: **Mailbox, AS-IA_OPA** <as-ia_opa@bia.gov>
Date: Mon, Nov 30, 2015 at 12:48 PM
Subject: Daily News Clips
To: Ann Bledsoe Downes <ann.bledsoedownes@bia.gov>, "charles.roessell@bie.edu" <charles.roessel@bie.edu>, Elizabeth Appel <elizabeth.appel@bia.gov>, Kathryn Isom-Clause <Kathryn_Isom-Clause@ios.doi.gov>, "Washburn, Kevin" <Kevin.Washburn@bia.gov>, "Roberts, Lawrence S." <Lawrence_Roberts@ios.doi.gov>, "Black, Michael" <Mike.Black@bia.gov>, Phillip Brinkley <phillip.brinkley@bia.gov>, Rellani Ogumoro <rellani.ogumoro@bia.gov>, Sarah Walters <sarah_walters@ios.doi.gov>, Teddi Penland <teddi.penland@bia.gov>, "Thompson, Thomas D" <Thomas.Thompson@bia.gov>, undisclosed recipient <nedra.darling@bia.gov>, undisclosed recipient <sharee.freeman@bia.gov>, undisclosed recipient <robin.shield@bia.gov>, ur <gary.garrison@bia.gov>, ur <sarah.beccio@bia.gov>

Daily News Clips

HOT TOPICS

Indigenous peoples release joint statement to UN talks in Paris on climate change (native news

online)

Op-ed: Bishop is wrong, Utah's Native Americans want Bears Ears protected (salt lake tribune)

INDIAN LEGISLATIVE/JUSTICE & PUBLIC SAFETY ISSUES

Supreme Court justice blocks Native Hawaiian vote count (washington post)

A Dark piece in America's subconscious: Native children in the child welfare system (native news online)

Struggle for justice on Tribal lands (ny times)

ECONOMIC DEVELOPMENT IN INDIAN COUNTRY

USDA seeds grassroots economic development in New Mexico (ICTMN)

Judge's casino ruling to be appealed by Martha's Vineyard tribe (roundhouse talk)

HEALTH & EDUCATION IN INDIAN COUNTRY

$1M to boost American Indian nutrition research (Minnesota daily)

For many Native American communities, marriage equality is still forbidden (lgbtq nation)

Federal involvement doesn't help schools (tyler morning telegraph)

LEADERSHIP & TRIBAL POLITICS

MISCELLANEOUS

New Indian Deal (national archives)

--
Office of Public Affairs - Indian Affairs
Office of the Assistant Secretary - Indian Affairs
U.S. Department of the Interior
1849 C St., N.W., MS-3658-MIB
Washington, D.C. 20240
Main Phone: 202-208-3710
Press Line: 202-219-4152
as-ia_opa@bia.gov

--
Lawrence S. Roberts
Principal Deputy Assistant Secretary - Indian Affairs
Main number 202-208-7163

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Conversation Contents

catch up on Utah issues and a request

"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>

From:	"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>
Sent:	Thu Nov 19 2015 15:33:13 GMT-0700 (MST)
To:	Neil Kornze <nkornze@blm.gov>
Subject:	catch up on Utah issues and a request

Neil,

Are you available for a call sometime tomorrow or next week to catch up on BLM issues in Utah, mostly Bears Ears? Also, SITLA has a new executive director and will be in DC during the second week of Dec. Will you be able to make time to meet with him?

John

"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>

From:	"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>
Sent:	Thu Nov 19 2015 16:34:12 GMT-0700 (MST)
To:	Neil Kornze <nkornze@blm.gov>
Subject:	Re: catch up on Utah issues and a request

I just got the note that you stopped by the office to see me. Sorry I missed you. Are you around tomorrow?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Tanner, John (Hatch)
Sent: Thursday, November 19, 2015 5:33 PM
To: Neil Kornze
Subject: catch up on Utah issues and a request

Neil,

Are you available for a call sometime tomorrow or next week to catch up on BLM issues in Utah, mostly Bears Ears? Also, SITLA has a new executive director and will be in DC during the second week of Dec. Will you be able to make time to meet with him?

John

Neil Kornze <nkornze@blm.gov>

From:	Neil Kornze <nkornze@blm.gov>
Sent:	Thu Nov 19 2015 17:10:09 GMT-0700 (MST)
To:	"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>
Subject:	Re: catch up on Utah issues and a request

Howdy. (b) (6) so schedules are totally up in the air. Try me tomorrow at 202 208 3801.

On Nov 19, 2015, at 6:34 PM, Tanner, John (Hatch) <John_Tanner@hatch.senate.gov> wrote:

I just got the note that you stopped by the office to see me. Sorry I missed you. Are you around tomorrow?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Tanner, John (Hatch)
Sent: Thursday, November 19, 2015 5:33 PM
To: Neil Kornze
Subject: catch up on Utah issues and a request

Neil,

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John

"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>

From:	"Tanner, John (Hatch)" <John_Tanner@hatch.senate.gov>
Sent:	Thu Nov 19 2015 17:17:25 GMT-0700 (MST)
To:	Neil Kornze <nkornze@blm.gov>
Subject:	Re: catch up on Utah issues and a request

What!?

Congrats!

I know how those last few hours/days/weeks are. Good luck.

I'll try you tomorrow.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Neil Kornze
Sent: Thursday, November 19, 2015 7:10 PM
To: Tanner, John (Hatch)
Subject: Re: catch up on Utah issues and a request

Howdy. (b) (6) so schedules are totally up in the air. Try me tomorrow at 202 208 3801.

On Nov 19, 2015, at 6:34 PM, Tanner, John (Hatch) <John_Tanner@hatch.senate.gov> wrote:

I just got the note that you stopped by the office to see me. Sorry I missed you. Are you around tomorrow?

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From: Tanner, John (Hatch)
Sent: Thursday, November 19, 2015 5:33 PM
To: Neil Kornze
Subject: catch up on Utah issues and a request

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John

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Conversation Contents

Speaking Request

CARL D ROUNTREE (b) (6)

From:	CARL D ROUNTREE (b) (6)
Sent:	Wed Oct 28 2015 10:26:50 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>
Subject:	Speaking Request

Neil: The Friends of Cedar Mesa have asked if I would consider talking at their annual "Celebrate Cedar Mesa" event next year, March 5. In light of the Bears Ears NM proposal, they are interested in hearing about the more inclusive approach BLM has employed in its management of NMs and NCAs -- something I have highlighted in my previous talks while in BLM. We'll be in the Florida Keys (I know, tough duty) during that time, but I said I would consider it if I could not get either you or Kristen to commit to doing it instead of me. They are also seeing if they can get the Secretary to attend, but not sure how that will play with the politics swirling around the Bears Ears proposal and Mr. Bishop's activities. Please let me know if you think you or Kristen might be able to make it and I'll plan accordingly...Carl Sent from my iPhone

"Kornze, Neil" <nkornze@blm.gov>

From:	"Kornze, Neil" <nkornze@blm.gov>
Sent:	Mon Nov 02 2015 12:53:09 GMT-0700 (MST)
To:	CARL D ROUNTREE (b) (6)
Subject:	Re: Speaking Request

Hi, Carl. I appreciate your note. March is probably too far out to know what scheduling options might be, but I'll keep this on my radar.

N

On Wed, Oct 28, 2015 at 12:26 PM, CARL D ROUNTREE (b) (6) wrote:

> Neil: The Friends of Cedar Mesa have asked if I would consider talking at their annual "Celebrate Cedar Mesa" event next year, March 5. In light of the Bears Ears NM proposal, they are interested in hearing about the more inclusive approach BLM has employed in its management of NMs and NCAs -- something I have highlighted in my previous talks while in BLM. We'll be in the Florida Keys (I know, tough duty) during

that time, but I said I would consider it if I could not get either you or Kristen to commit to doing it instead of me. They are also seeing if they can get the Secretary to attend, but not sure how that will play with the politics swirling around the Bears Ears proposal and Mr. Bishop's activities. Please let me know if you think you or Kristen might be able to make it and I'll plan accordingly...Carl

Sent from my iPhone

CARL D ROUNTREE (b) (6)

From: CARL D ROUNTREE (b) (6)
Sent: Mon Nov 02 2015 16:39:13 GMT-0700 (MST)
To: "Kornze, Neil" <nkornze@blm.gov>
Subject: Re: Speaking Request

I'll let Josh know, Neil. BTW, do you have time to talk privately tomorrow. Concerns are already being raised about what's being rumored to be BLM's proposal for next year's event that I'd like to share with just you...C

Sent from my iPhone

On Nov 2, 2015, at 11:53 AM, Kornze, Neil <nkornze@blm.gov> wrote:

> Hi, Carl. I appreciate your note. March is probably too far out to know what scheduling options might be, but I'll keep this on my radar.
>
> N
>
> On Wed, Oct 28, 2015 at 12:26 PM, CARL D ROUNTREE (b) (6) wrote:
>
> > Neil: The Friends of Cedar Mesa have asked if I would consider talking at their annual "Celebrate Cedar Mesa" event next year, March 5. In light of the Bears Ears NM proposal, they are interested in hearing about the more inclusive approach BLM has employed in its management of NMs and NCAs -- something I have highlighted in my previous talks while in BLM. We'll be in the Florida Keys (I know, tough duty) during that time, but I said I would consider it if I could not get either you or Kristen to commit to doing it instead of me. They are also seeing if they can get the Secretary to attend, but not sure how that will play with the politics swirling around the Bears Ears proposal and Mr. Bishop's activities. Please let me know if you think you or Kristen might be able to make it and I'll plan accordingly...Carl
> >
> > Sent from my iPhone

Conversation Contents

UT

"Buffa, Nicole" <nicole_buffa@ios.doi.gov>

From:	"Buffa, Nicole" <nicole_buffa@ios.doi.gov>
Sent:	Wed Oct 28 2015 15:47:17 GMT-0600 (MDT)
To:	Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>
Subject:	UT

http://www.navajonationcouncil.org/pressReleases/2015/Oct/Council_members_address_misinformation_regarding_Bears_Ears_initiative.pdf

“Seemingly false statements are being made to the media that the Bears Ears proposal is not supported by local chapters and local people,” said Delegate Filfred. “This is not accurate. There has been, and continues to be, support from six of seven Utah chapters and the overwhelming support of local Navajo people for the Bears Ears proposal.”

--
Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

Conversation Contents

Would be good to talk

"Buffa, Nicole" <nicole_buffa@ios.doi.gov>

From:	"Buffa, Nicole" <nicole_buffa@ios.doi.gov>
Sent:	Thu Oct 15 2015 13:22:48 GMT-0600 (MDT)
To:	Jonathan Jarvis <jon_jarvis@nps.gov>, Neil Kornze <nkornze@blm.gov>
Subject:	Would be good to talk

About this early next week. Sound good?

http://www.bearsearscoalition.org/wp-content/uploads/2015/10/Bears-Ears-Inter-Tribal-Coalition-Proposal-10-15-15.pdf

--
Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

Conversation Contents

Fyi

Nicole Buffa <nicole_buffa@ios.doi.gov>

From:	Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent:	Tue Oct 06 2015 06:07:33 GMT-0600 (MDT)
To:	Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Kevin Washburn <Kevin.Washburn@bia.gov>, Jon Jarvis <jon_jarvis@nps.gov>
Subject:	Fyi

TRIBES PUSH FOR BEARS EARS NATIONAL MONUMENT. The Indian Country Today Media Network (10/5, 32K) reports that "five Four Corners-area tribes have united to propose a 1.9 million–acre Bears Ears National Monument that would be the first truly collaborative land management effort between Native Americans and the federal government." According to the article, "the Coalition is minting a blueprint for a degree of co-management that has never been tried before." The plan "embodies true government-to-government relations and truly collaborative decision-making on all aspects of running a protected mass of land."

Conversation Contents

Trib article

"Whitlock, Jenna" <jwhitloc@blm.gov>

From:	"Whitlock, Jenna" <jwhitloc@blm.gov>
Sent:	Wed Sep 16 2015 09:18:20 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>, Anita Bilbao <abilbao@blm.gov>, Steven Ellis <sellis@blm.gov>, Craig Leff <cleff@blm.gov>, Cynthia Moses-Nedd <cnedd@blm.gov>
CC:	Katherine Kitchell <kkitchell@blm.gov>, Megan Crandall <mcrandal@blm.gov>
Subject:	Trib article

just FYI. j

Jewell: No Plan B if 'grand bargain' lands legislation fails

BY THOMAS BURR

THE SALT LAKE TRIBUNE

PUBLISHED: SEPTEMBER 15, 2015 03:11PM

UPDATED: SEPTEMBER 15, 2015 07:39PM

Washington • The head of the U.S. Interior Department says there is no Plan B in place if Utah officials, environmentalists and Congress aren't able to strike a deal to protect land in the eastern and southern part of the state — but adds that she would like to see a plan in writing soon.

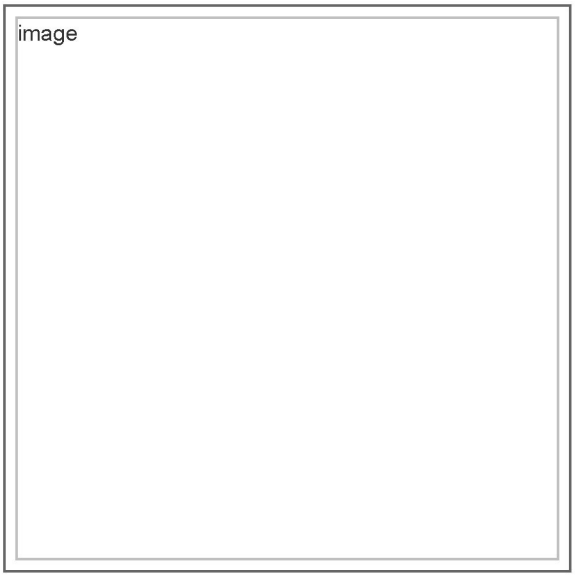
Interior Secretary Sally Jewell said Tuesday that all eyes are on the effort to craft the Public Lands Initiative by Utah Republican Reps. Rob Bishop and Jason Chaffetz and more details need to be forthcoming.

"There is certainly an effort on their part to push that through, and that's what we're working with them on at this point in time," Jewell said at a breakfast hosted by The Christian Science Monitor. "I'm not going to suggest that there is any kind of firm plan if their plan doesn't work. We need to see a plan."

Asked if President Barack Obama would name a new national monument in Utah if the Bishop and Chaffetz effort fails, Jewell didn't answer directly. Instead, she said she looks forward to seeing the details of the plan.

Jewell added that there are some "amazing cultural or natural resources that right now have little or no protection."

Tribal leaders in southeastern Utah are pushing to preserve nearly 2 million acres in an area known as Bears Ears that contains culturally and archaeologically important sites. Legislation has yet to advance to preserve the area and tribal leaders have said they are open to the idea that Obama could use his unilateral power under the Antiquities Act to name a new monument there.



Al Hartmann | Tribune file photo
U.S. Secretary of the Interior Sally Jewell says she wants to see the compromise plan in writing to protect wild areas in Utah. She didn't raise the threat of a monument designation, but President Barack Obama has warned he would act if Congress doesn't. One area American Indians and environmentalists seek to protect is the Bears Ears in southeastern Utah.
.

Obama, who has named 19 monuments during his time in office, has said he will designate more if Congress refuses to act.

Chaffetz said Tuesday that he has appreciated Jewell's patience as he and others negotiated a compromise that he hopes to unveil soon. He noted the legislation is currently being drafted, though it's complicated because of all the land under consideration.

"We've had good discussions but everyone wants to see it in black and white on paper," Chaffetz said. "The clock is ticking, I make no bones about it, but we're working in the right direction."

The bill, as Chaffetz has outlined, would extend some level of federal protection for 3.9 million acres in eastern Utah and open up some 365,000 acres in the Uinta Basin for oil and gas exploration.

It also would expand Arches National Park by 50,000 acres; upgrade Dinosaur National Monument; and turn the Cleveland-Lloyd dinosaur-fossil quarry into "Jurassic National Monument."

tburr@sltrib.com

--
Jenna Whitlock, Acting State Director
Utah BLM
(801) 539-4010 office
(801) 503-6254 cell

Join the Conversation!

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Conversation Contents

PLI

Jenna Whitlock <jwhitloc@blm.gov>

From:	Jenna Whitlock <jwhitloc@blm.gov>
Sent:	Tue Aug 25 2015 18:28:33 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>, Stephenne Harding <stephenne_harding@ios.doi.gov>
CC:	Lara Douglas <ledouglas@blm.gov>
Subject:	PLI

Hi Neil and Stephenne -- just a heads up that I spoke today with Uintah County Commissioners (McKee and Stringer) on a number of issues, but including PLI. They indicated that the Hill was briefing the WH and WO BLM? And that they intended to roll out their current (final?) Uintah County proposal to the public next Tuesday, including language concepts. They offered to privately brief me and my District Manager in advance of the public roll-out. I'll do that next Tuesday. They also alerted me to an interesting sounding bill (expected to be dropped soon) that would allow companies to "credit" actions taken to improve air quality in advance of a non-attainment designation. We'll watch for that, but it could potentially be very helpful in the Basin. I'll keep you posted. Thanks. j They offered to Sent from my iPad

"Harding, Stephenne" <stephenne_harding@ios.doi.gov>

From:	"Harding, Stephenne" <stephenne_harding@ios.doi.gov>
Sent:	Tue Aug 25 2015 19:00:13 GMT-0600 (MDT)
To:	Jenna Whitlock <jwhitloc@blm.gov>
CC:	Neil Kornze <nkornze@blm.gov>, Lara Douglas <ledouglas@blm.gov>
Subject:	Re: PLI

Thank you for the heads up Jenna!

On Tuesday, August 25, 2015, Jenna Whitlock <jwhitloc@blm.gov> wrote:

> Hi Neil and Stephenne -- just a heads up that I spoke today with Uintah County Commissioners (McKee and Stringer) on a number of issues, but including PLI. They indicated that the Hill was briefing the WH and WO BLM? And that they intended to roll out their current

> (final?) Uintah County proposal to the public next Tuesday, including language concepts.
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> Sent from my iPad

--
Stephenne Harding
Deputy Director
Congressional and Legislative Affairs
Department of the Interior
Stephenne_Harding@ios.doi.gov
202-208-6174 (desk)
202-341-8080 (cell)

"Whitlock, Jenna" <jwhitloc@blm.gov>

From:	"Whitlock, Jenna" <jwhitloc@blm.gov>
Sent:	Wed Aug 26 2015 11:52:47 GMT-0600 (MDT)
To:	"Harding, Stephenne" <stephenne_harding@ios.doi.gov>
CC:	Neil Kornze <nkornze@blm.gov>, Lara Douglas <ledouglas@blm.gov>, Patrick Wilkinson <p2wilkin@blm.gov>
Subject:	Re: PLI

Stephenne -- per our conversation, here's the recent article on PLI. Thanks. j

http://www.sltrib.com/home/2871995-155/utah-public-lands-deal-would-protect-39m

Public-lands proposal seeks to create new national monument in Utah before Obama does

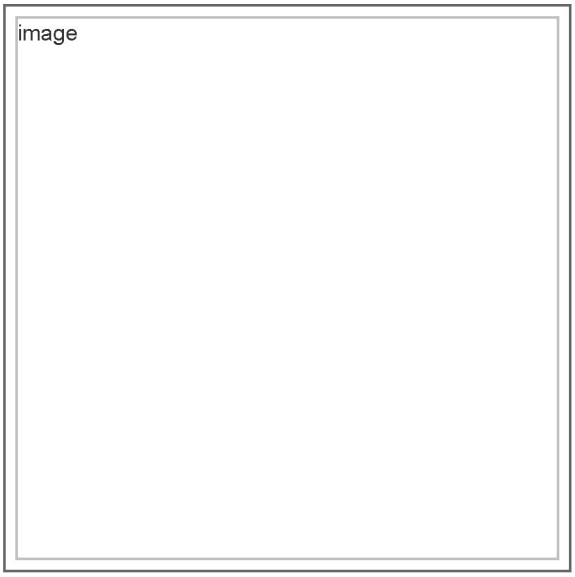
BY MATT CANHAM

THE SALT LAKE TRIBUNE

PUBLISHED: AUGUST 25, 2015 11:42AM

UPDATED: AUGUST 24, 2015 11:02PM

It has critics on the left and right. The counties involved could back out. Congress could let it die a slow death. And, in the end, President Barack Obama could name a new national monument in Utah.



Trent Nelson | Tribune file photo
The Horsfall family, on vacation from Australia, hiking the Fossil Discovery Trail at Dinosaur National Monument in Utah, Thursday, September 29, 2011.

Or ...

The public-lands compromise that has been three years in the making actually could pass. What might that mean? That's what Rep. Jason Chaffetz, R-Utah, wanted to talk about Monday when he met with The Salt Lake Tribune's editorial board.

He said the proposal would result in:

• Granting roughly 3.9 million acres of eastern Utah new federal protections in exchange for opening 365,000 acres in the Uinta Basin for oil and gas drilling.

• Expanding Arches National Park by 50,000 acres to include land adjacent to Delicate Arch that the federal government once tried to lease for oil development.

• Upgrading Dinosaur National Monument to a national park.

• Turning the Cleveland-Lloyd dinosaur-fossil quarry, the biggest concentration of Jurassic bones on the planet, into the "Jurassic National Monument." But only if Emery County agrees in votes expected to take place in early September.

Those are among the highlights in a massive seven-county proposal that Chaffetz and Rep. Rob Bishop, R-Utah, have negotiated with county commissioners, environmentalists, outdoor enthusiasts, ranchers and oil companies. They intend to unveil their proposal in the coming weeks and envision a "kumbaya" moment in which Democrats join with Republicans to quickly pass their legislation.

"I just don't believe somebody has to win and somebody else has to lose," Chaffetz said of the complex negotiations. "I think we can create a win-win, and that's what we are trying to do."

Often called the "grand bargain," though Bishop and Chaffetz refer to it as the "public-lands initiative," they see it as a chance to end decades of feuding in these rural counties. The key, according to Chaffetz, is that if passed, no president could unilaterally create a national monument in these counties again. That guarantee

would be written into the legislation. Without it, he said, the counties wouldn't go along with designating roughly 2 million acres of new wilderness and adding protection to another 1.9 million acres.

He knows that limiting the power of future presidents may give the president "heartburn," but there's an incentive for the White House to play ball.

"We can get more land designated and protected under this plan than that president could even dream of [through a monument]," Chaffetz said. "That's why, I think to [his] credit, the president hasn't done anything yet."

Utah politicos believe Obama is considering a national monument in San Juan County's Cedar Mesa area, piggybacking on the Bears Ears conservation proposal pushed by a coalition of 25 American Indian tribes, led by the Navajo.

The public-lands initiative would protect some of that area and give the Navajo joint management over 2,000 acres that hold a special meaning to the tribe.

Chaffetz's preview of the bill came four days after conservative state lawmakers and the Southern Utah Wilderness Alliance (SUWA) blasted the proposal.

Members of the state Commission for the Stewardship of Public Lands on Thursday told congressional staffers pitching the plan that their compromise meant to end division would only make things worse.

"When you create wilderness, you create a problem for adjacent counties," said Rep. Mike Noel, R-Kanab. "You create Class I airsheds. It's a cop in your backyard waiting for you to do something wrong."

Noel, along with Rep. Ken Ivory, R-West Jordan, argue that the deal runs counter to the state's goal of suing the federal government to obtain total control over public lands in the state — about 30 million acres. Chaffetz agrees with that aim and says that is a long-term plan not affected by this legislative proposal.

On the other end of the political spectrum, SUWA argued the plan remains light on conservation and gives too much power to county commissioners to oversee sensitive lands.

"We would love to see if we can reach an agreement," said Scott Groene, SUWA's executive director, "but we are worried this has really veered off the tracks."

Chaffetz has little patience for people on the political "extremes," who are still battling to win greater spoils in a fight that seems to have no end.

"There are a whole lot of reasons why it can get blown up, but this is the most optimistic, thorough plan to do something comprehensive, avoid a civil war and do something meaningful," Chaffetz said. "If people want to come blow it up for whatever reason, on either side of the aisle, shame on them. Be helpful and come to the table, as opposed to just being a bomb thrower and saying no to everything."

After Bishop and Chaffetz unveil their legislation, they'll give all of the interested

parties time to offer last-minute tweaks, then they will use their positions as chairmen of House committees to seek a fast-track vote.

They will need the support of Utah Republican Sens. Orrin Hatch and Mike Lee to get it through the Senate. Chaffetz said he's working to obtain the backing of Utah's other members of Congress. And he has been involved with meetings with the Interior Department and the White House to gain their support.

As he put it: "The timing is right to get 'er done."

mcanham@sltrib.com

Twitter: @mattcanham

—

A primer on the public-lands initiative

Who • Reps. Rob Bishop and Jason Chaffetz have worked with interested counties to develop a proposal that would end debate over what lands should be conserved and what could be developed.

Where • They have seven eastern Utah counties involved. They are Summit, Uintah, Duchesne, Carbon, Emery, Grand and San Juan.

When • The bill should be unveiled in the next couple of months, with a goal of passing it as soon as possible, since the Obama administration has threatened to create a national monument if it fails.

On Tue, Aug 25, 2015 at 7:00 PM, Harding, Stephenne <stephenne_harding@ios.doi.gov> wrote:

> Thank you for the heads up Jenna!
>
> On Tuesday, August 25, 2015, Jenna Whitlock <jwhitloc@blm.gov> wrote:
>
> > Hi Neil and Stephenne -- just a heads up that I spoke today with Uintah County Commissioners (McKee and Stringer) on a number of issues, but including PLI. They indicated that the Hill was briefing the WH and WO BLM? And that they intended to roll out their current (final?) Uintah County proposal to the public next Tuesday, including language concepts.
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--
Stephenne Harding
Deputy Director
Congressional and Legislative Affairs
Department of the Interior
Stephenne_Harding@ios.doi.gov
202-208-6174 (desk)
202-341-8080 (cell)

--
Jenna Whitlock, Acting State Director
Utah BLM
(801) 539-4010 office
(801) 503-6254 cell

Join the Conversation!

Conversation Contents

a nice pairing

"Whitlock, Jenna" <jwhitloc@blm.gov>

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Subject:	a nice pairing

Hi all -- in case you missed it, the Trib did a big spread on the Staircase and Garfield County's recent emergency declaration, including a SJ reference:

http://www.sltrib.com/news/2798818-155/is-southern-utah-town-being-stifled

And below is a link to audio for the Utah State legislature's Commission for the Stewardship of Public Land's recent meeting:

http://utahlegislature.granicus.com/MediaPlayer.php?view_id=2&clip_id=19052&meta_id=559231

If you have a minute, take a listen to Cody Stewart's "Recent National Monument Designations." You can click on the link under the audio player and it will skip ahead to that portion of the hearing. Thanks. j

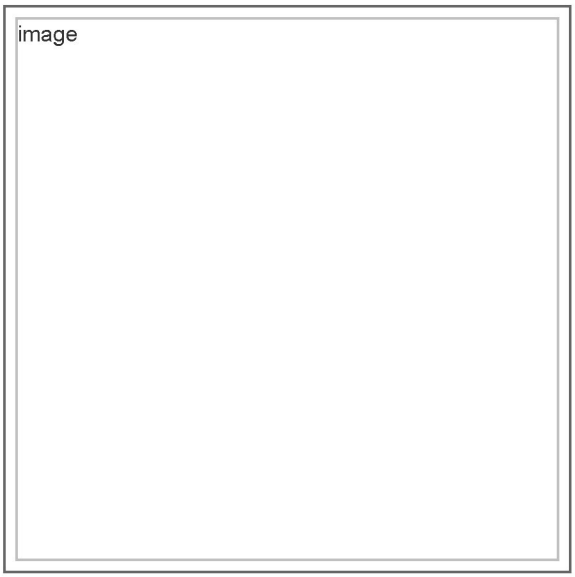
Is southern Utah town being stifled by the feds — or by residents' refusal to roll with new industries?

BY BRIAN MAFFLY

THE SALT LAKE TRIBUNE

PUBLISHED: AUGUST 15, 2015 11:19PM
UPDATED: AUGUST 15, 2015 11:02PM

Escalante • Dave and Erin Treanor's new business venture in this remote Utah town came at the crossroads of timing and location.



Chris Detrick | The Salt Lake Tribune
Dave Treanor works with his horses in Escalante Wednesday July 29, 2015. Erin and Dave Treanor own Rising DT Ranch Horse Tours and provide horseback tours around the Grand Staircase National Monument.

Transplants to Garfield County 11 years ago, they gravitated to Wide Hollow Reservoir to pursue their passion for paddling.

More often than not, they didn't spend much time on the water as campers from adjacent Escalante Petrified Forest State Park asked to borrow their kayaks and paddleboards.

So when Dave was laid off last year from Turn-About Ranch, inspiration struck. This spring, the Treanors, who have two young children, expanded their new horse-trail-riding business to rent watercraft at the reservoir. Both operations are flourishing, exceeding the couple's expectations.

The Treanors are a little bit of old Escalante (the horses) and a little bit of new Escalante (the paddleboards). But while they've worked out the dichotomy, their neighbors haven't.

The clash became apparent June 22 when the Garfield County Commission declared a state of emergency. The proclamation portrays Escalante, a town of 850, as a community fading away under the weight of federal land policies that put preservation ahead of extraction.

The Treanors figured they were having a banner year.

"It's an exciting time. We're dying? Really? That's a bummer," said Dave Treanor, a candidate for Town Council in a race in which three incumbents face re-election.

"Why send that message just when we are coming back? Most people here are really optimistic."

Treanor, owner of the guiding service called Rising DT Ranch, is among several Escalante business leaders frustrated with the commission's declaration. They believe the three-page resolution, which calls on federal land agencies to align their management with the county's priorities, exhibits a lack of vision for the future and could wind up harming Escalante's economic prospects by discouraging investment.

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'It's a lie' • The emergency declaration claims the U.S. Bureau of Land Management,

which operates the Grand Staircase-Escalante National Monument, and the U.S. Forest Service are to blame for the county's economic malaise because policies have "eliminated" multiple use.

Collapsing school enrollment in Escalante — down 67 percent in the town's middle and high school since President Bill Clinton's 1996 monument designation — is the main exhibit in the commissioners' case that Garfield's communities are withering.

In a speech before the San Juan County Commission last week, Town Council member Greg Allen personified the old guard — those who believe Clinton's monument permanently stunted their community. He urged the San Juan County Commission to fight the proposed designation of a national monument around Bears Ears and Cedar Mesa. Allen said claims that the Staircase monument spurs economic growth are distortions perpetrated by those developing tourism operations at the expense of traditional industries.

"There's no other way to say it. It's a lie," said Allen, an Escalante schoolteacher and LDS bishop whose family is involved with logging and ranching. "We are a constricting town. We are going down. I have no idea how we are going to survive."

Mormon settlers first platted the town 130 years ago on a gently sloping bluff above the Escalante River.

Relics of fruit orchards cluster behind homes and alfalfa fields spread from the river, whose banks are choked with invasive Russian olive and tamarisk among native cottonwoods and willow.

This bucolic valley is surrounded by scenic public lands that are simultaneously Escalante's chief asset and biggest source of rancor.

Residents are split about whether it is better to mine, drill and log these lands or preserve them for their ability to draw visitors looking to explore the historic town and nearby slot canyons, plateaus and folded sandstone of the Escalante region, named for the Franciscan missionary who passed through in 1776.

The town and neighbors, including Boulder and Cannonville, long survived on agriculture and traditional extractive industries. But that era was already in decline when Clinton made his 1996 announcement, which chafes leaders in Garfield and Kane counties to this day. Flexing his authority under the Antiquities Act, Clinton set aside 1.9 million acres stretching between Bryce Canyon and Capitol Reef national parks.

Many blasted the move as an election-year gambit conducted in secrecy that insulted the desires of locals, slammed the door on harvesting the Kaiparowits Plateau's massive coal reserves and sounded a death knell for surrounding communities.

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New thinking • Newcomers and those remaking their careers —like the Treanors — are moving past coal.

Boulder resident Autumn Peterson wants to relocate her company from Fruita, Colo., to make high-end natural finishes in Escalante. Now she fears the emergency declaration will make it hard to get funding to set up a plant east of downtown, where she hopes to put 10 to 15 employees to work.

Two years ago, Karen and Reed Munson, a contractor, opened a hardware store so builders and locals wouldn't have to drive to Cedar City to buy tools and supplies.

Karen Munson, a former Escalante schoolteacher, figures the emergency declaration is just so much whining.

"That bugged me a lot. I refuse to be labeled a victim because of the Grand Staircase," she said. "I was unimpressed with their blaming our problems on the monument."

Munson believes the town has a bright future — as long as people heed the sign behind her counter that poses: "What's the best that can happen?"

"We have exceeded every sales goal we set," Munson said. "I've seen the building standards elevated. We sold 300 trees last year. The paint is just flying off the shelves."

She suspects the declaration could backfire. The town's new school principal, Bert Steele, suddenly has had trouble getting a construction loan approved.

Because housing is so tight in Escalante, the former Salt Lake City school administrator has been living with the Munsons since he moved here last summer.

But now Steele's plans to build a home have fallen into limbo.

Allen, Town Council member Louise Barnes and Garfield County Commissioner Dell Lefevre, a Boulder rancher who represents the eastern half of the county, did not respond to phone messages.

Contacted by phone, Escalante Mayor Jerry Taylor said he was too busy to be interviewed because of flooding at his house in Utah County.

The county's June 22 declaration instructed county staff to set up a meeting within 30 days with federal agencies, the governor's team and the Utah congressional designation to discuss the issues raised in the document. Such a meeting has yet to be arranged.

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'Ideological scapegoating' • Escalante's plight is hardly unique in rural America.

Communities are struggling across the country, and some are pivoting toward recreation — a shift that makes those vested in agriculture and minerals uncomfortable.

"That economy has long since gone away — as it has in much of rural America," said

Utah State University sociologist Richard Krannich. "That's happening in Iowa, not just public-lands states in the West.

"A lot of it has to do with technological advances that allow extractive industries to operate with few workers and the globalization of markets."

During her visit to Salt Lake City this month, U.S. Department of Interior Secretary Sally Jewell said many factors are responsible for the economic changes in places such as Garfield County, and it's easy and politically expedient to blame federal agencies.

Krannich calls it "ideological scapegoating."

"But there is also an underlying reality," Krannich said, "that the agencies were a lot more interested in resource extraction in the past than landscape preservation."

There is no denying Escalante is experiencing an uptick in tourism. Motel rooms are filling. Restaurants are busy. Outfitters are leading more clients into the backcountry. In the past few months, a new medical clinic and social hall have opened along Main Street.

Owners, including Chamber of Commerce President Dennis Waggoner, are confident the region's geological and cultural wonders, trout-filled streams, historic towns and slow pace will continue to lure a growing number of visitors.

Camera-toting tourists, many from Europe and Asia, arrive by tour bus, RV, motorcycle, bicycle and car on scenic State Road 12.

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Chicken Little mentality? • The county's political leaders, however, see their glass as half empty.

Garfield County is 93 percent federal land. The Escalante Valley is an island in an ocean of mostly protected land administered by the Dixie National Forest and the BLM. County leaders argue federal agencies are advancing land-use changes that damage the "health, safety and welfare" of the residents and erode the region's "culture and customs."

Allen's presentation in Monticello illustrates the divide in Escalante, pitting natives against so-called "move-ins" — those who came to retire in a place with crisp air, stunning views and starry skies, or to operate businesses catering to visitors, including the Escalante Mercantile, Natural Grocery and Circle D Motel.

Even how you say the town's name is a point of contention. Allen mocked those who use the Spanish pronunciation.

"You know you are hearing someone who doesn't understand the community," Allen, who uses a traditional pronunciation that rhymes with the poker term "ante," told San Juan commissioners.

He accused tourism operators of buying up commercial buildings along Main Street and trying to take over the Town Council in an unwanted campaign to change the place.

Others blame town leaders for suppressing growth and innovation.

Builder Mark Austin, who has butted heads with local government for years, believes Escalante has put up unnecessary barriers to economic development and discouraged investment.

For example, the town took years to upgrade its culinary water and storm-water systems. As a result, runoff during monsoonal events regularly floods homes.

A moratorium was placed on new water connections until a few years ago. That reduced opportunities to build new homes and businesses.

And back in the mid-1990s, Escalante leaders passed on a chance to host the new monument headquarters. That facility — along with its $2.5 million payroll — wound up in Kanab.

Meanwhile, locals say, it is difficult to secure a skilled tradesman to wire a house, plumb a kitchen or hang a door.

Good jobs abound in town for those who acquire the necessary skills, but town leaders keep telling young people their future lies elsewhere.

Despite reports of a takeover, the town's old guard came out on top in Tuesday's primary election.

Allen turned out to be the top vote-getter, followed by two other incumbents. Treanor came in a not-too-distant fourth place, followed by Kevin Worlton, a former South Jordan police officer-turned-police-chief the Town Council fired earlier this year. He and his wife, Rachel, now operate a Main Street convenience store, hiking shuttle service and ATV rental business that employs 16.

Austin, the critic, was the one council candidate who didn't survive the primary cut.

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Familiar gripes • Local leaders have a long list of complaints against federal land managers.

Chief among them: Cutting off long-held hopes of developing a vast deposit of Kaiparowits Plateau coal. Also: There are few visitor services, paved roads, signs and campgrounds in the preserve. Rangeland health is suffering. The county has to provide emergency services with little compensation. And federal bosses, they assert, aren't hiring enough locals.

Monument managers have little appetite for arguing with county leaders, but they dispute most of the emergency declaration's assertions targeting the BLM.

According to the document, federal land managers refuse to coordinate with the counties and the state. They propose harmful changes to land-management policy without explaining their impact. Finally, "pleas for protection of [the counties'] families have fallen on deaf federal ears." The agency, the county alleges, even has failed to deliver on promised education and science programs.

"That's the perception," said monument spokesman Larry Crutchfield. "I have to treat it like it is reality.

"The BLM is participating with the counties, looking for ideas of how to stimulate the economy and what we can do to improve quality of life, bring in industry and explore ideas for creating economic well-being."

Grazing permits have remained steady with minimal changes since the monument was created, Crutchfield noted. Actual stocking numbers do rise and fall, he acknowledged, but that's due to forage availability, which fluctuates with rain.

And the BLM insists it accommodates commercial activity on the monument.

"We keep hearing that filming is not allowed, [that] we killed the film industry on the monument," Crutchfield said. "There are restrictions on the size of productions. You are not going to have a 'Ben Hur' movie. But we have companies come in all the time shooting."

The monument, meanwhile, has more than tripled the number of special recreation permits for commercial guiding since 2000 to more than 110.

All the permits have gone to local small businesses — including Escalante Canyon Guides, Excursions of Escalante and High Adventure — based in nearby towns, rather than the corporate concessionaires associated with national parks.

Since the monument's creation, Garfield has become Utah's most tourism-dependent county, with more than half the economic activity linked to serving visitors, according to state economic data.

"I must be the worst [public affairs officer] ever," Crutchfield said. "I keep hearing you can't ride ATVs, you can't hunt. For 10 years we have been trying to get the word out. We want the public out there enjoying public lands."

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A 'second Moab' • While federal land managers point to tourism growth in the monument, Escalante old-timers argue tourism isn't enough to sustain their community.

"For business owners, that might be where the future lies, but not for the people who work for them," said Link Chynoweth, a fifth-generation rancher and a Mormon bishop. "It's a pretty delicate balance to keep the community alive and thriving, but how many jobs do you want to come here before you change the characteristic of the town?"

Garfield County's largest employer is now Ruby's Inn at the entrance to Bryce Canyon, where many of the 400 workers are from Eastern Europe.

"You can't tell me those wages are circulating here in the economy," said Justin Fischer, the county's economic-development director.

And some fear the coming of a "second Moab," a one-time uranium boomtown that has become the West's top recreation mecca at a steep cost to the quality of life for locals.

Once smaller than Escalante, Moab is seen as a victim of its own success at attracting visitors, which numbered 2.5 million last year. Traffic crowds its streets and nearby national parks. Full-time residents have few places to live as the housing stock converts to second homes and vacation rentals. And services and infrastructure are overrun.

"Look at them now. That's sad," said Shannon Steed, an Escalante native whose brothers operated a lumber mill outside of town until it shuttered a decade ago, taking three dozen jobs with it. "It's coming. People don't like Moab and they come here."

Still, even Steed is cashing in on the tourism trade — and restoring the town's architectural heritage while he's at it. He runs a popular steakhouse and hosts bus tours and a guest ranch in renovated structures on the historic Hobe Alvey farm.

He and his wife, Jennifer, renovated the 77-year-old cinema in the center of town and opened it July 4 as the Escalante Showhouse, where they serve meals and stage performances. On opening night, the Showhouse hosted Escalante's Class of 1975 high school reunion, whose members were graduating around the last time a movie was screened in the building.

A huge American flag hangs on the back stage, which is framed with a proscenium covered in ancient lumber Steed salvaged from Alvey barns. He crafted the tables and counters from the building's 2-by-10-inch floor joists.

"I should get notice that I'm the biggest recycler in Escalante," he joked while showing off his building. "I don't know what in Sam Hill I'm going to do with 185 vintage seats."

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Subject:	NY Times Bob Semple Column: President Obama's Eleventh-HourConservation Efforts

NY Times Bob Semple Column: President Obama's Eleventh-HourConservation Efforts

Alpine Lakes in the Boulder-White Clouds area of Idaho.

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THE PEW CHARITABLE TRUSTS, VIA PR NEWSWIRE

By ROBERT B. SEMPLE Jr.
AUGUST 14, 2015

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Shortly before leaving town for the summer, Congress approved – and President Obama happily signed into law – three bills that, taken together, will preserve as permanent wilderness roughly 275,000 acres of spectacular mountain terrain in Idaho known as Boulder-White Clouds. This was a rare moment for a Congress that has been far more interested in party infighting than environmental stewardship, and a tribute to the perseverance of one person, Congressman Mike Simpson, Republican of Idaho, who spent years engaging with local officials, ranchers, hunters, tribes, off-road vehicle enthusiasts and other stakeholders.

What has not been widely noticed, however, is that the bill's success also owed something to widespread fears in Idaho (and in Congress) that if Congress did not act, Mr. Obama would use his powers under the Antiquities Act to declare Boulder-White Clouds a national monument. Such a declaration would offer fewer protections than wilderness designation but would cover a much larger area, greatly reducing access to trails beloved of Idaho's motorcyclists and snowmobilers. So great was this threat that the off-roaders and others in deeply conservative Idaho who despise federal intervention of any sort were persuaded to accept Mr. Simpson's more modest scheme.

It is heartening to see Mr. Obama making more use of the Antiquities Act in his final years in office (if only as a threat), much as Bill Clinton did near the end of his presidency. It is an excellent conservation tool. The Act, first used by President Theodore Roosevelt in 1906, allows a president on his own hook to protect endangered areas of great natural or historic significance when Congress is unlikely to act. Originally at the urging of John Podesta, who functioned for a while as his chief adviser on environmental matters, and lately at the urging of Sally Jewell, his Secretary of the Interior, Mr. Obama has now established 19 monuments, three short of Mr. Clinton's tally. His most recent designations cover 700,000 acres in east-central Nevada, 330,00 acres in Northern California and a small site of archeological significance in Texas. (In fact the White House is now claiming that Mr. Obama has protected more territory under the Act than any other president. This is technically true although most of the 260 million acres of public land and waters he has protected came from adding to a protected marine monument in the Pacific already established by his predecessor, George W. Bush.)

There are at least two more monuments we would recommend to Mr. Obama before he retires. One, known as the California Desert, would add more than a million acres to already-protected lands in southeastern California. This is likely to be relatively uncontroversial since it has the backing of both California senators.

The other one, which would cover 1.9 million acres of in the so-called Bears Ears region of southeastern Utah, could be hugely controversial and will take a good deal of preparation and Presidential courage to pull off. Off-roaders and the oil and gas industry covet the area, and many politicians and citizens in in Utah are still smarting over Bill Clinton's creation in 1996 of the Grand Staircase-Escalante National Monument without first engaging local officials in meaningful talks. Among the most outspoken opponents of the Antiquities Act is Utah's Rob Bishop, a Republican who runs the House Natural Resources Committee and who engineered House approval of a bill that would strip Mr. Obama or any future president of the power to act unilaterally under the Act.

Still, Bears Ears contains some of America's most stunning redrock landscapes and many sites of incomparable archeological value. The area as a whole is venerated by several Native American tribes who support the monument idea. Establishing a Bears Ears monument would greatly enhance Mr. Obama's late-blooming reputation as a committed conservationist.

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Conversation Contents

Deseret News: Future of Utah's public lands rests with Bishop, Jewell and Obama

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Subject:	Deseret News: Future of Utah's public lands rests with Bishop, Jewell and Obama

Future of Utah's public lands rests with Bishop, Jewell and Obama
Deseret News
At right, United States Secretary of the Interior **Sally Jewell** meets with the Deseret Media Companies Editorial Board in Salt Lake City, Wednesday, ...

On Friday, August 7, 2015, Kershaw, Jessica <jessica_kershaw@ios.doi.gov> wrote:

Stacie Scott/Deseret News

KSL.com: Initiative prompts youth to protect public lands

By Katie McKellar | Posted Aug 7th, 2015 @ 7:17am

10 photos 6

SALT LAKE CITY — U.S. Interior Secretary Sally Jewell joined Mayor Ralph Becker on Thursday to announce Salt Lake City's part in a national initiative to connect children with nature and inspire the next generation of outdoor stewards to protect the nation's natural environment.

"This is about the future of public lands," Jewell said. "We have a very important role to play so that these young people have a chance to learn and appreciate just how much there is for them to not only enjoy, but also to protect for years to come."

Jewell's visit was set against a backdrop of political unrest, with Utah's top politicians worried that a new monument designation in Utah is a mere ink-stroke away under President Barack Obama's authority to shield Utah lands from development.

Thursday's announcement came a day after Jewell told the Deseret News and KSL editorial boards that she can't control the president's pen, but any plan to create a new national monument in Utah will be transparent and open to local input.

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Jewell said she had also met with Gov. Gary Herbert on Wednesday to "reinforce" the idea that she welcomes ongoing conversations about Rep. Rob Bishop's Public Lands Initiative, which Utah's congressional delegation fears could be unraveled by Native American

tribes pushing for a national conservation area to protect the Bears Ears region.

Monday, Herbert and Utah's congressional delegation sent letters to Jewell and Obama protesting the designation of a new monument in Utah and urging support of Bishop's initiative. Jewell said she's still waiting to see details of Bishop's plan, but she's looking forward to seeing it as soon as it's ready, "even if it's not fully baked," she said.

Herbert's spokesman, Jon Cox, said in a statement issued Thursday that during his meeting with Jewell, the governor "reiterated his opposition" to a unilateral national monument designation in Utah.

Cox said Herbert also expressed support for the Public Lands Initiative and "encouraged the Obama administration to engage as partners in the open, collaborative process with all stakeholders, including local, state, Native American, environmental, and business leaders."

Yansie Ozan, 10, pulls up puncturevine as part of the community service project at the Oxbow Restoration Site site in Salt Lake City on Thursday, Aug. 6, 2015. The Interior Department's leadership of first lady Michelle Obama's Let's Move! Outside initiative aims to encourage children to learn and work outdoors through opportunities on public lands. (Photo: Stacie Scott/Deseret News)

At the heart of Jewell's announcement Thursday was a goal to ensure the future of public land protections — even long after the current administration is gone, she said — and raising a generation of children who appreciate the outdoors is key to accomplishing that effort.

"We have an interesting dilemma going on in the country today," Jewell said. "The average child is spending 56 hours a week in front of a screen and is only getting, if they're lucky, 30 minutes a week in unstructured play outside.

"So how are they going to know that there are great jobs as park rangers, wildlife biologists and scientists?" she said. "How are they going to know that these places are worth protecting? … How are they going to know that the environment also deserves a seat at the table if they've never been exposed?"

That's why 50 U.S. cities were chosen to participate in the nationwide movement, as part of first lady Michelle Obama's Let's Move! Outside initiative. Salt Lake is the 25th city to join the program.

The effort, funded as part of a $5 million contribution from the American Express Foundation, will provide two years of funding for the YMCA of Northern Utah to create a community coordinator position to facilitate collaboration and increase participation in outdoor programs on public lands in Salt Lake City.

Jewell also announced grants of more than $258,000 to organizations throughout Utah, including the Utah Conservation Corps, Grand Staircase Escalante Partners, River Restoration Adventures for Tomorrow, and the American Conservation Experience.

Other efforts to expand children's opportunities to connect with nature include the president's Every Kid in a Park initiative to provide all fourth-graders and their families with free admission to national parks and public lands for a full year.

"We want every child — no matter how urban they are, no matter where they live — to have that experience," Jewell said.

Related

Interior Secretary Sally Jewell addresses Utah monument fears

Interior Secretary Sally Jewell said flatly she doesn't control President Barack Obama's pen when it comes to any new monument designation in Utah, but she insists there's no plan to sneak around Utah and create one under the "cloak of darkness."

Becker thanked the Interior Department and its partners for selecting Salt Lake City, which he said has easy access to "underappreciated" natural areas such as the Jordan River, Wasatch Mountains and Great Salt Lake.

The morning before the announcement, Jewell had joined Becker for two hikes up Big Cottonwood Canyon. She has said that Mount Timpanogos, Zion National Park's Narrows and Delicate Arch are among her favorite hikes in Utah.

"Kids too often do not have experience associated with this incredible natural world around us," Becker said. "This effort of connecting kids to nature means there will be less screen time spent for kids and more time spent exploring the great outdoors."

After the announcement, Jewell and Becker joined a group of volunteers and YMCA summer camp children help clean up park areas around Jordan River.

"This is about a continuum, and it starts with play," Jewell said. "Just let them play. Let them climb a tree. … Let them have a good

time, and that's what the YMCA is going to facilitate here in Salt Lake City on these beautiful public lands."

On Fri, Aug 7, 2015 at 5:37 PM, Kershaw, Jessica <<a>jessica_kershaw@ios.doi.gov> wrote:

St. George Spectrum: Protecting Utah by modernizing the Antiquities Act

Sen. Mike Lee Guest Editorial *9:09 a.m. MDT August 7, 2015*

Mike Lee

(Photo: SUBMITTED)

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Mere months before he was re-elected in 1996,President Bill Clinton surprised the entire state of Utah by designating 1.9 million acres of federal land in Utah as the Grand Staircase-Escalante National Monument.

Not only did Clinton fail to consult Utah stakeholders about this designation, he didn't even bother coming to the state to make the designation. Instead he signed the proclamation in Arizona in sight of theGrand Canyon.

Clinton's use of the Antiquities Act to designate the monument, and many others, was a huge hit with his wealthy environmentalist donors in California and New York. But here in Utah, the designation only created frustration and mistrust towards the federal government - feelings that continue to this day.

The Antiquities Act was never meant to be used in this way. Passed in 1906 after widespread looting of archeological sites in federal land in the Southwest, the four paragraph bill gave President Theodore Roosevelt the power to declare "historic landmarks, historic and prehistoric structures, and other objects if historic interest on federal land."

Establishing its originally intended narrow scope, the act also directs the president to limit each designation to the "smallest area compatible with proper care and management of the objects to be protected."

Unfortunately, presidents from both sides of the aisle have ignored this limitation by designating 140 monuments covering more than 285 million acres of land.

And it appears President Obama not only wants to add to these totals, but he wants to add to them right here in Southern Utah.

Just last month Bureau of Land Management officials met with tribal leaders to reportedly discuss another monument listing. Noticeably absent from these meetings were any other local stakeholders including local officials, businesses and residents.

While Department of Interior Secretary Sally Jewell has told many state leaders that Obama will not spring an Antiquities Act designation on Utah the way Clinton did, Utahns should not have to take Obama's word for it, and they should not be at the mercy of the whim of future presidents either.

This is why I have introduced the Antiquities Modernization Act in the Senate. This bill would both preserve the original Antiquities Act intent by continuing the president's power to designate monument sites that need protection, while also giving local communities a say in the process.

If the Antiquities Modernization Act were to become law, presidents could still move quickly to protect parcels of federal land, but any such designation would only be temporary. To make any Antiquities Act designation permanent, a president would then need to win approval for the new monument from both the state where the land resides and from Congress.

This legislation would both end top-down Washington land grabs and encourage a new ground-up, open, and public process that maximizes input from all the stakeholders involved.

On Thu, Aug 6, 2015 at 7:51 PM, Kershaw, Jessica <<a>jessica_kershaw@ios.doi.gov> wrote:

UT-Fox Affiliate: Utah could still get a new national monument

POSTED 4:18 PM, AUGUST 6, 2015, BY BEN WINSLOW

Utah is blessed with some of the most beautiful lands in the world. Thousands of tourists come from around the world every year to see such sites Goblin Valley State Park, Mirror Lake in Uinta National Forrest, and Antelope Island State Park. Each of these precious places was protected by either an act of Congress or the Utah State Legislature. Utahns have a long history of working with the federal government to best protect our most treasured lands.

Public lands management always works better when local, state, and federal government agencies work together. Under current law, Antiquities Act designations only undermine such agreements.

By passing the Antiquities Modernization Act, we can ensure that future federal lands management is done in as inclusive a manner as possible.

To contact Utah Sen. Mike Lee, go to his official website at lee.senate.gov.

http://www.thespectrum.com/story/opinion/2015/08/07/mike-lee-utah-antiquities-act/31256811/

SALT LAKE CITY — Interior Secretary Sally Jewell said she cannot rule out the possibility of the Obama administration creating a new national monument in Utah.

"Monuments are up to the president," Jewell said Thursday. "I will tell you that there has been interest in monument designations in Utah."

Jewell spoke to reporters at an event in Salt Lake City, where she announced a new private/public partnership to encourage kids to put down the video games and step away from screens and get outdoors. She was joined by Salt Lake City Mayor Ralph Becker in launching the initiative, which includes free passes to national parks for every fourth grader in the nation.

Late Wednesday, Jewell met with Governor Gary Herbert. FOX 13 is told the governor reiterated his opposition to a unilateral monument designation by President Obama.

"Gov. Herbert is proud of our state's beautiful public lands and recognizes the many opportunities and challenges they present. In a meeting with Secretary Jewell last night, the governor reiterated his opposition to a unilateral national monument designation in Utah," Herbert spokesman Jon Cox wrote in an email. "He also expressed his support for the Public Lands Initiative and encouraged the Obama Administration to engage as partners in the open, collaborative process with all stakeholders, including local, state, Native American, environmental, and business leaders."

Many in Utah are still fuming over President Bill Clinton's creation of the Grand Staircase-Escalante National Monument in 1996.

"I don't control the president's pen," Jewell told FOX 13. "But I can tell you that we have been committed to a process of listening to multiple voices in all the monuments we've been creating."

Interior Secretary Sally Jewell speaks at a news conference in Salt Lake City on Thursday.

Jewell pointed to Rep. Rob Bishop's public lands initiatives involving multiple stakeholders, but she said the Interior Department had yet to see a formal plan put forward by the Utah congressman.

One area considered for a national monument designation is "Bears Ears" in southeastern Utah. The idea of a conservation area or national monument has been backed by some Native American groups.

"We will continue to work the legislative, congressional process," said Willie Grayeyes, the chairman of the Utah Diné Bikéyah, which supports Bears Ears. "On the other hand, if nothing comes through at the very end, we might go with the president."

A map of the proposed Bears Ears Conservation Area/National Monument.

In the ongoing battle over control of federal lands in Utah, the Interior secretary called the idea pushed by some state lawmakers of suing for control of federal lands “a waste of time.”

“I think that much of the talk of taking over federal lands is very naive, in terms of recognizing the cost the American taxpayer pays generally into these states and what it might look like if they didn’t have that,” Jewell said. “We are not willing to sell public lands to the highest bidder and we’re not willing to stand back and give them away.”

Rep. Ken Ivory, R-West Jordan, who has urged his colleagues in the Utah State Legislature to sue for control of federal lands said in a statement Thursday that federal policies have failed.

“One size fits all management of our diverse and unique lands by bureaucrats thousands of miles away has failed miserably. Under bureaucratic federal control, millions of our forested acres go up in smoke every year, killing wildlife by the millions, polluting our air, destroying our water quality and ruining blue ribbon fisheries and habitat for generations,” he wrote in a statement to FOX 13. “Protecting the health and welfare of our lands and communities may seem like ‘a waste of time’ to some Washington DC bureaucrats, but to those of us who live here it’s our lives and our livelihoods at stake.”

The Utah Attorney General’s Office has said whether or not to pursue a lawsuit is under consideration.

On Thursday, August 6, 2015, Kershaw, Jessica <<a>jessica_kershaw@ios.doi.gov> wrote:

AP-UT: Obama official: Any plans for Utah monuments will be open

Michelle L. Price, Associated Press Updated 2:42 pm, Thursday, August 6, 2015

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SALT LAKE CITY (AP) — U.S. Interior Secretary Sally Jewell said Thursday that she can't guarantee President Barack Obama won't designate a new national monument in Utah, but any move to do so will be open and involve local input.

Jewell, who was in Salt Lake City to announce a community service project connecting children with the outdoors, told reporters that Utah has public lands in need of additional protections but that the Obama administration wants to see what steps Congress takes to protect those wild spaces.

Gov. Gary Herbert, members of Utah's all-Republican congressional delegation and local officials have feared for years that Obama will use broad authority under the 1906 Antiquities Act to protect swaths of Utah land from any development,

"The president controls his own pen. I don't control the president's pen," Jewell told reporters on Thursday. "But I can tell you that we have been committed to a process of listening to multiple voices on all the monuments that we've been creating, and I haven't had any indication that that would not continue to be the case."

Two decades ago, President Bill Clinton used the presidential fiat to set aside nearly 2 million acres in southern Utah as the Grand Staircase-Escalante National Monument, something that still draws the ire of local residents and politicians who complain they weren't consulted and that the designation closes off too much land to development.

Their fears of another monument in Utah were revived recently after a July meeting that U.S. Interior Department officials held in southeastern Utah with tribal officials who are pushing for a national conservation area or monument to protect the Bears Ears region, which includes sacred and archaeological sites for a number of tribes.

Environmental groups and others have also pushed for Obama to protect 1.8 million acres in southeastern Utah's Greater Canyonlands region near Moab as a national monument.

On Monday, Herbert and Utah's congressional delegation sent letters to Obama and Jewell opposing any plans to designate a monument in Utah and to instead urged their support of a comprehensive public lands plan that U.S. Rep. Rob Bishop, R-Utah, is working on. Through meetings with county officials, environmentalists, energy developers and others, Bishop is mapping out a land plan for Utah that he says will balance protection, energy development, recreation and other uses.

He has been working on the initiative since 2012 and plans to unveil it as legislation in September, his spokesman Lee Lonsberry said Thursday.

Jewell, whose department is in charge of about 46 percent of Utah's land, said Thursday that she's still waiting to see what Bishop's plan entails.

Some Utah lawmakers and local officials aren't waiting around for Bishop's effort and are instead looking for a legal fight for control of the state's public land.

Utah passed a 2012 law demanding the U.S. hand over control of about 30 million federal acres by 2015.

That deadline quietly passed with the federal government ignoring the ultimatum, as many officials and locals predicted. Utah legislators then hired lawyers and a public policy firm who are working to craft a court case and public relations campaign for the fight by the end of this year.

Jewell on Thursday said that's "a waste of time" and "very naive" talk that doesn't recognize the role the federal government plays and what it would look like if the state took over.

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On Monday, August 3, 2015, Kershaw, Jessica <<a>jessica_kershaw@ios.doi.gov> wrote:

Deseret News: Herbert pleads with Obama to stop any new monument designations in Utah

By Amy Joi O'Donoghue, Deseret News
Published: Monday, Aug. 3 2015 12:15 p.m. MDT
Updated: 1 hour ago

Print | Font [+] [-] | 34 Comments »

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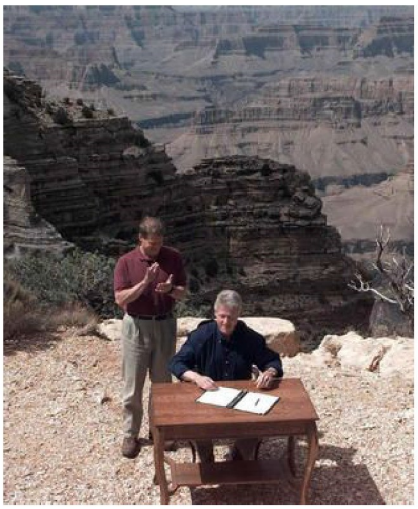

President Bill Clinton signs an order in Grand Canyon National Park in Arizona to designate a vast canyonland in Utah, including Grand Escalante Staircase, a national monument Sept. 18, 1996, while Vice President Al Gore watches. The area holds one of the largest known US coal reserves which is now off limits for mining.

LUKE FRAZZA, AFP

View 6 photos »

SALT LAKE CITY — Utah Gov. Gary Herbert wrote a letter to President Obama on Monday, urging the president to refrain from any new monument designations in the state.

"There is a right way and a wrong way to determine land management decisions," he said. "Unilateral monuments are the wrong way. Ground up, open, public processes are the right way."

Herbert noted the 1996 designation by then-President Bill Clinton creating the Grand Staircase-Escalante National Monument, an action that still stings.

"Nearly two decades later, this designation continues to be a source of mistrust, frustration and acrimony toward the federal government among local residents," he said. "I am certain that another presidential monument in Utah will likewise result in decades of resentment and conflict."

Cody Stewart, Herbert's policy adviser, said the letter is in response to the continuing swirl of rumors and conjecture that a monument designation looms for Utah.

"There's always rumors out there, which is what is so troubling and frightening about this form of approach," Stewart said. "All you hear is the rumors until it happens. ... We want to make sure again that the flag is planted and that the president has no question about Gov. Herbert's position on this issue."

In his letter, Herbert urged the administration to back off any unilateral decision, saying such a move would make it more difficult to implement public land policies in the long run.

Instead, the governor asked the president to let the Public Lands Initiative process play out that is being shepherded by Utah Republican representatives Rob Bishop and Jason Chaffetz.

That effort has drawn together more than 100 parties of diverse interests trying to forge land-use solutions for a large chunk of eastern Utah, Herbert said.

"The relationships among these groups are historically strong, positioning us to work together on a range of public-land issues in the coming years," he said.

Summary

In a letter penned to President Obama on Monday, Utah Gov. Gary Herbert urged that no new monument designations be made in the state. The letter references the angst still felt in Utah over the last designation in 1996.

More Coverage

Does secret southern Utah meeting mean feds are plotting new national monument?

Obama has designated 19 new national monuments since he took office seven years ago, the most recent being a trio of designations in July in states that included Utah's neighbor, Nevada.

The move brought howls of protest from Republicans, most notably Bishop, who is chairman of the U.S. House Natural Resources Committee.

The letter also comes in advance of a visit this week by Interior Secretary Sally Jewell, who is slated to participate in a discussion as part of the Outdoor Retailer Summer Market in Salt Lake City.

Jewell oversees multiple land management agencies that include the National Park Service, which has more than 400 units that host 275 million visitors each year.

Utah's National Park System includes five national parks, six national monuments and one national recreation area and historic site.

http://www.deseretnews.com/article/865633739/Herbert-pleads-with-Obama-to-stop-any-new-monument-designations-in-Utah.html?pg=all

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Conversation Contents

TWS Too Wild To Drill Report being released tomorrow

Nada Culver <nada_culver@tws.org>

From:	Nada Culver <nada_culver@tws.org>
Sent:	Tue Aug 11 2015 15:18:43 GMT-0600 (MDT)
To:	"nkornze@blm.gov" <nkornze@blm.gov>
Subject:	TWS Too Wild To Drill Report being released tomorrow

Hi Neil – I wanted to let you know that The Wilderness Society will be releasing a new version of our Too Wild To Drill report on Wednesday.

We've identified 6 places that are particularly threatened, where we hope BLM (among others) will take action to protect important wildlands from potential development: Alaska's Arctic National Wildlife Refuge, Colorado's Thompson Divide and Grand Junction Field Office, Montana's Badger-Two Medicine, and Utah's Bears Ears and Desolation Canyon.

I also wanted to emphasize that we discuss places like the Roan Plateau as success stories; and efforts such as the South Park and Dinosaur Trail MLPs are highlighted in the section on how BLM can commit to conservation as part of planning for energy development. We hope to bring attention to the many efforts underway to meet the challenge of multiple use management on BLM lands.

The links below will be live tomorrow morning in conjunction with our release at 10:00 a.m. mountain time:
PDF of Report: https://wilderness.org/sites/default/files/TooWildtoDrill.pdf
Web piece: https://wilderness.org/toowildtodrill

We hope you find the report helpful.

Nada Culver
Senior Counsel and Director, BLM Action Center
The Wilderness Society
1660 Wynkoop, #850
Denver, CO 80202
Main: 303-650-5818
Direct: 303-225-4635
Nada_Culver@tws.org

"Kornze, Neil" <nkornze@blm.gov>

From:	"Kornze, Neil" <nkornze@blm.gov>

FOR COMMITTEE USE ONLY

Sent: Tue Aug 11 2015 15:19:55 GMT-0600 (MDT)
To: Nada Culver <nada_culver@tws.org>
Subject: Re: TWS Too Wild To Drill Report being released tomorrow

Thank you for the heads up. I hope you're well.

Neil

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> **Direct: 303-225-4635**
> Nada_Culver@tws.org

"Kornze, Neil" <nkornze@blm.gov>

From: "Kornze, Neil" <nkornze@blm.gov>
Sent: Tue Aug 11 2015 15:20:21 GMT-0600 (MDT)
To: BLM_WO_100 <bwo_100@blm.gov>
Subject: Fwd: TWS Too Wild To Drill Report being released tomorrow

---------- Forwarded message ----------
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AP-UT: Obama official: Any plans for Utah monuments will be open

"Kershaw, Jessica" <jessica_kershaw@ios.doi.gov>

From:	"Kershaw, Jessica" <jessica_kershaw@ios.doi.gov>
Sent:	Thu Aug 06 2015 15:36:33 GMT-0600 (MDT)
To:	Sally Jewell <SRJ2@ios.doi.gov>, Nikki Buffa <nicole_buffa@ios.doi.gov>, Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Blake Androff <blake_androff@ios.doi.gov>, Kate Kelly <kate_kelly@ios.doi.gov>, Kevin Thompson <kevin_thompson@ios.doi.gov>, "interior_press@ios.doi.gov" <interior_press@ios.doi.gov>, John Blair <john_blair@ios.doi.gov>, Terri Johnson <terri_johnson@ios.doi.gov>, Francisco Carrillo <francisco_carrillo@ios.doi.gov>, Stephenne Harding <stephenne_harding@ios.doi.gov>, Janice Schneider <janice_schneider@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Kevin Washburn <kevin.washburn@bia.gov>, Jonathan Jarvis <Jon_Jarvis@nps.gov>, James Anderson <jeanderson@blm.gov>, Sarah Harris <sarah.harris@bia.gov>, Maureen Foster <maureen_foster@nps.gov>
Subject:	AP-UT: Obama official: Any plans for Utah monuments will be open

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Michelle L. Price, Associated Press Updated 2:42 pm, Thursday, August 6, 2015

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By Amy Joi O'Donoghue, Deseret News
Published: Monday, Aug. 3 2015 12:15 p.m. MDT
Updated: 1 hour ago

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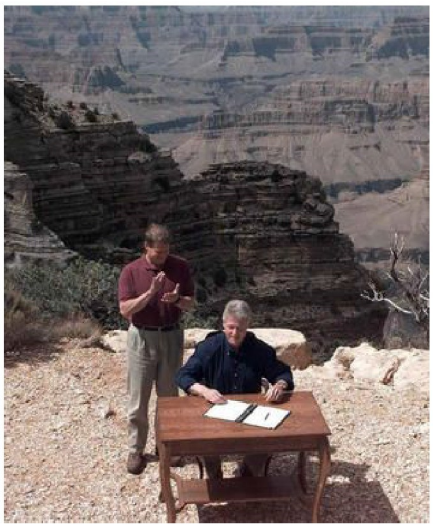

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Sent:	Thu Aug 06 2015 17:51:34 GMT-0600 (MDT)
To:	Sally Jewell <SRJ2@ios.doi.gov>, Nikki Buffa <nicole_buffa@ios.doi.gov>, Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Blake Androff <blake_androff@ios.doi.gov>, Kate Kelly <kate_kelly@ios.doi.gov>, Kevin Thompson <kevin_thompson@ios.doi.gov>, "interior_press@ios.doi.gov" <interior_press@ios.doi.gov>, John Blair <john_blair@ios.doi.gov>, Terri Johnson <terri_johnson@ios.doi.gov>, Francisco Carrillo <francisco_carrillo@ios.doi.gov>, Stephenne Harding <stephenne_harding@ios.doi.gov>, Janice Schneider <janice_schneider@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Kevin Washburn <kevin.washburn@bia.gov>, Jonathan Jarvis <Jon_Jarvis@nps.gov>, James Anderson <jeanderson@blm.gov>, Sarah Harris <sarah.harris@bia.gov>, Maureen Foster <maureen_foster@nps.gov>
Subject:	Re: AP-UT: Obama official: Any plans for Utah monuments will be open

UT-Fox Affiliate: Utah could still get a new national monument

POSTED 4:18 PM, AUGUST 6, 2015, BY BEN WINSLOW

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A map of the proposed Bears Ears Conservation Area/National Monument.

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"One size fits all management of our diverse and unique lands by bureaucrats thousands of miles away has failed miserably. Under bureaucratic federal control, millions of our forested acres go up in smoke every year, killing wildlife by the millions, polluting our air, destroying our water quality and ruining blue ribbon fisheries and habitat for generations," he wrote in a statement to FOX 13. "Protecting the health and welfare of our lands and communities may seem like 'a waste of time' to some Washington DC bureaucrats, but to those of us who live here it's our lives and our livelihoods at stake."

The Utah Attorney General's Office has said whether or not to pursue a lawsuit is under consideration.

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AP-UT: Obama official: Any plans for Utah monuments will be open

Michelle L. Price, Associated Press Updated 2:42 pm, Thursday, August 6, 2015

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Two decades ago, President Bill Clinton used the presidential fiat to set aside nearly 2 million acres in southern Utah as the Grand Staircase-Escalante National Monument, something that still draws the ire of local residents and politicians who complain they weren't consulted and that the designation closes off too much land to development.

Their fears of another monument in Utah were revived recently after a July meeting that U.S. Interior Department officials held in southeastern Utah with tribal officials who are pushing for a national conservation area or monument to protect the Bears Ears region, which includes sacred and archaeological sites for a number of tribes.

Environmental groups and others have also pushed for Obama to protect 1.8 million acres in southeastern Utah's Greater Canyonlands region near Moab as a national monument.

On Monday, Herbert and Utah's congressional delegation sent letters to Obama and Jewell opposing any plans to designate a monument in Utah and to instead urged their support of a comprehensive public lands plan that U.S. Rep. Rob Bishop, R-Utah, is working on. Through meetings with county officials, environmentalists, energy developers and others, Bishop is mapping out a land plan for Utah that he says will balance protection, energy development, recreation and other uses.

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Deseret News: Herbert pleads with Obama to stop any new monument designations in Utah

By Amy Joi O'Donoghue, Deseret News
Published: Monday, Aug. 3 2015 12:15 p.m. MDT
Updated: 1 hour ago

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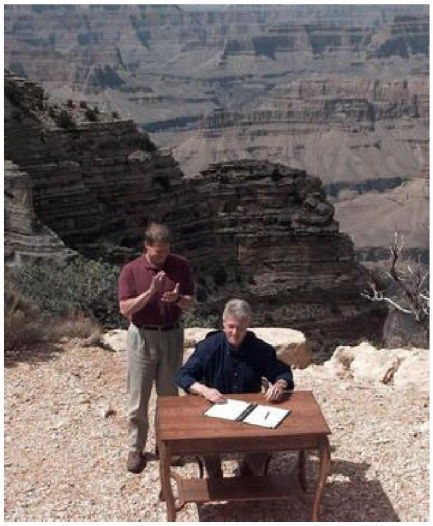
SALT LAKE CITY — Utah Gov. Gary Herbert wrote a letter to President Obama on Monday, urging the president to refrain from any new monument designations in the state.



President Bill Clinton signs an order in Grand Canyon National Park in Arizona to designate a vast canyonland in Utah, including Grand Escalante Staircase, a national monument Sept. 18, 1996, while Vice President Al Gore watches. The area holds one of the largest known US coal reserves which is now off limits for mining.

LUKE FRAZZA, AFP

View 6 photos »

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"There's always rumors out there, which is what is so troubling and frightening about this form of approach," Stewart said. "All you hear is the rumors until it happens. ... We want to make sure again that the flag is planted and that the president has no question about Gov. Herbert's position on this issue."

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"Kershaw, Jessica" <jessica_kershaw@ios.doi.gov>

From:	"Kershaw, Jessica" <jessica_kershaw@ios.doi.gov>
Sent:	Fri Aug 07 2015 15:37:16 GMT-0600 (MDT)
To:	Sally Jewell <SRJ2@ios.doi.gov>, Nikki Buffa <nicole_buffa@ios.doi.gov>, Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Blake Androff <blake_androff@ios.doi.gov>, Kate Kelly <kate_kelly@ios.doi.gov>, Kevin Thompson <kevin_thompson@ios.doi.gov>, "interior_press@ios.doi.gov" <interior_press@ios.doi.gov>, John Blair <john_blair@ios.doi.gov>, Terri Johnson <terri_johnson@ios.doi.gov>, Francisco Carrillo <francisco_carrillo@ios.doi.gov>, Stephenne Harding <stephenne_harding@ios.doi.gov>, Janice Schneider <janice_schneider@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Kevin Washburn <kevin.washburn@bia.gov>, Jonathan Jarvis <Jon_Jarvis@nps.gov>, James Anderson <jeanderson@blm.gov>, Sarah Harris <sarah.harris@bia.gov>, Maureen Foster <maureen_foster@nps.gov>
Subject:	Re: AP-UT: Obama official: Any plans for Utah monuments will be open

St. George Spectrum: Protecting Utah by modernizing the Antiquities Act

Sen. Mike Lee Guest Editorial *9:09 a.m. MDT August 7, 2015*

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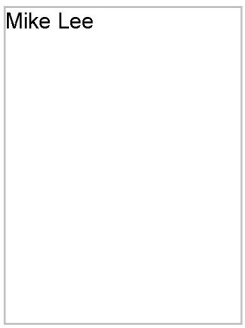
Mere months before he was re-elected in 1996,President Bill Clinton surprised the entire state of Utah by designating 1.9 million acres of federal land in Utah as the Grand Staircase-Escalante National Monument.

On Thu, Aug 6, 2015 at 7:51 PM, Kershaw, Jessica <jessica_kershaw@ios.doi.gov> wrote:

UT-Fox Affiliate: Utah could still get a new national monument



(Photo: SUBMITTED)

POSTED 4:18 PM, AUGUST 6, 2015, BY BEN WINSLOW

Not only did Clinton fail to consult Utah stakeholders about this designation, he didn't even bother coming to the state to make the designation. Instead he signed the proclamation in Arizona in sight of theGrand Canyon.

Clinton's use of the Antiquities Act to designate the monument, and many others, was a huge hit with his wealthy environmentalist donors in California and New York. But here in Utah, the designation only created frustration and mistrust towards the federal government - feelings that continue to this day.

The Antiquities Act was never meant to be used in this way. Passed in 1906 after widespread looting of archeological sites in federal land in the Southwest, the four paragraph bill gave President Theodore Roosevelt the power to declare "historic landmarks, historic and prehistoric structures, and other objects if historic interest on federal land."

Establishing its originally intended narrow scope, the act also directs the president to limit each designation to the "smallest area compatible with proper care and management of the objects to be protected."

Unfortunately, presidents from both sides of the aisle have ignored this limitation by designating 140 monuments covering more than 285 million acres of land.

And it appears President Obama not only wants to add to these totals, but he wants to add to them right here in Southern Utah.

Just last month Bureau of Land Management officials met with tribal leaders to reportedly discuss another monument listing. Noticeably absent from these meetings were any other local stakeholders including local officials, businesses and residents.

While Department of Interior Secretary Sally Jewell has told many state leaders that Obama will not spring an Antiquities Act designation on Utah the way Clinton did, Utahns should not have to take Obama's word for it, and they should not be at the mercy of the whim of future presidents either.

This is why I have introduced the Antiquities Modernization Act in the Senate. This bill would both preserve the original Antiquities Act intent by continuing the president's power to designate monument sites that need protection, while also giving local communities a say in the process.

If the Antiquities Modernization Act were to become law, presidents could still move quickly to protect parcels of federal land, but any such designation would only be temporary. To make any Antiquities Act designation permanent, a president would then need to win approval for the new monument from both the state where the land resides and from Congress.

This legislation would both end top-down Washington land grabs and encourage a new ground-up, open, and public process that maximizes input from all the stakeholders involved.

Utah is blessed with some of the most beautiful lands in the world. Thousands of tourists come from around the world every year to see such sites Goblin Valley State Park, Mirror Lake in Uinta National Forrest, and Antelope Island State Park. Each of these precious places was protected by either an act of Congress or the Utah State Legislature. Utahns have a long history of working with the federal government to best protect our most treasured lands.

Public lands management always works better when local, state, and federal government agencies work together. Under current law, Antiquities Act designations only undermine such agreements.

By passing the Antiquities Modernization Act, we can ensure that future federal lands management is done in as inclusive a manner as possible.

To contact Utah Sen. Mike Lee, go to his official website at lee.senate.gov.

http://www.thespectrum.com/story/opinion/2015/08/07/mike-lee-utah-antiquities-act/31256811/

SALT LAKE CITY — Interior Secretary Sally Jewell said she cannot rule out the possibility of the Obama administration creating a new national monument in Utah.

"Monuments are up to the president," Jewell said Thursday. "I will tell you that there has been interest in monument designations in Utah."

Jewell spoke to reporters at an event in Salt Lake City, where she announced a new private/public partnership to encourage kids to put down the video games and step away from screens and get outdoors. She was joined by Salt Lake City Mayor Ralph Becker in launching the initiative, which includes free passes to national parks for every fourth grader in the nation.

Late Wednesday, Jewell met with Governor Gary Herbert. FOX 13 is told the governor reiterated his opposition to a unilateral monument designation by President Obama.

"Gov. Herbert is proud of our state's beautiful public lands and recognizes the many opportunities and challenges they present. In a meeting with Secretary Jewell last night, the governor reiterated his opposition to a unilateral national monument designation in Utah," Herbert spokesman Jon Cox wrote in an email. "He also expressed his support for the Public Lands Initiative and encouraged the Obama Administration to engage as partners in the open, collaborative process with all stakeholders, including local, state, Native American, environmental, and business leaders."

Many in Utah are still fuming over President Bill Clinton's creation of the Grand Staircase-Escalante National Monument in 1996.

"I don't control the president's pen," Jewell told FOX 13. "But I can tell you that we have been committed to a process of listening to multiple voices in all the monuments we've been creating."

Interior Secretary Sally Jewell speaks at a news conference in Salt Lake City on Thursday.

Jewell pointed to Rep. Rob Bishop's public lands initiatives involving multiple stakeholders, but she said the Interior Department had yet to see a formal plan put forward by the Utah congressman.

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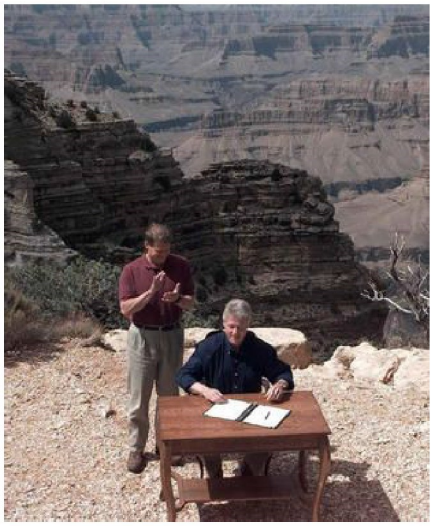

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LUKE FRAZZA, AFP

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FOR COMMITTEE USE ONLY

Congress of the United States
Washington, DC 20515

August 5, 2015

The Honorable Sally Jewell
Secretary of the Interior
Department of the Interior
1849 C Street, N.W. Washington, D.C. 20240

Dear Secretary Jewell,

We write to update the Department of the Interior (Department) on yesterday's historic public land management vote in San Juan County, Utah. Yesterday, the San Juan County Commission unanimously voted to endorse a land management plan that would result in the designation of more than 1,000,000 acres of land for conservation purposes. Included in this plan are designations for the world-renowned areas of Cedar Mesa, the Bears Ears Buttes, and Indian Creek (among many others).

The San Juan County Commission has been an active participant in the Utah Congressional delegation's Public Lands Initiative (PLI). To help guide and inform local officials and residents during the PLI process, a San Juan Citizen's Lands Council was formed. The Citizen's Council was composed of 10 – 12 San Juan County residents with varying interests from various areas of San Juan County. The Council, comprised of Navajo residents and other Native American representatives, conservationists, and multiple-use advocates, met 22 times from January 2014 – June 2015, held six public meetings, and considered dozens of alternatives as part of their deliberations.

Yesterday's 3-0 vote by the San Juan County Commission formally endorsed the Citizen's Council final alternative, known as Alternative 4. The Citizen's Council adopted Alternative 4 on June 15, 2015. Alternative 4 has been endorsed by San Juan County's only Native American Commissioner, Rebecca Benally, and nearly 200 different tribal members that represent all seven Utah Navajo Chapters.

Regretfully, yesterday's progress could be undermined if a National Monument were to be designated in Utah. Earlier this week, Utah Governor Gary Herbert sent a letter to President Obama expressing opposition to his use of the Antiquities Act in Utah. During the same work session, the San Juan County Commission passed a separate resolution opposing the creation of a National Monument within their county. We echo the sentiments expressed by Governor Herbert and San Juan County and oppose the use of the Antiquities Act in Utah. Local support does not exist and doing so would be detrimental to the larger PLI process.

It was been widely reported that a meeting was recently held in San Juan County, Utah involving high-ranking Department officials to discuss the future of public lands in the county. The perception that these officials attended the meetings in order to plan for an impending National Monument designation harms PLI and sends the wrong signal to stakeholders and the public. Furthermore, continued discussions involving the potential use of the Antiquities Act undermines public processes such as the

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PLI as they breed an atmosphere of distrust and discourages participants from working amicably to resolve conflict.

PLI will result in a legislative proposal that will help conserve the spectacular places in our state while protecting the interests of the people whose livelihoods depend upon multiple-use of public lands. We also hope that the Department will continue to make good on commitments to allow this locally driven process to move forward.

Sincerely,

Rob Bishop
Member of Congress

Jason Chaffetz
Member of Congress

Chris Stewart
Member of Congress

Mia Love
Member of Congress

Orrin Hatch
U.S. Senator

Mike Lee
U.S. Senator

Conversation Contents

Fwd: Bears Ears Letter

Attachments:

/285. Fwd: Bears Ears Letter/1.1 7.27.2015.Bears Ears.pdf

"Ellis, Steven" <sellis@blm.gov>

From:	"Ellis, Steven" <sellis@blm.gov>
Sent:	Tue Aug 04 2015 17:07:46 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>, James Anderson <jeanderson@blm.gov>
Subject:	Fwd: Bears Ears Letter
Attachments:	7.27.2015.Bears Ears.pdf

---------- Forwarded message ----------
From: **Ojeda-dodds, Gisella** <gisella_ojeda-dodds@ios.doi.gov>
Date: Tue, Aug 4, 2015 at 1:32 PM
Subject: Bears Ears Letter
To: Fay Iudicello <fay_iudicello@ios.doi.gov>
Cc: Kevin Washburn <kevin.washburn@bia.gov>, Jonathan Jarvis <jon_jarvis@nps.gov>, Steven Ellis <sellis@blm.gov>

Good Afternoon,

Attached, please find a letter dated July 27, 2015 from the Bears Ears Inter-Tribal Coalition.

Sincerely,

--

Gisella Ojeda-Dodds
Executive Assistant to Nikki Buffa, Deputy Chief of Staff
Immediate Office of the Secretary
U.S. Department of the Interior
1849 "C" Street, NW, MS: 7229-MIB
Washington, D.C. 20240
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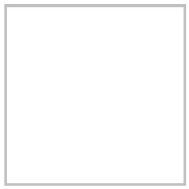
Facsimile: (202) 208-4561
E-mail: Gisella_Ojeda-Dodds@ios.doi.gov



"Treat the earth well: it was not given to you by your parents, it was loaned to you by your children. We do not inherit the Earth from our Ancestors, we borrow it from our Children."

- Tribe Unknown

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BEARS EARS
INTER-TRIBAL COALITION

A Coalition of the Hopi, Navajo, Northern Ute, Cochiti Pueblo, Ute Mountain Ute, and Zuni Tribes

July 27, 2015

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

Kevin K. Washburn
Assistant Secretary, Indian Affairs
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Butch Blazer
Deputy Under Secretary
for Natural Resources & Environment
Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Jonathan B. Jarvis
Director, National Park Service
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Steve Ellis
Deputy Director, Bureau of Land Management
Department of the Interior
1849 C Street NW, Rm. 5665
Washington, DC 20240

Dear Secretary Jewell, Assistant Secretary Washburn, Deputy Under Secretary Blazer, Director Jarvis, and Deputy Director Ellis;

Thank you again for coming out to Bears Ears last week. The Secretary had the vision to arrange that historic meeting and the four high officials made presentations, and engaged in many conversation before and afterward, that were strong, open, and greatly respectful of the tribes and their concerns. We can assure you that the Indian people at the gathering, and those who were unable to attend but learned of the occasion, were deeply moved by the way you presented yourselves. For us, and we hope for you, this is the tone that should be struck in federal-tribal relations.

We believe that this effort can be the ultimate model, the shining example, of what the government-to-government relationship can be—of how tribes and federal official can work together collegially and open-mindedly to resolve great public issues. For our part, we acknowledge obligations to you. There will be many details here, and we must act expeditiously in response to your requests and concerns. In that regard, we are glad that the creation of the Coalition will be efficient for you by having just one body to work with. We acknowledge the many demands on your time and must give you as much advance notice as possible. We have dreams for how this can be an extraordinary, uniquely compelling national monument, but we owe it to you to present reasonable proposals, ones that can work and work well in the real world.

As a result, the proposal we will present to you on October 15th will be ambitious but realistic and legally sufficient. In some areas, we will be making proposals that are new, for which there may be no direct precedent. How could it be otherwise? In more than a century since the Antiquities Act was passed, this is the very first proposed monument where the impetus comes from Indian country. So, while we will doubtless have exchanges before then, once our proposal is submitted we will want to have full and frank discussions with you about how modern sovereign Indian tribes can work collaboratively with you, not only to further tribal objectives but also to create a monument that will be a showcase for displaying all that this nation can achieve on its public lands.

Thank you once again for all you have done. We very much look forward to working with you.

Sincerely,

Alfred Lomahquahu
Hopi Vice Chairman
Office of the Vice Chairman
The Hopi Tribe
PO Box 123
Kykotsmovi, AZ 86039

Eric Descheenie
Executive Staff Assistant
Office of the President and Vice President
The Navajo Nation
PO Box 7440
Window Rock, AZ 86515

Co-Chairs, Bears Ears Inter-Tribal Coalition

cc: Nikki Buffa, Natasha K. Hale

Conversation Contents

SLT: Interior, tribal meeting sparks fear of new Utah monument designation

"Anderson, James" <jeanderson@blm.gov>

From:	"Anderson, James" <jeanderson@blm.gov>
Sent:	Tue Jul 28 2015 05:16:32 GMT-0600 (MDT)
To:	BLM_WO_100 <bwo_100@blm.gov>
Subject:	SLT: Interior, tribal meeting sparks fear of new Utah monument designation

Well reported, splashy headline notwithstanding...

Interior, tribal meeting sparks fear of new Utah monument designation

www.sltrib.com

Washington • The Interior Department said Monday that a recent meeting between federal officials and tribal leaders in southwestern Utah was part of a listening tour and downplayed questions of whether it could lead to a new national monument.

Assistant Secretary for Indian Affairs Kevin Washburn, National Parks Service Director Jonathan Jarvis, a deputy Bureau of Land Management official and an Agriculture Department undersecretary met earlier this month with tribal leaders who were pitching a plan to preserve about 1.9 million acres in the southeastern corner of Utah. The federal officials came at the request of the tribes, Interior press secretary Jessica Kershaw said Monday.

"The Obama administration is committed to engaging in meaningful government-to-government dialogue on a wide range of issues of importance to Indian country," Kershaw said, adding that administration officials regularly meet with tribes at their request and do not dictate the agenda.

Asked if such a meeting might hint at a new national monument designation, Kershaw said it was simply a meeting the federal officials were asked to attend.

"It demonstrates a commitment to working with the tribes on what they would like to see happen in that area," she said.

But the meeting, held in the shadow of the towering Bears Ears mesas, raised concerns about a possible new national monument designation by President Barack Obama, who has said repeatedly he will take advantage of the 1906 Antiquities Act to preserve treasured landscapes if Congress fails to act.

Such fears about a president's unilateral designations are rooted in President Bill Clinton's use of the Antiquities Act to set aside 1.8 million acres of southern Utah as the Grand Staircase-Escalante National Monument — a move he made without consulting local or state officials and which was announced from Arizona.

"It sounds hauntingly familiar to what a congressional committee called a behind-closed-doors breach of trust in the designation of the Grand Staircase-Escalante Monument in 1996," said state Rep. Ken Ivory, R-West Jordan.

Ivory, who also runs the American Lands Council and fights for state control of Western public lands, noted the Bears Ears meeting came on the heels of several monument designations by Obama in nearby states.

"It is a sad state," Ivory said, "when land use and land planning bypasses locally elected officials who are responsible for the conditions and health, safety and welfare of the land."

Leaders of the Navajo, Ute, Pueblo, Zuni and Hopi tribes gathered for the meeting in early July and were met by Washburn, Jarvis, BLM Deputy Director Steve Ellis and Butch Blazer, the Agriculture Department's undersecretary for natural resources and environment.

Washburn wrote in a blog post that the Obama administration is "listening carefully to the tribes."

"We look forward to working with tribal leaders who described to us their responsibility to honor the spirits of their ancestors who continue to animate this landscape and the equally important obligation to raise children — and future leaders — who share an unbroken connection, through this landscape, with their ancestors," Washburn wrote. "We share the desire of tribal leaders to protect sacred places and leave the Earth better than we found it."

The proposed Bears Ears National Conservation Area, backed by Utah's Navajos, stretches from the southern edge of Canyonlands National Park to the San Juan River and Glen Canyon National Recreation Area in the south, and from approximately U.S. Highway 191 on the east to the Colorado River on the west. The area west of Monticello, Blanding and Bluff includes Cedar Mesa, a region rich with archaeological treasures, including native burial sites and dwellings.

The tribe's proposal is larger than three other plans to expand federal land protections in the region — including the Greater Canyonlands notion from the Southern Utah Wilderness Alliance, four conservation areas pitched by the National Trust for Historic Preservation and another from Friends of Cedar Mesa.

Gavin Noyes, executive director of Utah Dine Bikeyah, a nonprofit aimed at preserving the Bears Ears area, said there was no discussion of the Antiquities Act during the July meeting and it was more an informative dialogue about the need to protect the land. Noyes said preservation, ideally, would be done through legislation.

"The intention of it, I think, it was for sovereign tribal nations to meet nation to nation with the [U.S.] government," Noyes said. "It wasn't to ask for a national monument but to say, 'We're really interested in protecting this area.' "

Noyes added that the meeting wasn't a secret — several Navajo newspapers covered the lead-up to the gathering — and that it was appropriate that the tribes brief government leaders on the sacred nature of — and threats to — lands under federal control.

Kershaw, the Interior spokeswoman, said that Interior Secretary Sally Jewell remains committed to working with the Utah congressional delegation and others to look for options on preserving lands that need protection.

tburr@sltrib.com

Conversation Contents

Deseret News - Does secret southern Utah meeting mean feds are plotting new national monument?

"Leff, Craig" <cleff@blm.gov>

From:	"Leff, Craig" <cleff@blm.gov>
Sent:	Sat Jul 25 2015 05:47:39 GMT-0600 (MDT)
To:	BLM_WO_100 <bwo_100@blm.gov>
Subject:	Deseret News - Does secret southern Utah meeting mean feds are plotting new national monument?

Does secret southern Utah meeting mean feds are plotting new national monument?

THE BEARS EARS, San Juan County — Several top federal officials from Washington quietly attended a "Gathering of the Tribes" put on last weekend by Native Americans in southeastern Utah, their presence made known only to a chosen few who were "sworn to secrecy."

It's the clearest signal yet that the Obama administration may be considering the creation of a huge national monument surrounding a place called the Bears Ears.

Administration officials joined Native American tribes who were meeting at the Bears Ears to show solidarity and support for protection of a 1.9 million acre region. It's studded with tens of thousands of archaeological jewels spread across a landscape of stunning red-rock scenery.

"It's for preserving this land as useful for the Native Americans, not for private use, or mining or oil and gas," said Navajo Nation member Phil Atene. "Leave it the way it is."

"It's the most sacred land," said Amos Holliday of the Navajo Nation.

The proposal is charged with controversy and any move by the Obama administration to unilaterally protect the region would likely set off an explosive political reaction. There are still bitter memories in southern Utah of a similar political uproar when President Bill Clinton designated the Grand Staircase-

Escalante National Monument in 1996.

"They're stealing our lands from us. I think we've been really good stewards of it," said Brent Johansen who represents a group of ATV enthusiasts called SPEAR, San Juan Public Entry & Access Rights, which stands in opposition to the protection plan.

"It's a fight," Johansen said. "It really is."

Among the Obama administration officials who attended the unusual inter-tribal gathering was Jonathan Jarvis, director of the National Park Service. Also in attendance were Steven A. Ellis, deputy director of the Bureau of Land Management, and Arthur “Butch” Blazer, deputy undersecretary of the U.S. Department of Agriculture.

Most of the hundreds of Native Americans who attended the colorful gathering at Bears Ears were unaware of the Washington delegation's presence.

"I was told it would be likely that some D.C. officials would show up," said Josh Ewing, executive director of the Friends of Cedar Mesa, one of a coalition of environmental groups and tribes supporting the protection plan. "I didn't know exactly who they would be, and we were all sworn to secrecy for the 'safety of the visitors.'"

The concern about safety may reflect the strong feelings stirred up by the prospect of Obama taking a hand in the battle.

"People would be upset. They would be unhappy," said San Juan County Commissioner Bruce Adams.

The 1.9 million acre Bears Ears proposal was rejected by the San Juan County Public Lands Council which is comprised of a variety of interest groups. The council did endorse a significantly smaller proposal.

"I think it protects absolutely the most important areas," Adams said.

The Bears Ears visit by the Obama administration officials was revealed days after the event in a news release from the Navajo Nation and in a blog posting by U.S. Assistant Secretary for Indian Affairs Kevin Washburn.

"We were struck by the personal stories of spiritual connection to this rugged land," Washburn wrote. "We share the desire of tribal leaders to protect sacred places and leave the earth better than we found it."

The inter-tribal gathering began at Bears Ears with a ceremonial ride by Navajo horsemen. More than a dozen riders ascended a dirt road that climbs to a notch between two prominent bluffs that dominate the landscape. The bluffs are known as the Bears Ears because they can be seen looming over a vast region, as

if a bear's ears were poking above the horizon.

The ceremonial ride reminded several of the Navajo riders of a revered war chief who led the Navajos during their tumultuous and ultimately tragic showdown with the federal government when Army troops drove them from their land in the legendary 1864 "Long Walk of the Navajo."

"Chief Manuelito, this was his camp area," said Atene as he dismounted at the Bear Ears gathering. "This was where they gathered herbs, firewood. We (still) get it from here."

"He was a great chief," said Holliday. "And what his clan is, I'm part of that clan. Most of these riders are the same clan as he was."

Much of the debate over protection, though, relates to a much more ancient culture — the Native American cliff-dwellers who occupied the region nearly 1,000 years ago.

"This is likely an ancestral pueblo handprint from 800, 900 years ago," Ewing said as he inspected several handprints in a natural red-rock alcove. He said experts have estimated that as many as 100,000 archaeological sites lie within the proposed protection zone, including cliff dwellings, granaries, pit houses and fire pits. He argued that the ancient treasures of Grand Gulch and Cedar Mesa are threatened by ATV riders and by potential oil and gas development.

"The goal here is to see this area permanently protected for future generations," Ewing said. "It's a very real possibility that this sacred place to Native Americans could become an industrial zone."

Some opponents claim that the protection plan was cooked up by environmentalists using Native Americans as "puppets."

"It just seems like a constant battle with them," Johansen said, "wanting to close more and more trails. It's just a fight, really. A lot of our group, this is the only way they can get out and enjoy the great outdoors. A lot of our older riders have oxygen tanks strapped to their machines and it's the only way they can get out and enjoy it."

Ewing disputes the notion that the tribes were recruited for the fight by environmental groups.

"They aren't puppets, it's an authentic voice," Ewing said. "Spending any time with Native American people on this landscape will convince you that there's a deep love, passion and respect for this place that is far beyond what I think any white person like me could ever have."

Ewing said the goal is not to ban ATVs entirely. "That should continue in this

area. But it needs to be better managed. It needs to be done more respectfully than it is right now."

As a commissioner Adams opposes any broad, new restrictions on oil, gas and mining.

"We're a mineral county. We've survived on the mineral extraction industry in this county," Adams said. He vowed to fight the plan "so that we who live here 365 days a year can survive, not like those who just come to visit and then leave and enjoy the place that they live in."

Adams fears that the county is at a disadvantage in the fight because Native American tribes and nations have a legal-institutional relationship with the federal government through the U.S. Bureau of Indian Affairs. "They have more influence on the federal government than the San Juan County Commission does," Adams said.

Members of at least six tribes attended the gathering at Bears Ears, including members of the Navajo, Ute, Pueblo, Zuni and Hopi tribes. In all, 25 tribes have endorsed the plan to protect the Bears Ears area and the homes and graves of many of their ancestors.

"It's really significant that there are so many cultures here," said Alfred Lomahquahu, vice chairman of the Hopi tribe. "You know the old cliche: divided we fall, united we stand. So that's what we're looking at now."

As he looked across the landscape surrounding Bears Ears, Eric Descheenie, executive adviser to the president of the Navajo Nation said, "Essentially, it's alive, and the rocks have beating hearts, and they breathe, just like you and I do. And a lot of that sounds like folklore, but the way indigenous people interpret our reality is that we do have a personal relationship with these items."

The ancient people who left behind most of the rich archaeological treasures are believed to be direct ancestors of the Pueblo tribe. But the gathering showed that many other tribes also feel a link to the land of the ancients.

"We all migrated through here at one time or another, each tribe," Lomahquahu said. "And we left a footprint here, and we still believe that our ancestors occupy those areas where we left our footprints."

Email: hollenhorst@deseretnews.com

--
Craig Leff
BLM Communications
202-208-6913 (office)

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202-549-9218 (cell)

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Conversation Contents

Fwd: Photos from Bears Ears Summer Gathering

Nicole Buffa <nicole_buffa@ios.doi.gov>

From:	Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent:	Wed Jul 22 2015 15:26:15 GMT-0600 (MDT)
To:	Jamey Anderson <jeanderson@blm.gov>, Neil Kornze <nkornze@blm.gov>, Sarah Harris <sarah.harris@bia.gov>, Steven Ellis <sellis@blm.gov>, Tommy Beaudreau <tommy_beaudreau@ios.doi.gov>, Maureen Foster <maureen_foster@nps.gov>, Jon Jarvis <jon_jarvis@nps.gov>, Kevin Washburn <Kevin.Washburn@bia.gov>
Subject:	Fwd: Photos from Bears Ears Summer Gathering

These are great photos.

Begin forwarded message:

> **From:** Tim Peterson <tpeterson@grandcanyontrust.org>
> **Date:** July 22, 2015 at 5:04:01 PM EDT
> **To:** <jon_jarvis@nps.gov>, <arthur.blazer@osec.usda.gov>, <kevin.washburn@bia.gov>, <nicole_buffa@ios.doi.gov>
> **Cc:** Ryan Bidwell <ryan@conservationlands.org>, Brian O'Donnell <Brian@conservationlands.org>, Gavin Noyes <utahdinebikeyah@gmail.com>, Natasha Hale <njohnson@grandcanyontrust.org>, Bill Hedden <bhedden@grandcanyontrust.org>, Charles F Wilkinson <Charles.Wilkinson@colorado.edu>, Mathew Gross <mathew@suwa.org>
> **Subject: Photos from Bears Ears Summer Gathering**
>
> Hi All,
>
> As promised, here some are of my photos from this weekend's gathering, plus a few scenic shots from inside the Bears Ears Cultural Landscape proposal (mostly mine, but others are by Tom Till, James Kay, Matt Miller, Jonathan Bailey and Ray Bloxham).
>
> https://goo.gl/photos/sGZeF6b9wERdb58t5

Here is a more comprehensive photo tour as well, all but #1 and #52 located within San Juan County are in the Bears Ears polygon:
http://gctrust.maps.arcgis.com/apps/MapTour/index.html?appid=ba1cb624dcfa46fca9341709bde690e7

Still more can be found here: http://www.bearsearscoalition.org/

I did not get cards from Steve or Jamie and don't have their emails - would one of you mind forwarding this to them?

Thanks so much to all of you for coming, I enjoyed meeting and talking with you all!

Thanks again,

Tim
--
Tim D. Peterson

Utah Wildlands Program Director
801 550 9861 - mobile
tpeterson@grandcanyontrust.org

Protecting the wild heart of the West since 1985

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Conversation Contents

Thank you for designating three new national monuments

"gwuerthner@gmail.com" <gwuerthner@gmail.com>

From:	"gwuerthner@gmail.com" <gwuerthner@gmail.com>
Sent:	Wed Jul 22 2015 10:34:06 GMT-0600 (MDT)
To:	<nkornze@blm.gov>
Subject:	Thank you for designating three new national monuments

Dear President Barack Obama, As someone who regularly visits our national parks and monuments, I cannot thank you enough for the new designations you created. I encourage you to use your authority and create additional national monuments before you leave office, including expansion of Canyonlands NP and Bears Ears proposed monument in Utah, Owyhee Canyonlands and Hart-Sheldon NWR expansions in OR. I am writing to thank you and your administration for recently designating three national monuments, and especially for protecting the incredible public lands of Nevada's Basin and Range and California's Berryessa Snow Mountain regions. The Basin and Range National Monument will preserve a region that is rich in historic, cultural, and natural resources—a treasure for Nevadans and all Americans. This designation will help safeguard irreplaceable Native American rock art and sacred tribal lands, shield habitat for at least two dozen threatened and endangered wildlife species, protect rare and sensitive plants, and preserve the area surrounding the expansive land artwork by Michael Heizer known as City. It is a place where old and new art come together for the appreciation and inspiration of future generations. The Berryessa Snow Mountain region is the crown jewel of Northern California's wild Inner Coast Range but until now lacked the protection it deserves. It is one of the most biologically diverse yet least known regions of the state. Safeguarding Berryessa Snow Mountain as a national monument will provide well-managed recreational opportunities and visitor education and will conserve the region's natural beauty, sensitive areas, wildlife, and rare plants for the enjoyment of future generations. Additionally, the Waco Mammoth National Monument will preserve prehistoric paleontological sites, allowing future generations to learn from the past. Thank you for listening to local residents, business owners, community and tourism leaders, elected officials, and citizens throughout the country who have asked you to protect more of our shared natural and cultural heritage. I applaud your action today and hope that we as a nation can work toward conserving even more of our most cherished wild landscapes during the remainder of your term. Sincerely, George Wuerthner PO BOX (b) (6) (b) (6) cc: Secretary Sally Jewell cc: Director Neil Kornze cc: The Honorable Tom Vilsack

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Conversation Contents

Foundation Inquiry

Attachments:

/291. Foundation Inquiry/1.1 image1.JPG

CARL D ROUNTREE (b) (6)

From:	CARL D ROUNTREE (b) (6)
Sent:	Tue Jul 21 2015 16:46:37 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>
Subject:	Foundation Inquiry
Attachments:	image1.JPG

Hello from the Pacific Northwest. Below is a shot of our current site on San Juan Island which will be home for a couple of more weeks before we head to Glacier NP. If looks a though you have been quite busy adding to my old portfolio which thrills me to no end. Now, if we can just get the entirety of the Bears Ears proposed NM and Gold Buttes, I'd even be more thrilled! Just wanted you to know that I was contacted by Phil Hansford who wanted me to speak with another of his colleagues, Joe Small, about a BLM Foundation. I shared with him our efforts to date -- the budget request seeking congressional approval for a foundation and some of the findings our research had turned up. I also suggested he contact your office -- Josh -- and Trevor Needham about their efforts. I wasn't sure what more you have done in further developing the concept, so I didn't share too much with him. I don't know why The Wilderness Society is conducting this inquiry, but getting them on board might help win some support from this quarter. Hope you are well and have many more monumental designations in your future asBLM Director. Carlos Sent from my iPhone

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Conversation Contents

Media - Navajo-Hopi Observer

"Leff, Craig" <cleff@blm.gov>

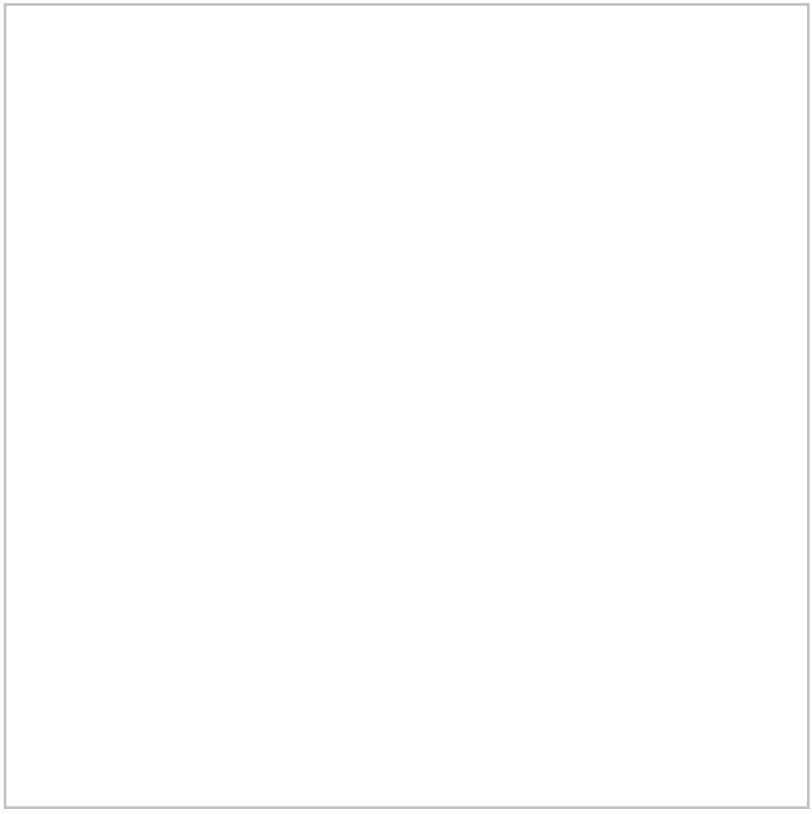
From:	"Leff, Craig" <cleff@blm.gov>
Sent:	Tue Jul 21 2015 14:22:14 GMT-0600 (MDT)
To:	BLM_WO_100 <bwo_100@blm.gov>
Subject:	Media - Navajo-Hopi Observer

Speaker Bates urges Obama administration to support the Bears Ears National Conservation Area/National Monument proposal

Navajo-Hopi Observer

BEARS EARS, Utah - Navajo Nation Council Speaker LoRenzo Bates took part in a historic meeting with federal officials urging the Obama administration to support the designation of 1.9 million acres of land in San Juan County in Utah as a national conservation area or monument.

Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse'Daa'Kaan, Upper Fruitland) met with officials from the U.S. Department of the Interior, National Park Service, U.S. Department of Agriculture, Bureau of Land Management, and tribes from the Bears Ears Coalition on July 17, urging the designation of the area as a National Conservation Area or National Monument.



Speaker LoRenzo Bates with federal officials and tribes from the Bears Ears Coalition at Bears Ears July 17. Submitted photo

The meeting took place outdoors at the Bears Ears area to allow federal officials to gain a firsthand perspective of the land base and to meet hundreds of local tribal members who gathered for the Bears Ears Inter-Tribal Gathering, an event hosted by the Bears Ears Coalition that focused on reconnecting the tribes with their ancestral land and traditional culture.

On March 12, the Navajo Nation Council's Naabik'iyáti' Committee unanimously passed a resolution in support of the federal designation of Bears Ears - ancestral home of many Southwestern Native American tribes.

According to the resolution, the area is the birthplace of Navajo Headman Manuelito. Navajo, Ute, Zuni, Hopi, and other Native American people depend on the land within the region to sustain their traditional livelihoods and cultural practices, such as hunting, gathering and ceremonial purposes. The Bears Ears National Conservation Area/National Monument proposal would also protect archaeological resources.

"Think back hundreds of years and imagine these lands occupied and being used to collect herbs, wood, and other resources that remain important to tribes today," Bates said. "The tribes here today are united and we ask the Obama administration to move this initiative forward."

Federal officials in attendance included U.S. Assistant Secretary for Indian Affairs Kevin Washburn, National Park Service Director Jonathan B. Jarvis, Deputy Under Secretary for Natural Resources and Environment with the U.S. Department of Agriculture Butch Blazer, Bureau of Land Management Deputy Director Steve Ellis, and U.S. Department of the Interior Deputy Chief of Staff Nikki Buffa.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii), who sponsored the legislation, previously stated that the initiative to protect the Bears Ears area was initiated by local Utah Navajos, but that the combined collective interest of tribes in the region, including Ute, Hopi, Hualapai, Zuni, and others only makes the proposal more viable.

The resolution also supports the establishment of collaborative management agreements between the tribes and the federal government to improve management and to strengthen the tribes' influence in the long-term management of the region.

The process to protect the region was initiated over five years ago by Utah Diné Bikéyah, a legally recognized non-profit organization in Utah created by a group of elders and traditional practitioners who came together over concerns for the aboriginal lands, particularly limitations placed on uses of the land for traditional and ceremonial uses.

Representatives from the Cochiti Pueblo, Hopi Tribe, Zuni Pueblo, and Ute Mountain Ute Nations were among the tribes who participated in the meeting with federal officials, each expressing their strong support of the initiative.

During the meeting, Bates also urged the tribal coalition to remain united throughout the process in order to achieve the ultimate goal of conserving the area.

"We are united in moving this forward, but I also recognize that there will be opposition," Bates said. "In order to get where we want to be, we need to remain unified and understand that it's not going to be easy."

Through the Antiquities Act of 1906, U.S. presidents are empowered to protect natural, historical, and cultural areas by designating them as national monuments - an option that tribes urge the Obama administration to act on before leaving office.

--

Craig Leff
BLM Communications
202-208-6913 (office)
202-549-9218 (cell)

Conversation Contents

FW: URGENT: Final Bears Ears admin invite letter for delivery

Attachments:

/294. FW: URGENT: Final Bears Ears admin invite letter for delivery/1.1 Bears Ears July 2015 Tribal Gathering Administration Invitation 061515 final.pdf
/294. FW: URGENT: Final Bears Ears admin invite letter for delivery/2.1 Bears Ears July 2015 Tribal Gathering Administration Invitation 061515 final.pdf

Felicita Koinva <FKoinva@hopi.nsn.us>

From:	Felicita Koinva <FKoinva@hopi.nsn.us>
Sent:	Tue Jun 16 2015 15:09:07 GMT-0600 (MDT)
To:	"•\ Neil Kornze" <nkornze@blm.gov>, "•\ Tom Tidwell" <ttidwell@fs.fed.us>, "•\ Kevin Washburn
Subject:	FW: URGENT: Final Bears Ears admin invite letter for delivery
Attachments:	Bears Ears July 2015 Tribal Gathering Administration Invitation 061515 final.pdf

Good afternoon Esteemed Agency Partners,

The attached letter serves as an official invite to the 2nd Bears Ears Inter-tribal meeting in San Juan County, UT from July 16-18th. We appreciate you taking the time to travel and participate in this critical meeting. We look forward to hosting you at this place that is deeply connected to the history of our people, and to sharing the vision we have to protect it. We look forward to a strategic and productive dialogue, and future meetings to continue the rich discussion I am certain we will have.

Currently, we are still circulating a strategic agenda among the various leaders for feedback. When it is finalized, my secretary will email you a copy.

Thank you,
Alfred Lomahquahu
Hopi Vice-Chairman

Neil Kornze <nkornze@blm.gov>

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From:	Neil Kornze <nkornze@blm.gov>
Sent:	Tue Jun 16 2015 16:26:39 GMT-0600 (MDT)
To:	Claudia B Walker <cbwalker@blm.gov>, Maritiza T Harris <mtharris@blm.gov>
CC:	Linda Lance <llance@blm.gov>, Steven A Ellis <sellis@blm.gov>, Jamey Anderson <jeanderson@blm.gov>, Jenna Whitlock <jwhitloc@blm.gov>, Bret Birdsong <bret.birdsong@sol.doi.gov>
Subject:	Fwd: URGENT: Final Bears Ears admin invite letter for delivery
Attachments:	Bears Ears July 2015 Tribal Gathering Administration Invitation 061515 final.pdf

Begin forwarded message:

From: Felicita Koinva <FKoinva@hopi.nsn.us>
Date: June 16, 2015 at 5:09:07 PM EDT
To: • Neil Kornze <nkornze@blm.gov>, • Tom Tidwell <ttidwell@fs.fed.us>, • Kevin Washburn <kevin. <washburn@bia.gov>, • Jon Jarvis <Jon_Jarvis@nps.gov>, • Leslie Jones <Leslie.Jones@osec.usda.gov>, • Nikki Buffa <nicole_buffa@ios.doi.gov>, • Michael Degnan
(b) (6) [redacted]
Cc: Dwayne Secakuku <DSecakuku@hopi.nsn.us>
Subject: FW: URGENT: Final Bears Ears admin invite letter for delivery

Good afternoon Esteemed Agency Partners,

The attached letter serves as an official invite to the 2nd Bears Ears Inter-tribal meeting in San Juan County, UT from July 16-18th. We appreciate you taking the time to travel and participate in this critical meeting. We look forward to hosting you at this place that is deeply connected to the history of our people, and to sharing the vision we have to protect it. We look forward to a strategic and productive dialogue, and future meetings to continue the rich discussion I am certain we will have.

Currently, we are still circulating a strategic agenda among the various leaders for feedback. When it is finalized, my secretary will email you a copy.

Thank you,
Alfred Lomahquahu
Hopi Vice-Chairman

FOR COMMITTEE USE ONLY

"Anderson, James" <jeanderson@blm.gov>

From:	"Anderson, James" <jeanderson@blm.gov>
Sent:	Tue Jun 16 2015 17:04:58 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>
CC:	Claudia B Walker <cbwalker@blm.gov>, Maritiza T Harris <mtharris@blm.gov>, Linda Lance <llance@blm.gov>, Steven A Ellis <sellis@blm.gov>, Jenna Whitlock <jwhitloc@blm.gov>, Bret Birdsong <bret.birdsong@sol.doi.gov>
Subject:	Re: URGENT: Final Bears Ears admin invite letter for delivery

Hi all -

(b) (5) [redacted]

Thanks,
Jamey

On Tue, Jun 16, 2015 at 6:26 PM, Neil Kornze <nkornze@blm.gov> wrote:

> Begin forwarded message:
>
> **From:** Felicita Koinva <FKoinva@hopi.nsn.us>
> **Date:** June 16, 2015 at 5:09:07 PM EDT
> **To:** • Neil Kornze <nkornze@blm.gov>, • Tom Tidwell <ttidwell@fs.fed.us>, • Kevin Washburn <kevin. <washburn@bia.gov>, • Jon Jarvis <Jon_Jarvis@nps.gov>, • Leslie Jones <Leslie.Jones@osec.usda.gov>, • Nikki Buffa <nicole_buffa@ios.doi.gov>, • Michael Degnan
> (b) (6) [redacted]
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--
James Anderson
Advisor to the Director
Bureau of Land Management
202-208-5996 (o)
202-748-1726 (c)

FOR COMMITTEE USE ONLY

June 15, 2015

Director Neil Kornze
Bureau of Land Management
1848 C St, NW
Washington, D.C. 20510

Chief Tom Tidwell
U.S. Forest Service
1400 Independence Avenue
Washington, D.C. 20250

Director Jon Jarvis
National Park Service
1849 C St. NW
Washington, D.C. 20510

Assistant Secretary Kevin Washburn
Department of Interior - Indian Affairs
1849 C St. NW,
Washington, DC 20510

Dear Esteemed Agency Partners,

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As Native Americans, we have enduring relations with this landscape through our history and cultural identity as Native People. On September 30, 2014, in a letter to President Obama and Utah's Congressional Delegation, the Hopi Tribe communicated its endorsement for permanent protection of the Bears Ears. Similarly, the Navajo, Hualapai, and all 20 Pueblos of the All Pueblo Council of Governors have endorsed conservation of Bears Ears as either a National Conservation Area or a National Monument. During our July meeting, we would like to discuss how we can achieve our shared conservation goals and elevate our role as Tribal Nations as partners in managing these lands.

Building on our prior interests and endorsements, we participated in an inter-tribal gathering for Bears Ears on April 10-12th of this year. We are working cooperatively, as Tribal Nations, to define the varying interests we have as sovereign governments in this special region. We are also working with Utah Diné Bikéyah and other non-profit supporting organizations, calling themselves the Bears Ears Coalition (www.protectbearsears.org). They are allies and participated in the last convening, and will be participating in the upcoming gathering.

As we finalize our agenda for July 16-18th, we hope to identify one day to set aside for meeting with federal officials to introduce you to a few examples of important cultural areas within this landscape. We are happy to accommodate your schedules if any one of these days work, or welcome you to stay for the entire gathering. We are also inviting tribal members and their families to attend to share food, stories, and traditions while camping together over the weekend. We plan to spend one day discussing how Tribal Governments can further work together to advance the protection of the Bears Ears.

We appreciate your attention to this matter, and look forward to your response. Please coordinate

your availability with Hopi Vice Chairman Alfred Lomohquahu, 929-734-3112, alomahquahu@hopi.nsn.us

Respectfully,

Honorable LoRenzo C. Bates, Speaker
23rd Navajo Tribal Council
928-871-7160

Rafael Gomez Jr., Council Member
Ysleta del Sur Pueblo Tribal Council
915-491-6259

Alfred Lomahquahu, Vice Chairman
Hopi Tribal Council
929-734-3112

Phillip Vicente, Head Councilman
Pueblo of Zuni Tribal Council
505-782-7022

Dr. Joseph Suina, Council Member
Pueblo de Cochiti Tribal Council
505-321-5455

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Conversation Contents

Cedar Mesa

CARL D ROUNTREE <(b) (6)

From:	CARL D ROUNTREE (b) (6)
Sent:	Wed May 06 2015 22:37:40 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>
Subject:	Cedar Mesa

The last several weeks have been amazing. Wish you were still on Facebook so you could follow our posts on our travels through Southern Utah and the incredible images we have captured and people we have met! I must profess, I have never seen a more incredible landscape, nor more significant natural and cultural resources than we have experienced in the Cedar Mesa/Comb Ridge area with people like Josh Ewing, the Executive Director of the Friends of Cedar Mesa (a guy you just have to meet), Don Simonis (archaeologist in the Monticello FO) and Teri Paul, Museum Director of the Edge of the Cedars in Blanding, UT. Such passion about this area and a keen desire to protect the area's remaining cultural record from further looting (Red Kiva, the most recent) and unanticipated increases in visitor use. I've been to just about every National Monument and National Conservation Area, and I'll have to say, in all my travels, I've seen nothing that compares to this area. Admittedly, we saw only a fraction of the slick rock canyons and their sculpted reliefs and the stone ruins and evidence of people inhabiting this land for thousands of years, but the quantity and quality of both were simply mind boggling -- I was awestruck. We saw granaries with their doors still cemented intact; kivas with painted mud walls; petroglyphs of incredible beauty and imagination; and everywhere, pottery remnants of every color, and design. I don't hold much hope for the current legislative fixes to provide the necessary protection for the area under consideration in the Bears Ears proposal and if there is one, locals feel it will be much smaller than the proposal which, oddly enough, scares them more than no proposal at all (more about that if you are interested). I found the folks in the Monticello FO to be supportive of greater protection of the area and those outside BLM, feel the current plan offers a fair degree of protective measures. However, like other offices, BLM lacks the funds to adequately implement the plan. Red Kiva, the most recent significant looting incident (occurring after the Recapture Canyon ride), was located along a road that had been designated for closure, like many other roads, but had not been adequately closed. Looters drove within a short distance of the kiva, unloaded the tools they needed, and walked away with an unknown quantity of artifacts. Cameras have since been put into place to monitor any return attempts. In fact, the Friends of Cedar Mesa have come up with funds to buy more remote cameras for BLM install at other at risk sites to combat looting. Since BLM lacks an adequate number of rangers and law enforcement personnel, volunteers and site stewards of the Friends are providing an invaluable service, putting many feet on the ground to monitor sites and just offer the presence of people in area. I'm not sure what, if

any degree of training BLM provided and I didn't ask Don Simonis, nor Josh, but it would be interesting to find out as the Friends could an invaluable deterrent. One member of the Friends Group made the comment that BLM manages the area using the GOOGLE-approach. People rely on what they can find on GOOGLE to plan their visits. I haven't been on BLM's website for the area to see how we "direct" people, but think it would be interesting to find out if the office has a Visitor Use Plan and to what degree and mode they use to disseminate it. As I wrote you previously, one longer range solution will be an aggressive HOL program. There seems a lot of local interest to develop a viable program if BLM management will get behind it and provide funding. This area must be better protected. Our folks want to do the right thing and the Friends are as dedicated as any I have seen. I only hope we can take the actions necessary if we are to save what is truly one of the most remarkable areas in the Southwest. Respectfully, Carl Sent from my iPhone

Conversation Contents

Fwd: Mar 26 news clips

Attachments:

/298. Fwd: Mar 26 news clips/1.1 Mar 26 news clips.docx

"Whitlock, Jenna" <jwhitloc@blm.gov>

From:	"Whitlock, Jenna" <jwhitloc@blm.gov>
Sent:	Sat Mar 28 2015 15:02:50 GMT-0600 (MDT)
To:	Neil Kornze <nkornze@blm.gov>, "Harding, Stephenne" <stephenne_harding@ios.doi.gov>
Subject:	Fwd: Mar 26 news clips
Attachments:	Mar 26 news clips.docx

In case you missed this WSJ article...

'Grand Bargain' on Land Use in Utah Offers Something for Everyone

Legislation in the works would set aside some areas for wilderness, others for energy use; congressional officials hope deal could be replicated across the West

By

JIM CARLTON

March 26, 2015 8:03 a.m. ET

MONTICELLO, Utah—San Juan County Commissioner Phil Lyman made a defiant point about land use when he led an unauthorized ride of all-terrain-vehicle users into a nearby scenic canyon last May after it had been closed by the Bureau of Land Management to protect archaeological artifacts.

Yet only 10 months later, at a recent meeting with land protection proponents, Lyman chatted amiably about the need to make compromises in resource management.

The new attitude came thanks to a proposed federal law some call the "Grand Bargain." Under the legislation being finalized, San Juan and some other counties in Utah would agree to wilderness and other restrictions on public lands in return for getting other areas designated for energy and other uses.

"No one is walking away from this until we get an agreement," Mr. Lyman said at the March 19 meeting.

The gathering among oft-warring groups was facilitated by an aide to Utah's congressional delegation, which has been working for three years to broker a rare accord on how the West's vast public lands are used. Called the Utah Public Lands Initiative, the bill to be released in draft form over the next few weeks could set aside at least 1.5 million acres of backcountry for wilderness and hundreds of thousands more for economic activities such as oil and gas exploration—appeasing interest groups on all sides.

As of now, eight of Utah's 29 counties would be included in the pact. Besides San Juan, they include Daggett, Uintah, Carbon, Duchesne, Emery, Grand and Summit counties, all in the eastern part of the state.

Congressional officials said such a deal could be replicated across the West in areas where local communities have frequently clashed with federal officials from the Bureau of Land Management, U.S. Forest Service and other agencies over access and use. The federal government owns about half the land in the West; in Utah, 57% of the state is federally owned.

"We're doing something of great significance and hopefully it will bring people's blood pressure down," said Rep. Jason Chaffetz, who is co-sponsoring the legislation with fellow Utah Republican Rep. Rob Bishop, chairman of the House Committee on Natural Resources.

After the draft legislation goes through more public vetting, a final bill is expected to be introduced in Congress by late spring. Backers hope for bipartisan support as environmental groups supporting it are often allied with Democratic lawmakers on Capitol Hill.

"Just the fact we are talking to each other about what we want and what we can live with—these are conversations we have not had before," said Paul Spitler, an official with the Wilderness Society, a national donor-supported nonprofit based in Washington, D.C., dedicated to wilderness conservation. "Everybody knows we have been battling for 30 years and we can certainly battle for

the next 30 years. It's pretty refreshing to see a new approach."

The decision on which lands to protect and develop has largely been left to local counties, often working with—rather than against—traditional adversaries, including environmental groups. Republican-led Utah, with its spectacular canyons, has been a hotbed of conflict. Counties have sued over issues such as closures of four-wheel-drive roads in federally controlled backcountry, while the Utah Legislature in 2012 passed a bill with largely symbolic value requiring the U.S. to turn over most federal land to the state.

Smaller land bills have been attempted in Congress, but failed to reduce tensions substantially because they lacked enough geographic reach, said Cody Stewart, policy director for Republican Gov. Gary Herbert, who supports the bill. Mr. Stewart said the previous approach limited where land trades could take place to resolve conflicts, such as moving an energy lease from the middle of a proposed wilderness area to an energy zone.

In 2012, Mr. Bishop began working on a new model: get a group of counties to agree to a land accord. Around that time, environmental groups began ramping up calls for President Barack Obama to designate millions of acres in Utah land as national monuments. He hasn't acted on those requests. Fearing such a move could shut out traditional uses such as grazing, officials in many of the counties said they felt compelled to negotiate.

"This was a situation where you either participate, or run the risk of a…monument being created from Washington, D.C.," said Lynn Jackson, member of the Grand County Council.

Since then, the congressman and his staff, later joined by other members of the Utah delegation, have attended about 1,000 meetings, including in the counties involved. At first, many of the groups' goals were far apart. The Southern Utah Wilderness Alliance, for example, initially called for as much as 5.5 million acres of new wilderness, but has since scaled back that amount substantially. "We entered this knowing no one would get everything they wanted, including us," said Scott Groene, executive director of the alliance.

Counties, too, have had to bargain. Energy-rich Uintah County, for example, is willing to drop its long-standing opposition to a wilderness designation for parts of Desolation Canyon if environmentalists agree to allow limited drilling near sensitive areas such as the Book Cliffs, which have been studied by geologists and are home to wildlife including Rocky Mountain elk and golden eagles. "Nobody in the county is excited about wilderness coming in, but if it gives us what

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Yet even as a final accord seems within reach, tensions remain. Here in the southeastern corner of the state, one of the main points of contention is between a Navajo tribal group and county commissioners over the size of a proposed protected area. The Utah Diné Bikéyah tribal group has proposed to cordon off 1.9 million acres to protect areas including Cedar Mesa and Bears Ears, which they consider sacred. On a recent tour of the area, spiritual leaderJonah Yellowman pointed at an old test drilling site in a red-rock desert called Valley of the Gods, where he said Navajos believe the spirits of some ancestors come in with the fog.

"This is what we're trying to stop," said Mr. Yellowman, 63 years old, touching a rusted pipe.

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"For it to work, everyone needs to give a little," Fred Ferguson, Rep. Chaffetz's chief of staff, said at the meeting in the San Juan County courthouse.

Write to Jim Carlton at jim.carlton@wsj.com

http://www.wsj.com/articles/grand-bargain-on-land-use-in-utah-offers-something-for-everyone-1427371382

---------- Forwarded message ----------
From: **Foot, Sheryl (Sherry)** <sfoot@blm.gov>
Date: Thu, Mar 26, 2015 at 3:10 PM
Subject: Mar 26 news clips
To: BLM_UT_All <blm_ut_all@blm.gov>, Craig Leff <cleff@blm.gov>

--
Sherry Foot
Special Programs Coordinator
(801) 539-4195

FOR COMMITTEE USE ONLY

--
Jenna Whitlock, Acting State Director
Utah BLM
(801) 539-4010 office
(801) 503-6254 cell

Join the Conversation!

"Harding, Stephenne" <stephenne_harding@ios.doi.gov>

From:	"Harding, Stephenne" <stephenne_harding@ios.doi.gov>
Sent:	Mon Mar 30 2015 07:55:53 GMT-0600 (MDT)
To:	"Whitlock, Jenna" <jwhitloc@blm.gov>
CC:	Neil Kornze <nkornze@blm.gov>
Subject:	Re: Mar 26 news clips

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Special Programs Coordinator

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Join the Conversation!

--
Stephenne Harding
Deputy Director
Congressional and Legislative Affairs
Department of the Interior
Stephenne_Harding@ios.doi.gov
202-208-6174 (desk)
202-341-8080 (cell)

SL TRIB

Recreation: Little Sahara set for Easter weekend influx

By TOM WHARTON | The Salt Lake Tribune

First Published Mar 25 2015 12:03PM • Last Updated Mar 25 2015 06:49 pm

Scott Sommerdorf | Salt Lake Tribune LITTLE SAHARA A rider blurs past others waiting their turn to power up "Sand Mountain" at Little Sahara National Recreation Area, Saturday 4/3/10. Four- and two-wheel enthusiasts, dune buggies and more kick off the spring season with motorized recreation and camping at Little Sahara sand dunes., Saturday 4/3/10.

Over 20,000 expected to kick-start season by trekking to sand dune.

Little Sahara Recreation Area • On a Tuesday morning just under two weeks from Easter weekend, two motor homes and a few off-highway vehicles were parked in the massive parking area at the base of 700-foot-high Sand Mountain.

The huge, light-tan-colored mountain — a key component of the 62,000-acre Little Sahara Recreation Area located about 115 miles southwest of Salt Lake City — looked untouched and wild.

The silence was almost eerie.

That will soon change.

Bureau of Land Management recreation planner Jay Cram expects over 20,000 people to make the annual Easter weekend trek to the dunes.

http://www.sltrib.com/sports/2323979-155/recreation-dune-families-heading-to-little

Judge hears arguments in Utah lawsuit over wild-horse removal

By KELLY CATALFAMO The Associated Press

First Published Mar 25 2015 11:30PM • Last Updated Mar 25 2015 11:30 pm

A group of ranchers demanding that the federal government remove wild horses in Utah will have to wait to find out whether or not their case will be tried.

Wild-horse advocacy groups argued in federal court on Wednesday that U.S. District Judge Dee Benson should dismiss the ranchers' case. Benson did not set a deadline for ruling on the issue.

Ranchers say the mustangs are overrunning the range, causing ecological damage and reducing livestock grazing areas. They argue that the Bureau of Land Management should immediately remove horses in excess of their designated "appropriate management level" from public and private land.

http://www.sltrib.com/home/2333977-155/judge-hears-arguments-in-utah-lawsuit

GOOGLE ALERTS

Feds take on fracking: What will it cost drillers?

The United States released new regulations for fracking on federal and Indian lands that it said would put minimal costs on the booming American oil and gas sector, but some estimates place the actual impact of the rules as much as 84 times larger—and that cost isn't even the industry's biggest worry.

R.J. Sangosti | The Denver Post | Getty Images
A crewman watches over water tanks used for hydraulic fracturing at an Anadarko Petroleum site near Brighton, Colo.

The Bureau of Land Management estimates that the compliance cost for its new policies will run about $11,400 per well, or roughly $32 million per year to the industry in total, the agency wrote in its nearly 400-page final rule, released Friday. On the other hand, an analysis of a draft rule from research and consulting firm Advanced Resources International estimated total annual costs associated with the regulation could range anywhere from $30 million to $2.7 billion in total. And at least one industry group leader puts the cost higher than that.

Read MoreThe state that drills the most on Uncle Sam's turf

Erik Milito, director of upstream and industry operations for theAmerican Petroleum Institute, told CNBC that his energy trade association is still assessing costs of the new regulation, but that some elements of the final rule could prove more expensive than what's come out in a draft.

"You look at any state ruling and there's a lot of ambiguity and question marks and it hasn't slowed the industry down...I don't think it's going to be a deal killer by any stretch."-Michael Scialla, oil and gas analyst, Stifel

The biggest concern for the industry, he said, is that ambiguities of the new regulations (which came together over four years) could stifle future investment.

"It's all about an industry that just simply wants to have certainty and predictability in the regulatory regime so that you can have the confidence to invest," Milito said. "And we're seeing that torn down in many respects."

The industry has decried the regulatory changes as redundant and based on unsubstantiated concerns. Two groups, the Independent Petroleum Association of America and the Western Energy Alliance, filed a lawsuit against the rule in the U.S. District Court for the District of Wyoming.

Read MoreExpect Russian spoiler in Iran nuke talks: critic

But the government insists the new rules are necessary and easily managed by companies.

"Most Americans would call them common sense," U.S. Secretary of the Interior Sally Jewell said of the regulations on a media conference call on Friday. Neil Kornze, director of the Bureau of Land Management, said the costs to comply with the rule would only amount to less than one quarter of 1 percent of the price to drill a well.

Aside from costs, a big question about the new rule is whether government regulators can move as quickly to verify compliance as the BLM estimates assume, oil industry sources told CNBC.

Wally Drangmeister, vice president and director of communications at the New Mexico Oil and Gas Association, said that "standby" charges can add up for crews and equipment, so any delays on inspections or approvals can mean major costs for firms.

Although much remains unknown about the rule's implementation, an independent analyst told CNBC that the government's estimates are probably nearer to reality than the industry-provided figures.

"I think it would be much closer to the BLM's number," said Michael Scialla, oil and gas analyst at Stifel, adding that he didn't see any uncertainties from the regulations affecting investment.

"You look at any state ruling and there's a lot of ambiguity and question marks and it hasn't slowed the industry down," he said. "I don't think it's going to be a deal killer by any stretch."

—CNBC's Tom DiChristopher contributed to this report.

http://www.cnbc.com/id/102531124

'Grand Bargain' on Land Use in Utah Offers Something for Everyone

Legislation in the works would set aside some areas for wilderness, others for energy use; congressional officials hope deal could be replicated across the West

By
JIM CARLTON
March 26, 2015 8:03 a.m. ET

MONTICELLO, Utah—San Juan County Commissioner Phil Lyman made a defiant point about land use when he led an unauthorized ride of all-terrain-vehicle users into a nearby scenic canyon last May after it had been closed by the Bureau of Land Management to protect archaeological artifacts.

Yet only 10 months later, at a recent meeting with land protection proponents, Lyman chatted amiably about the need to make compromises in resource management.

The new attitude came thanks to a proposed federal law some call the "Grand Bargain." Under the legislation being finalized, San Juan and some other counties in Utah would agree to wilderness and other restrictions on public lands in return for getting other areas designated for energy and other uses.

"No one is walking away from this until we get an agreement," Mr. Lyman said at the March 19 meeting.

The gathering among oft-warring groups was facilitated by an aide to Utah's congressional delegation, which has been working for three years to broker a rare accord on how the West's vast public lands are used. Called the Utah Public Lands Initiative, the bill to be released in draft form over the next few weeks could set aside at least 1.5 million acres of backcountry for wilderness and hundreds of thousands more for economic activities such as oil and gas exploration—appeasing interest groups on all sides.

As of now, eight of Utah's 29 counties would be included in the pact. Besides San Juan, they include Daggett, Uintah, Carbon, Duchesne, Emery, Grand and Summit counties, all in the eastern part of the state.

Congressional officials said such a deal could be replicated across the West in areas where local communities have frequently clashed with federal officials from the Bureau of Land Management, U.S. Forest Service and other agencies over access and use. The federal government owns about half the land in the West; in Utah, 57% of the state is federally owned.

"We're doing something of great significance and hopefully it will bring people's blood pressure down," said Rep. Jason Chaffetz, who is co-sponsoring the legislation with fellow Utah Republican Rep. Rob Bishop, chairman of the House Committee on Natural Resources.

After the draft legislation goes through more public vetting, a final bill is expected to be introduced in Congress by late spring. Backers hope for bipartisan support as environmental groups supporting it are often allied with Democratic lawmakers on Capitol Hill.

"Just the fact we are talking to each other about what we want and what we can live with—these are conversations we have not had before," said Paul Spitler, an official with the Wilderness Society, a national donor-supported nonprofit based in Washington, D.C., dedicated to wilderness conservation. "Everybody knows we have been battling for 30 years and we can certainly battle for the next 30 years. It's pretty refreshing to see a new approach."

The decision on which lands to protect and develop has largely been left to local counties, often working with—rather than against—traditional adversaries, including environmental groups. Republican-led Utah, with its spectacular canyons, has been a hotbed of conflict. Counties have sued over issues such as closures of four-wheel-drive roads in federally controlled backcountry, while the Utah Legislature in 2012 passed a bill with largely symbolic value requiring the U.S. to turn over most federal land to the state.

Smaller land bills have been attempted in Congress, but failed to reduce tensions substantially because they lacked enough geographic reach, said Cody Stewart, policy director for Republican Gov. Gary Herbert, who supports the bill. Mr. Stewart said the previous approach limited where

land trades could take place to resolve conflicts, such as moving an energy lease from the middle of a proposed wilderness area to an energy zone.

In 2012, Mr. Bishop began working on a new model: get a group of counties to agree to a land accord. Around that time, environmental groups began ramping up calls for President Barack Obama to designate millions of acres in Utah land as national monuments. He hasn't acted on those requests. Fearing such a move could shut out traditional uses such as grazing, officials in many of the counties said they felt compelled to negotiate.
"This was a situation where you either participate, or run the risk of a…monument being created from Washington, D.C.," said Lynn Jackson, member of the Grand County Council.

Since then, the congressman and his staff, later joined by other members of the Utah delegation, have attended about 1,000 meetings, including in the counties involved. At first, many of the groups' goals were far apart. The Southern Utah Wilderness Alliance, for example, initially called for as much as 5.5 million acres of new wilderness, but has since scaled back that amount substantially. "We entered this knowing no one would get everything they wanted, including us," said Scott Groene, executive director of the alliance.

Counties, too, have had to bargain. Energy-rich Uintah County, for example, is willing to drop its long-standing opposition to a wilderness designation for parts of Desolation Canyon if environmentalists agree to allow limited drilling near sensitive areas such as the Book Cliffs, which have been studied by geologists and are home to wildlife including Rocky Mountain elk and golden eagles. "Nobody in the county is excited about wilderness coming in, but if it gives us what we want there needs to be some compromise," said Jon Stearmer, chief deputy county attorney.

Yet even as a final accord seems within reach, tensions remain. Here in the southeastern corner of the state, one of the main points of contention is between a Navajo tribal group and county commissioners over the size of a proposed protected area. The Utah Diné Bikéyah tribal group has proposed to cordon off 1.9 million acres to protect areas including Cedar Mesa and Bears Ears, which they consider sacred. On a recent tour of the area, spiritual leaderJonah

Yellowman pointed at an old test drilling site in a red-rock desert called Valley of the Gods, where he said Navajos believe the spirits of some ancestors come in with the fog.

"This is what we're trying to stop," said Mr. Yellowman, 63 years old, touching a rusted pipe.

A committee appointed by San Juan County commissioners, though, supports smaller protected areas of about 600,000 acres. In return, Mr. Lyman, the county commissioner, said he hopes other land can be set aside in an energy zone. Both sides agree the Cedar Mesa area, full of archaeological artifacts, should be protected, and that they should look for other common ground.

"For it to work, everyone needs to give a little," Fred Ferguson, Rep. Chaffetz's chief of staff, said at the meeting in the San Juan County courthouse.

Write to Jim Carlton at jim.carlton@wsj.com
http://www.wsj.com/articles/grand-bargain-on-land-use-in-utah-offers-something-for-everyone-1427371382

YOU REALLY FRACKED UP THIS TIME, FEDS

Three ways the new drilling rules for federal lands fall short.

BY BRIAN PALMER | @PALMERBRIAN | *23 hours ago*

PHOTO: MIKE EISENFELD

That hissing noise you heard on Friday was the sound of thousands of environmentalists sighing in disappointment. The Bureau of Land Management releasednew rules last week to govern fracking on federal lands (which accounts for about a tenth of the country's natural-gas drilling). The general view among health and environmental advocates is that the standards don't go far enough.

"The BLM should have taken the highest standards from each state's rules, but it didn't do that," says Amy Mall, senior policy analyst in NRDC's land and wildlife program. (Disclosure.) "It's significant that the administration acknowledged the dangers of fracking, but it's a missed opportunity."

As it has fueled the natural gas boom of the last decade, fracking has become one of the country's most contentious environmental issues. Unlike starving polar bears, drilling in the Arctic National Wildlife Refuge, or clear-cutting the rainforest, hydraulic fracturing for oil and gas is happening right in our communities.

As of 2013, more than 15.3 million Americans lived within a mile of an active fracking well. Adults lease their property to drilling companies, while children play in yards as truckloads of fracking fluid rumble past. With reports of fracking contaminating drinking water, polluting air, and increasing earthquake activity, getting these rules right is important. Here are three ways in which the BLM didn't.

WHAT'S GOING DOWN THAT HOLE?

At a typical fracking site, drillers pump tens of thousands of gallons of chemicals into the ground. If that ground is on your property, in your neighborhood, or on federal land, you should have the right to know what's in all that fracking fluid. The new rules give you that right—almost. Drillers can still evade the disclosure requirement by claiming that the composition of their special frack sauce is a trade secret.

Drilling recipes are a little like those "natural flavors" in a can of Coke—the government lets the company keep them a mystery. In this case, however, the secret ingredients are toxic or carcinogenic, like benzene and formaldehyde.

These chemicals are brought through neighborhoods in trucks, stored on-site, and sometimes spilled on adjacent property.

The trade-secret exception isn't just a general transparency issue—it makes it harder to catch polluters. A worried landowner or local official can't test for the presence of fracking fluid in the water supply if they don't know what they're looking for.

Emergency responders are kept in the dark, too. In 2008, an oil worker stumbled into the emergency room at Mercy Regional Medical Center in Durango, Colorado, covered in a fracking fluid called ZetaFlow. The nurse who treated him inhaled the fumes, suffered multiple organ failures, and nearly died. During the course of her treatment, Weatherford, the manufacturer of ZetaFlow, refused to tell doctors what was in the fluid, because it was a trade secret. Colorado has since amended its laws to prevent a repeat of the incident. The federal government should do the same.

WHO'S THE BOSS?

The Bureau of Land Management can exempt an area—or even an entire state—from some of the rules if the state has existing laws that "satisfy the objectives" of those regulations. The BLM's goal is to avoid the duplication of regulatory efforts, but there's a big problem here.

Imagine you're a federal inspector. You're poking around a fracking site on federal land, and you notice something is wrong with the well. Maybe the concrete wasn't poured properly, or the piping isn't secure enough to prevent fluid from leaking into the groundwater. Before you cite the well operator or notify your superiors, however, you remember that this area has been exempted from federal regulation because state laws "satisfy the objectives." What do you do? The regulations don't really say. Can you charge the

operator under the state's law? Should you simply notify state authorities of the problem? Good luck with that.

State authorities are notoriously unwilling to enforce their fracking laws. According to an investigative report by *Greenwire*, 96 percent of fracking violations in Texas go unpunished. West Virginia, where an enormous amount of fracking activity occurs, issued only 19 penalties in an entire year. In many cases, unfortunately, state enforcement means no enforcement.

IS NOTHING SACRED?

Government officials create management plans for federal lands every 10 to 15 years, designating areas that will or won't be open to drilling. That doesn't stop oil and gas companies from asking to drill every year, though. When the feds say no, the company often waits a year or two and asks again, and again, and again. Every time a request comes in, it kicks off a fight between industry, the government, and environmentalists. There is little in our federal laws and regulations to guide officials in their decision-making, and every potential drilling site is examined on a nearly ad hoc basis. And drilling companies only need one "yes" to destroy sensitive lands forever.

The BLM could have used its new rules as an opportunity either to permanently ban drilling in certain locations or, at least, to provide clear principles to guide agency officials in their decisions. Sensitive wildlife habitat, for example, or areas near groundwater supplies or recreation sites could have been made off-limits to drillers.

The question now is whether these rules are the beginning of an era of increased oversight or the federal government's last word on fracking. One thing is for certain: Americans will continue to have lots to say on the matter.

http://www.onearth.org/earthwire/new-fracking-rules-fall-short

Bundy Supporters Heading To Nevada Legislature

CARSON CITY, Nev. (AP) — Southern Nevada rancher Cliven Bundy and supporters are planning to swarm the Nevada Legislature in support of a bill seeking to reclaim land from the federal government.

Bundy and his supporters plan to show up in force to support AB 408, which is scheduled for a hearing Tuesday.

The bill is sponsored by Republican Assemblywoman Michele Fiore and would require the federal government to obtain permission to use land within the state's borders. The proposal also strips the federal government of state water rights and would allow county commissions to parcel out state land forindustry use.

Bundy's conflict with the federal government and Bureau of Land Management over unpaid grazing fees drew national attention to Nevada last spring.

http://lasvegas.cbslocal.com/2015/03/25/bundy-supporters-heading-to-nevada-legislature/

Final Rules Released for Hydraulic Fracturing on Federal and Tribal Lands

Article By:

Ronald J. Tenpas

Ted B. Bosquez, IV

The Bureau of Land Management contends that its new rules are consistent with state regulations and industry standards, but stakeholders believe that the rules are unnecessary or simply miss the mark.

On March 20, the Bureau of Land Management (BLM) released its long-awaited final rules (BLM Rules or the Rules) that regulate hydraulic fracturing on federal and tribal lands. The Rules establish requirements for a wide range of practices, such as well construction standards, management of flowback waters, and disclosure of fracturing fluids. Having deliberated for nearly three years and reviewed roughly 1.5 million comments, the BLM described the released Rules as "consistent with industry guidance [and] the voluntary practice of operators, and some are required by state regulations."

Both the regulated community and environmental groups have disagreed. Industry groups have raised concerns that the Rules are unnecessary or otherwise burdensome

and costly, whereas environmental groups complain that the Rules do not go far enough. Although the Rules are slated to take effect in three months, they may be delayed by litigation.

The BLM Rules

On May 11, 2012, the BLM published for public comment proposed rules that govern hydraulic fracturing practices on federal and tribal lands. In May 2013, the BLM responded to industry feedback by revising the proposed rules and allowing another round of public comment. Nearly two years later, the BLM released its final Rules, which cover the following:

- Well construction—Well integrity is critical to withstanding the extreme temperatures and pressure beneath the surface and to prevent gas and fluids from escaping into the surrounding rock. Well construction standards must reduce risk of environmental harm within the constraints of operational realities. The BLM Rules include requirements relating to predrilling plans, environmental site reviews, casing and cementing standards, monitoring, testing, reporting, and plugging. Most state regulations also cover these categories, but, as always, the devil is in the details, as discussed below.

- Flowback storage—All wells, whether hydraulically fractured or not, produce large volumes of salt water (i.e., "flowback"). The fluids are then stored in pits and/or tanks until they are reused or disposed of. Contrary to what they originally proposed, the BLM Rules prohibit storage in open-air pits and instead limit operators to above-ground tanks with a capacity of less than 500 barrels.

- Disclosure of fracturing fluids—Wells are hydraulically fractured through the high-pressure injection of water with trace additives necessary to reduce friction, prop fractures open, and otherwise ensure safe and successful operation. Most states require operators to disclose the added constituents, subject to trade secret protections. Similarly, the BLM Rules require operators to submit disclosure reports to the FracFocus website within 30 days after completing well stimulation.

The BLM framed its Rules to be consistent with existing state regulations and industry practice, sufficient to ensure environmental protection, and not unduly burdensome or costly. However, as discussed below, few agree with its assessment.

Response to the BLM Rules

Well Construction Standards

Industry groups have criticized the proposed well construction standards as creating costs with no discernible environmental advantages. For example, the definition of "usable water" set forth in the Rules highlights this problem. As explained in our January 14, 2015 LawFlash, the proposed rules provided that, consistent with state rules and industry standards, operators would need to install casing at depths that protect usable water. The industry expressed concern that the proposed "usable water" definition of waters that contain up to 10,000 parts per million of total dissolved solids (ppm TDS), in fact, is generally considered to identify water that in reality has no potential use because treatment (e.g., reverse osmosis systems) would be too expensive. Also, waters that contain up to 10,000 ppm TDS generally cohabitate in formations with oil and gas resources; thus, casing installation would have to encounter the target zones, which makes development impractical. The industry argued that such measures were anticipated to come at significant cost and would discourage development on federal lands.

In its Rules, the BLM declined to modify the definition of "usable water." It explained that, despite some apparent confusion, 10,000 ppm TDS has served as the US Environmental Protection Agency's standard for usable water under the Safe Drinking Water Act for decades. As such, it concluded that the Rules would not require any operational changes or result in additional costs. Further, it rejected arguments that water containing 10,000 ppm TDS has no potential use and projected that future water scarcity and technological advancements may increase their utility. The BLM, thus, refused to change its definition of "usable water" in the Rules as requested by industry.

Management of Flowback Waters

Industry groups also oppose the above-ground tank storage requirement. In practice, flowback has been stored in pits (which are open to the air) or tanks (which are entirely closed off). Historically, only a few states have restricted the use of open pits. For example, Michigan has required that flowback be stored in tanks, and Mississippi has permitted open-air storage only if no other means are available. Recently, regulators have increasingly restricted the use of open-air pits to store flowback water. In late 2014, Illinois promulgated rules that limited flowback storage in open pits to no more than one week. And, earlier this month, the Pennsylvania Department of Environmental Protection confirmed its intentions to prohibit open pits and impose more stringent requirements for impoundments once its proposed rules are finalized, potentially in spring 2016.

Although the BLM's proposed rules permitted storage in either tanks or lined pits, the BLM since has elected to prohibit the use of open-air pits, subject to demonstration that use of tanks "is infeasible for environmental, public health or safety reasons." However, according to the BLM, "such exceptions should be limited and rarely granted."

The BLM and environmental groups claim that all pits, regardless of construction, liners, or oversight, create too high a risk of releases into the environment. They posit that tanks, which are fully enclosed, minimize that risk. Tanks, however, are much more expensive. Under the BLM Rules, tank size will be limited to a capacity of 500 barrels (15,750 gallons). For reference, a single well can often generate hundreds of thousands of gallons of flowback, which would therefore require dozens of tanks. Accordingly, under the Rules, operators could expect to spend significantly more to store the same volume of fluids in tanks rather than in pits.

Disclosure of Fracturing Fluids

The BLM Rules' fracturing fluid disclosure requirements generally received favorable industry reaction but criticism from environmental organizations. Industry groups described the Rules as representing a reasonable, convenient, and commonplace approach. By contrast, environmental groups have raised concerns about the trade secret protections included in the Rules. The disclosure requirements in the Rules are far from novel, as they are equivalent to those adopted in a majority of oil- and gas-producing states. Generally, the Rules call for disclosures to be made using FracFocus, an existing reporting and disclosure platform.

The BLM's use of FracFocus is consistent with prevailing practices. FracFocus is not new. It first went online in April 2011 and has been used to register more than 94,000 wells across the United States. According to the FracFocus website, as of February 1, 2015, 22 of the 27 states that require chemical disclosure either use or are considering using FracFocus. It is a joint venture between the Groundwater Protection Council (which operates it) and the American Petroleum Institute and America's Natural Gas Alliance (which fund it). Industry groups have stood behind it—for example, only months after the website was created, the Marcellus Shale Coalition required all of its members (effectively all operators active in the region) to submit reports to FracFocus.

The Rules' protections for trade secret information are also not novel. Operators are entitled to trade secret protection in all states with chemical disclosure rules, and more general trade secret protection laws and regulations are standard throughout the country.

Environmental groups have criticized the Rules for failing to provide an adequate exception for disclosures to address medical emergencies. The groups argue that operators should be required to disclose trade secret information to medical personnel, particularly in the event of an emergency. State rules vary on this subject—some require disclosure to medical personnel and some do not; some limit disclosure to medical emergencies, while others extend it to general diagnosis and treatment. Notwithstanding these hydraulic fracturing–specific rules, federal Occupational Safety and Health Administration regulations generally require disclosure to medical personnel who treat on-site workers as may other state-specific exceptions.

Conclusion

Immediately after the Rules' release, the Independent Petroleum Association of America and Western Energy Alliance jointly petitioned a federal court to review the Rules and invalidate them.[1] This challenge may also call into question whether the Rules will take effect in 90 days as planned if a stay of their implementation is also sought.

If and when the Rules do go into effect, operators should pay special attention to several unique and complicating considerations. First, the BLM Rules apply only to hydraulic fracturing operations on federal and tribal lands. As such, two wells in the same state may be subject to different rules to the extent that one is on public land and the other is on private property. Further, operations on federal and tribal lands will be subject not only to the BLM Rules, but also to the respective state's operating requirements, including those that relate to permitting and notice, to the extent that they do not conflict with BLM regulations. Under some circumstances, a state may even enforce its rules, despite normally lacking jurisdiction on federal and tribal lands.

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[1]. *Independent Petroleum Association of America v. Jewell*, Civ. No .15-cv-41-F (D.Wyo. March 20, 2015).

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http://www.natlawreview.com/print/article/final-rules-released-hydraulic-fracturing-federal-and-tribal-lands

Republican, Democratic lawmakers voice concerns about new drilling rules

By KEVIN FREKING, Associated Press

WASHINGTON (AP) — Republican and Democratic lawmakers in the House have found something in common: Many have issues with the Obama administration's new regulations requiring companies that drill for oil and natural gas to disclose chemicals used in hydraulic fracturing.

Republicans say the new regulations, announced last week, will delay new drilling projects and take marginal lands out of production. Democratic lawmakers say the regulations are so mild that they won't change current operating standards.

The lawmakers' complaints were aired Thursday during a House subcommittee hearing called to review the Bureau of Land Management's budget for the coming fiscal year.

Bureau Director Neil Kornze said fracking is taking place in 32 states, and the new federal regulations were aimed primarily at those states with limited or no regulation of the practice. He projected that the new regulations would increase costs by about $11,000 per well.

"We think the confidence that this brings to the American public, and the protection it brings to groundwater and other resources, we believe it's worth it," Kornze said.

The new rule will take effect in June. It also updates requirements for well construction and disposal of water and other fluids used in fracking, as the drilling method is more commonly known.

The rule has been under consideration for more than three years, drawing criticism from the oil and gas industry and environmental groups alike.

Rep. Doug Lamborn, R-Colo., said he wished the rule would only have been applied to states that aren't regulating fracking. He said states such as his are already doing a good job of ensuring the environment is not harmed.

Lamborn pointed out that the oil and gas industry has projected the regulations would cost far more to comply with than what the government has projected. Those additional costs will discourage the industry from drilling on federal lands, which would eliminate jobs and drive away federal revenue.

The new rule has drawn heavy criticism from some states where fracking is common. Wyoming filed a legal challenge Thursday and petitioned the federal district court in Wyoming to review the regulation and determine whether it should be set aside. The state claimed in its challenge that the rule exceeds the Bureau of Land Management's jurisdiction and unlawfully interferes with the state's hydraulic fracturing regulations.

Rep. Alan Lowenthal, D-Calif., said complaints were overblown. If the state laws regarding fracking are stronger than the new federal rule, and many of them are, the state law wins out. He said he would challenge the industry to point to requirements in the federal regulation that they don't already have in place.

Rep. Raul Grijalva, D-Ariz., said the regulation was so lax it was like requiring the auto industry to ensure that every car has a steering wheel and a brake pedal. "This rule does absolutely nothing," Grijalva said.

Fracking involves pumping huge volumes of water, sand and chemicals underground to split open rocks to allow oil and gas to flow. Improved technology has allowed energy companies to gain access to huge stores of natural gas underneath states from Wyoming to New York but has also raised widespread concerns about whether it leads to groundwater contamination and even earthquakes.

http://www.usnews.com/news/politics/articles/2015/03/26/lawmakers-unhappy-with-new-fracking-rules

Unprecedented Sage Grouse Protection Deal Signed in Nevada

RENO, Nev. — An unprecedented attempt to protect sage grouse habitat across parts of more than 900 square miles of privately owned land in Nevada will begin under a deal Thursday involving the federal government, an environmental group and the world's largest gold mining company.

The agreement comes as the U.S. Fish and Wildlife Service approaches a fall deadline for a decision on whether to protect the greater sage grouse, a bird roughly the size of a chicken that ranges across the West, under the Endangered Species Act.

Commercial operations, including mining companies and oil and gas producers, are entering into such deals in an effort to keep the bird

off the threatened or endangered list because the classification would place new restrictions on their work.

The deal involves Barrick Gold Corp., The Nature Conservancy and the U.S. Interior Department's Bureau of Land Management and Fish and Wildlife Service. It establishes a "conservation bank," providing the mining firm credit for enhancing critical habitat, in exchange for flexibility in future operations. It aims to preserve and restore more habitat than is lost through development while at the same time providing Barrick with more certainty as it maps out new mining plans.

"This is the kind of creative, voluntary partnership that we need to help conserve the greater sage grouse, while sustaining important economic activities on western rangelands," Interior Secretary Sally Jewell said.

The agreement "strikes the right balance between economic development and conservation," said Michael Brown, executive director of Barrick's U.S. operations.

Similar efforts already are underway on a much smaller scale involving ranching operations in Oregon and Wyoming.

Scientists estimate the sage grouse population is less than half what it was in the early 19th century it inhabited an estimated 450,000 square miles of sagebrush across the West.

Growing threats to its nesting grounds include wildfires, invasive plants, livestock grazing, mining and oil and gas exploration. The risks have led land managers to consider new protections.

It's difficult to estimate what Barrick will spend on the conversation efforts but it "likely will be in the millions," company lawyer Patrick Malone said. He said much of the bird's most important range in Nevada is on private land.

"The bird benefits in ways that can only really happen through this public-private partnership," Malone told The Associated Press.

Michael Cameron, The Nature Conservancy's associate state director for Nevada, acknowledged the agreement may not be embraced by some conservation groups who argue against development of any lands with habitat critical to the survival of the sage grouse.

"Our overriding objective in this is to achieve lofty conservation results on the ground," Cameron told the AP. "Certainly, in a case like this where we have the potential to achieve conservation

improvements on potentially hundreds of thousands of acres, it is the kind of opportunity, frankly, that we have an obligation to try to approve."

BLM Nevada Director Amy Leuders likes the advance nature of the agreement. She said, "It's certainly to the benefit of the sage grouse and its habitat for conservation actions to occur before other impacts from mining operations occur."

http://www.nytimes.com/aponline/2015/03/26/us/ap-nv-nevada-sage-grouse-barrick-gold.html?_r=0

EE NEWS

OVERSIGHT:

Watchdog panel clears tax offender, FOIA, workforce bills

Robin Bravender, E&E reporter
Published: Thursday, March 26, 2015

The House Oversight and Government Reform Committee yesterday approved a measure by voice vote from Chairman Jason Chaffetz (R-Utah) to make people with "seriously delinquent" tax debts ineligible for federal jobs.

But the passage of **H.R. 1563**, the "Federal Employee Tax Accountability Act," came despite staunch opposition from committee Democrats who see the measure as an unfair attack against federal employees.

Ranking member Elijah Cummings (D-Md.) said he's "steadfast" in opposing the bill that would require agencies to fire federal workers who fail to pay their taxes.

A recent IRS report showed that 97 percent of government employees were in compliance with tax laws in 2014 -- a higher rate than House members and their staffs, as well as members of the public, Cummings said. He added that there are existing remedies to address the 3 percent of the workforce in noncompliance.

"I do not understand why we are considering a change in the law to fix a problem that does not exist," he said. "Clearly the legislation is designed to punish federal employees. ... I just think so often federal employees are made to be viewed in a negative light."

Rep. Gerry Connolly (D-Va.) said the bill "is not well received by our workforce. They see it as another attack on them and especially when there isn't really a problem in the federal workforce."

Chaffetz defended the effort as a way to target "bad apples" in the government.

"I get perhaps a bit sensitive about the idea that the intent of the bill ... is done to disparage federal employees," he said. "I greatly appreciate federal employees."

Chaffetz added that workers who are making a conscious effort to comply with tax laws would be exempted from termination under the bill. "But unfortunately, there are a series of people who don't pay their federal taxes. They just literally thumb their nose at the American taxpayers, and they say that [they're] not going to pay their taxes. That's just fundamentally not right."

The committee passed several other measures by voice vote yesterday, including a bill that would prohibit people with seriously delinquent tax debts from being awarded government contracts or grants.

H.R. 1562, the "Contracting and Tax Accountability Act," from Chaffetz and Rep. Jackie Speier (D-Calif.), received bipartisan support from the panel.

Cummings applauded the effort, saying the bill would "ensure that responsible contractors no longer have to compete with tax delinquents."

FOIA, seasonal workers, anti-discrimination bills

H.R. 653, the "FOIA Oversight and Implementation Act," also won the committee's approval. The bill sponsored by Cummings and former Oversight Chairman Darrell Issa (R-Calif.) aims to provide the public with greater access to information.

Among other things, it would establish a "presumption of openness" by barring agencies from withholding information unless an agency foresees that disclosure would cause "specific identifiable harm" or the disclosure is prohibited by law. It would also change the Freedom of Information Act to limit to 25 years the amount of time agencies can keep documents secret by claiming that they would reveal the deliberative process.

"This bill, if passed, would be a landmark reform of the law," Cummings said. "The availability of information that sheds light on the workings of government is essential for a heathy democracy; strengthening the law will help ensure that basic principles of transparency are not a matter of executive discretion."

H.R. 1531, the "Land Management Workforce Flexibility Act," also cleared the panel.

The bill from Connolly is co-sponsored by GOP Reps. Rob Bishop of Utah and Don Young of Alaska. It aims to give temporary seasonal employees in federal agencies the opportunity to compete on even footing with federal employees for vacant permanent positions.

"This bill is really about a matter I think of simple justice," Connolly said yesterday. "We have thousands of seasonal workers, year after year, season after season, mostly in the Western states, who put themselves at risk to put out wildfires. ... But because they are deemed seasonal and temporary, they are actually ineligible for competing with federal positions."

His bill "simply allows this category of workers to compete when there are openings as if they were a normal regular federal employee," he said.

The "Fed. Employee Antidiscrimination Act," **H.R. 1557**, sponsored by Cummings, was also easily approved with bipartisan support. The measure intends to strengthen the government's anti-discrimination laws and expand government accountability for enforcing those laws.

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BUDGET:

Senate starts 'vote-a-rama' with carbon tax, land sell-off

Nick Juliano, E&E reporter

Published: Thursday, March 26, 2015

Around noon today, the Senate started voting. It is not expected to stop until well after midnight.

The series of roll calls that started as *Greenwire* was being published will feature votes on whether the federal government should sell off all the land it owns outside of national parks, monuments and preserves and whether Congress should rule out a tax on carbon dioxide emissions.

Sen. Roy Blunt (R-Mo.) yesterday had to suddenly pull his amendment seeking a point of order against a carbon tax because it was non-germane, but he has replaced it with a less prescriptive amendment encouraging Congress to consider prohibiting a carbon tax that will get a vote early this afternoon.

Also expected in the first round of votes is an amendment from Sen. Lisa Murkowski (R-Alaska), who leads the Energy and Natural Resources Committee, proposing the consideration of the sale or transfer of "any Federal land that is not within the boundaries of a National Park, National Preserve, or National Monument."

Before voting is complete -- sometime early tomorrow morning, aides expect -- senators will consider dozens of amendments posing their views on all manner of controversial policies. In the energy and environment realm, this will likely mean addressing a cross-section of issues encompassing air and water regulations, endangered species protections, offshore energy development, ownership of public lands, tax incentives for various energy sources, and climate change, among others.

The votes will come on nonbinding amendments to the annual budget resolution -- which is considered under special procedures that allow for the freewheeling marathon known as a "vote-a-rama."

The purpose of the process is twofold -- forcing politically difficult votes that can serve as fodder for campaign ads and testing support for legislative priorities that may come up later this year. It also will provide more data for the ideological scorecards kept by organizations such as the League of Conservation Voters on the left and American Energy Alliance on the right.

Voting began earlier this week, and yesterday saw action on amendments related to climate change and U.S. EPA's Clean Water Act jurisdiction rulemaking -- votes that illustrated both aspects of the process.

Sen. Bernie Sanders' (I-Vt.) amendment that called on Congress to recognize that climate change is driven by human activity and to produce legislation to address it fell one vote short of majority support, but it did draw yes votes from three Republicans facing tough re-election races next year -- Sens. Kelly Ayotte of New Hampshire, Mark Kirk of Illinois and Rob Portman of Ohio, who did not support a similar amendment in January. Sen. Lindsey Graham (R-S.C.), who is mulling a presidential campaign, also supported the amendment (***E&E Daily***, March 26).

Clues to future policymaking came on an amendment from Sen. John Barrasso (R-Wyo.), which was seen as a referendum on EPA's water rule. It won support from Sen. Amy Klobuchar (D-Minn.), who voted against a similar proposal two years ago, and would have cleared 60 votes if all senators had been present. With a majority of House members already on record against the rule, it is more likely now to be a target of an appropriations rider later this year (***E&E Daily***, March 26).

More than 60 amendments were pending this morning, and senators continued to come to the floor to offer amendments on an array of issues of both national and local interest.

The following is a list of key amendments expected to see votes today. Under budget rules requiring germaneness, the amendments typically would establish a "deficit-neutral reserve fund" within the budget that would encourage authorizing committees to craft corresponding legislation and allow the budget levels to be adjusted accordingly.

- Sens. Orrin Hatch (R-Utah) and James Inhofe (R-Okla.) amendment to create a reserve fund related to blocking the Bureau of Land Management's and EPA's rules related to hydraulic fracturing on public lands.
- Sen. Mike Rounds (R-S.D.) amendment to establish a reserve fund to prevent EPA and the Fish and Wildlife Service from "engaging in closed-door settlement agreements that ignore impacted States and counties."
- Sen. Steve Daines (R-Mont.) amendment to establish a reserve fund limiting national monument designations.
- Sen. Cory Gardner (R-Colo.) amendment to establish a reserve fund relating to protecting privately held water rights and permits.

- Sen. Maria Cantwell (D-Wash.) amendment to establish a reserve fund relating to a comprehensive approach to crude-by-rail safety, a topic she introduced legislation on yesterday (***EnergyWire***, March 26).
- Sen. Dean Heller (R-Nev.) amendment to establish a reserve fund relating to blocking an endangered species listing for the greater sage grouse before entering conservation agreements with the 11 states where it lives.
- Sen. Chris Coons (D-Del.) amendment to establish a reserve fund relating to preserving mandatory appropriations for agricultural conservation programs.
- Sen. Sheldon Whitehouse (D-R.I.) amendment aimed at raising taxes on the wealthy to invest in infrastructure and repairing damage from wildfires.
- Whitehouse amendment to establish a reserve fund relating to campaign finance reform and corporate disclosure.
- Sen. Bill Cassidy (D-La.) amendment to establish a reserve fund to promote offshore energy production.
- Cassidy amendment to establish a spending-neutral reserve fund relating to the manufacturing and construction permitting implications of EPA's proposed lower ozone air quality standard.
- Sen. Michael Bennet (D-Colo.) amendment aimed at extending the renewable energy production and investment tax credits for "a reasonable period of time."
- Sen. John Thune (R-S.D.) amendment to delay EPA's implementation of a tighter ozone standard (***E&ENews PM***, March 25).

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PUBLIC LANDS:

'Grand Bargain' over Utah estate appeals for compromise

Published: Thursday, March 26, 2015

Impending legislation from Utah's congressional delegation is showing signs of softening the positions of local politicians and environmentalists as it attempts to broker a deal over public land use in the state.

The "Grand Bargain" would designate some federal lands in Utah, which is 57 percent federally owned, as protected while other areas would be open for energy and other development. The deal would span eight counties, including some that have been at odds with federal officials for decades.

"Hopefully, it will bring people's blood pressure down," said Rep. Jason Chaffetz (R-Utah), who is sponsoring the bill with fellow Rep. Rob Bishop (R-Utah), chairman of the House Committee on Natural Resources.

At a meeting in San Juan County, Utah, Chaffetz's chief of staff, Fred Ferguson, said "everyone needs to give a little." That includes San Juan County Commissioner Phil Lyman, who, just 10 months ago, led an unauthorized all-terrain-vehicle ride through a protected scenic canyon, but at the meeting last week, Lyman appeared ready to deal (***Greenwire***, April 14, 2014).

"No one is walking away from this until we get an agreement," he said.

Many counties are looking to come to the table out of fear that President Obama could designate millions of acres as national monuments, shutting out grazing and other uses. Officials in many of the counties said they felt compelled to negotiate.

Bargain proponents are hopeful that environmental groups and American Indian tribes will come on board, along with their Democratic allies in Congress.

"Just the fact we are talking to each other about what we want and what we can live with -- these are conversations we have not had before," said Paul Spitlerof with the Wilderness Society. "Everybody knows we

have been battling for 30 years, and we can certainly battle for the next 30 years. It's pretty refreshing to see a new approach."

The bill is expected this spring (Jim Carlton, ***Wall Street Journal***, March 26). **-- DTB**
http://www.eenews.net/greenwire/2015/03/26/stories/1060015821

FEDERAL WORKFORCE:

EPA, Interior, DOE employees owe $20M in back taxes

Robin Bravender, E&E reporter
Published: Thursday, March 26, 2015

Workers at U.S. EPA, the Interior Department and the Energy Department owe more than $20 million in combined back taxes, new data show.

Overall, federal civilian employees owed $1.14 billion in taxes in 2014, up from $1.08 billion in 2013, according to IRS **data** released this week by the House Oversight and Government Reform Committee.

And about 4 percent of nearly 2.9 million civilian federal workers -- more than 100,000 people -- were delinquent on their taxes in 2014, the IRS report shows. The percentage of workers who owed taxes or hadn't filed returns dropped slightly from 2013, when the delinquency rate was 4.07 percent.

Those delinquent taxpayers included thousands of employees from energy and environmental agencies, although workers at EPA, Interior and DOE had better taxpaying records than the average federal employee.

At EPA, 2.7 percent of the staff was delinquent on paying taxes in 2014. The report found that about 430 employees of the agency's staff of 15,850 owed cash to the government, adding up to about $6 million.

About 2.8 percent of Interior Department employees owed taxes. About 1,940 of the agency's workforce of nearly 70,000 people were found to be delinquent, owing a combined $12 million.

The delinquency rate was even lower at DOE, where 2.1 percent of employees were behind on taxes. Of the department's 15,000 staffers, about 315 people owed a total of $3.3 million.

The IRS data were released as lawmakers are pushing efforts to target tax offenders through legislation.

Yesterday, the Oversight and Government Reform Committee approved legislation to make people with "seriously delinquent" tax debts ineligible for federal jobs. **H.R. 1563**, the "Federal Employee Tax Accountability Act," was introduced by Oversight Chairman Jason Chaffetz (R-Utah).

"It is disconcerting that federal civilian employees owe more than one billion dollars in back taxes," Chaffetz said this week in a statement. "These employees are not exempt from their civic responsibility to fulfill tax obligations and those who refuse to pay what they owe should be held accountable."

House Democrats painted that legislation as a way to unfairly target government workers.

Rep. Gerry Connolly (D-Va.) said yesterday that the bill "is not well-received by our workforce. They see it as another attack on them and especially when there isn't really a problem in the federal workforce" (***E&E Daily***, March 26).

A separate bill in the Senate would block tax-delinquent federal employees from receiving bonuses.

Sen. Pat Roberts (R-Kan.) in January introduced **S. 303**, which would prevent government workers from getting cash awards if they're deemed to have racked up "seriously delinquent" tax debt.
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PUBLIC LANDS:

Wyo. launches legal fight against BLM fracking rule

Ellen M. Gilmer, E&E reporter
Published: Thursday, March 26, 2015

Wyoming today became the first state to formally challenge the Obama administration's new rule for drilling on public and Indian lands, filing a lawsuit in U.S. District Court for the District of Wyoming that calls the regulation an overreach of federal authority.

The suit is the second legal challenge since the rule's unveiling less than a week ago. Industry groups sued last Friday, arguing that the Bureau of Land Management's three-year rulemaking process relied on insufficient data and resulted in regulations that duplicate state law.

The rule, which requires disclosure of chemicals used in hydraulic fracturing and regulates well construction and wastewater management, has drawn heated criticism from all sides over the past week. Industry complains that the rule is an expensive threat to jobs and energy security, while states and tribes argue that fracking regulation is their turf, and environmentalists say the new requirements do little to protect the air, water and land surrounding drilling operations.

With more than 4 million acres of federal land hosting oil and gas production, Wyoming is among the Western states most affected by BLM regulations, said BakerHostetler attorney Mark Barron.

"Wyoming's interest in this lawsuit is obvious," Barron, who is representing industry in the other legal challenge, said in a statement yesterday. "The State's leadership in regulating oil and gas development, and particularly the process of hydraulic fracturing, disproves the myth of the regulatory gap upon which Interior's final rule is premised."

In the state's **petition for review** filed yesterday, Senior Assistant Attorney General Michael McGrady argues that BLM exceeded its authority by regulating fracking as a form of underground injection, despite a provision of the Safe Drinking Water Act that designates U.S. EPA as the sole regulator of "underground injection control" and a provision of the 2005 Energy Policy Act that exempts hydraulic fracturing from EPA's oversight.

"If Congress intended ... to create special BLM or Interior Department programs for regulating underground injections outside the Safe Drinking Water Act, Congress would have said so, as it has in other environmental regulatory contexts," the filing says, arguing that fracking should be left to the states to regulate.

Gov. Matt Mead (R) last week touted his state's regulations for drilling as some of the strictest in the nation and slammed BLM for being "late to the game" and establishing a rule that "complicates compliance." Wyoming's rules for fracking chemical disclosure are stricter than those of most other producing states.

Wyoming's lawsuit comes just after the Independent Petroleum Association of American and Western Energy Alliance filed a similar challenge last week, arguing that the rule is an abuse of power that is "not properly tailored to achieve a legitimate government purpose."

Both lawsuits ask the district court to vacate the rule.

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ENDANGERED SPECIES:

Interior, world's largest gold miner team up to save Nev. grouse habitat

Scott Streater, E&E reporter
Published: Thursday, March 26, 2015

The Interior Department today announced a major new agreement with the world's largest gold mining company to set up the nation's largest greater sage grouse conservation bank system in Nevada, a move designed to allow economically important mining activity to continue without harming habitat for the imperiled bird.

The **agreement** announced today establishes a conservation bank that allows Barrick Gold of North America to earn credits for mitigation projects it funds that enhance sage grouse habitat on several private Nevada ranches covering more than 500,000 acres the company owns, as well as on federal lands where the company owns grazing allotments covering hundreds of thousands of acres.

In total, the conservation bank agreement covers about 900 square miles of private and public lands in central Nevada, said Louis Schack, a spokesman for Barrick Gold of North America in Salt Lake City, Utah.

The Bureau of Land Management and the Fish and Wildlife Service will oversee the "Barrick Nevada Sage Grouse Bank Enabling Agreement," which commits Barrick to participate in habitat protection and restoration projects that achieve a "net conservation benefit" for the grouse. This net benefit will be accomplished "by encouraging greater gains in functional sage grouse habitat through preservation and restoration than what is lost through development activities," according to the agreement.

In exchange, Barrick will obtain assurances that the voluntary compensatory mitigation measures taken by the company, when verified as providing a net conservation gain to the species, will be accounted for by BLM and the Fish and Wildlife as the agencies review the company's future proposed mining operations, according to Interior's summary of the agreement.

Barrick's mining and ranching operations are located in areas that include habitat for the greater sage grouse. BLM manages 21 million acres of grouse habitat in Nevada, which is home to as few as 28,000 birds.

Interior Secretary Sally Jewell said she believes the conservation bank announced today could be significant for Nevada's sage grouse population.

"This is the kind of creative, voluntary partnership that we need to help conserve the greater sage grouse while sustaining important economic activities on western rangelands," Jewell said today in a statement.

The Nevada agreement is the second conservation bank the Obama administration has established this month.

The Fish and Wildlife Service last week announced a partnership with the state of Wyoming to establish the nation's first conservation bank for the sage grouse on a 235,000-acre ranch in central Wyoming (***E&ENews PM***, March 18).

The Wyoming conservation bank will allow for oil and gas, mining, and other industries to buy credits within a sensitive state-designated "core sage grouse area" that could then be used to mitigate impacts elsewhere.

Wyoming is home to nearly half the remaining sage grouse, whose range extends across 11 Western states covering 165 million acres.

Nevada ranks second in this category to Wyoming, BLM Nevada State Office Director Amy Lueders said in an interview.

The Nevada and Wyoming conservation banks could prove significant as Fish and Wildlife evaluates the status of the bird. FWS must decide by Sept. 30 whether to propose listing the greater sage grouse for protection under the Endangered Species Act.

"Through landscape level mitigation efforts, conservation banks, credit exchanges, conservation easements, and conservation assistance programs, we are advancing partnership efforts that are redefining how we achieve our conservation goals across the American West," Jewell said in her statement.

As part of the Nevada conservation bank agreement, BLM, Fish and Wildlife, and Barrick will use a "Sage-grouse Conservation Forecasting Tool" developed by the Nature Conservancy that uses satellite imagery to create maps of current habitat conditions, according to the group.

Regulators and scientists can then employ predictive computer models that simulate the natural patterns of vegetation change over time to identify which restoration actions will be most helpful to sage grouse, they say.

While the majority of land, including sage grouse habitat, in Nevada is federally owned, a significant portion of riparian and wet meadow habitat that is crucial to the sage grouse's life cycle is located on private lands, according to the Interior summary.

Barrick's private ranches in Elko, Eureka and Lander counties include large tracts of current and former wet meadow habitat, Lueders said.

"Some of the most critical habitat, such as wet meadows and riparian areas, are disproportionately on private lands," she said. "This really allows us to achieve some conservation actions that are really important for sage grouse because they are so limiting."

Michael Cameron, associate director of the Nature Conservancy's Nevada chapter, said the goal of the latest agreement is to "help inform decisions that protect, manage and restore vital wildlife habitat on potentially hundreds of thousands of acres of land."

It's also designed to balance the need to protect the grouse with the economic benefits of the mining industry in the state, Lueders said.

"The goal is to protect the best sage grouse habitat while also allowing for the certainty of economic benefits and providing for net conservation benefits," she said. "I think it's a good model. We're very excited about it. "

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FEDERAL AGENCIES:

White House plan would shrink government real estate holdings

Robin Bravender, E&E reporter
Published: Thursday, March 26, 2015

A new plan from the White House aims to squeeze federal agencies into smaller, more efficient spaces.

The Obama administration yesterday released a revised national **strategy** that will require agencies to reduce their property footprints starting in 2016 and continuing over the next several years.

The plan comes after the administration's "Freeze the Footprint" policy in 2013 sought to keep the government's real estate footprint steady. It requires agencies to dispose of existing properties in order to acquire new ones and set a timeline for agencies to halt their real estate growth.

The agencies have either already frozen or cut their footprints, or are on a path to do so by the end of fiscal 2015, the White House said.

Government-occupied space was cut by 21.4 million square feet between fiscal 2012 and fiscal 2014, according to the administration. In 2014 alone, the government disposed of 7,350 buildings and slashed $17 million from annual operation and maintenance costs.

The administration is planning to improve the use of government-owned buildings and reduce its excess and underutilized properties.

"Consolidating properties and collocating agency office space is not only commonsense, but will provide more convenient access to the public and allow for upgraded facilities to provide more modern work environments for federal employees to conduct their business," wrote Dave Mader, controller for the White House Office of Management and Budget.

The federal government is the largest real property owner in the country, with an inventory of 300,000 buildings that require about $21 billion of annual operation and maintenance costs.

Sen. Tom Carper of Delaware, the top Democrat on the Homeland Security and Governmental Affairs Committee, applauded the administration's strategies.

"Taxpayers should not have to pay for the government to lease or own buildings that it does not need," Carper said in a statement.

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PUBLIC LANDS:

'Vote-a-rama' fights ahead on species, monuments, transfers to states

Emily Yehle and Nick Juliano, E&E reporters
Published: Thursday, March 26, 2015

Lawmakers' views on a bevy of public lands issues will be on record and ripe for political campaigning by the early morning hours tomorrow.

The Senate began the first round of votes at noon today on dozens of nonbinding amendments to the annual budget resolution. The "vote-a-rama" will allow -- or force -- senators to lay down their support or opposition on a wide array of issues.

In the coming hours, that will include a few long-standing controversies over the use of federal land and the implementation of the Endangered Species Act. First up: an amendment from Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) that would support the selling or transfer of federal lands to states and local governments.

In a statement on the Senate floor yesterday, Murkowski prefaced the introduction of the provision by asserting that while oil production is "going gangbusters" on state and private lands, it is "not happening" on federal lands. With traditional and renewable energy production, it "is incredibly hard to develop any type of energy on Federal lands," she said.

Her amendment would enable the transfer of federal land to states for such development. Land within a national park, national preserve or a national monument would be protected and not eligible.

In an interview today, Murkowski stressed her amendment doesn't identify any particular parcels to be sold or exchanged and that any details would have to be worked out through the committee.

"It doesn't name anything, it isn't specific to anything. It gives the opportunity and then you would come back. Say, for instance, you want to purchase something for access or development, then you have to come back and go through the legislative process," Murkowski said in a brief interview.

"It's not unlike what we saw with the public lands package that was attached to NDAA," she added, referring to last year's defense authorization bill, "where you saw so many different public lands bills, it's basically kind of setting up for a similar kind of process."

Murkowski said she did not necessarily have parcels in Alaska in mind to be sold but was aware of concerns in other states with a large federal footprint.

"I know that within different states, different localities there is frustration that they haven't been able to get much going on federal lands: 'Boy if we had an opportunity to access it, things would be different,'" she said. "And so what it does is it makes that available allowance."

Sen. Cory Gardner (R-Colo.) said he was concerned that the amendment is worded too broadly and would likely vote against it, but he welcomed an opportunity to examine how to improve federal land management.

"Look, I think we have a lot of pent-up frustration with the way the administration has handled public lands," he said. But the concerns should be addressed in "a way that we ought to be able to bring everybody to the table to work through."

National monuments, sage grouse

Also on the vote-a-rama roster is an amendment from Sen. Steve Daines (R-Mont.) that would require the president to gain support from local and state governments before proposing a national monument.

In the last two years, President Obama has designated or expanded a dozen national monuments using the Antiquities Act. That has angered Republicans, who accuse Obama of sidestepping the usual public process and flouting Congress.

"Too often these unilateral designations completely ignore the needs of the local community -- the farmers and ranchers, the sportsmen and small business owners directly impacted by these new designations," Daines said on the Senate floor, adding that his amendment "ensures the people affected most by these designations have a seat at the table and their voices are heard."

The National Wildlife Federation blasted the amendment as undermining an important tool to protect lands.

The Antiquities Act "has been used to protect some of our most important places from the Statue of Liberty to the Grand Canyon and this amendment would only serve to make it harder to protect our special places," the group said in a statement.

NWF also took aim at an amendment from Sen. Mike Rounds (R-S.D.) that would require state and local government support before U.S. EPA or the Fish and Wildlife Service enter into what Republicans call "sue and settle" agreements.

While Republicans assert that the agreements -- which settle lawsuits -- set agency priorities, environmentalist and Democrats say the lawsuits merely allow citizens to force agencies to do their mandated duty. A 2011 settlement between FWS and environmental groups, for example, set a schedule for the agency to consider the listing of hundreds of species.

Rounds called his amendment a "fix" that ensures local governments "are given a say in settlement agreements that will have impacts within their borders." Republicans have unsuccessfully tried to pass similar bills in the past.

But Western state officials will more likely keep an eye on Sen. Dean Heller's (R-Nev.) narrower amendment on FWS's impending decision on whether to list the greater sage grouse.

The agency is set to decide before September whether the grouse needs protections under the Endangered Species Act -- a deadline set by that 2011 settlement.

Heller's amendment would require the Interior Department to enter into candidate conservation agreements with 11 states before making a listing decision on the sage grouse. It would also require that state plans have the "opportunity" to show results.

"If the federal government adds the sage grouse to the endangered species list, it would devastate rural economies across these affected states, including Nevada," Heller said on the Senate floor. "States must be given an opportunity to show they can foster a sustainable sage grouse population."

Even if the amendment passes, it won't change the listing schedule. Like all amendments in the vote-a-rama, it's symbolic.

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Subject: ICYMI - WSJ: ŒGrand Bargain¹ on Land Use in Utah Offers Something for Everyone

'Grand Bargain' on Land Use in Utah Offers Something for Everyone

Legislation in the works would set aside some areas for wilderness, others for energy use; congressional officials hope deal could be replicated across the West

http://www.wsj.com/articles/grand-bargain-on-land-use-in-utah-offers-something-for-everyone-1427371382

By JIM CARLTON

March 26, 2015 8:03 a.m. ET **2 COMMENTS**

MONTICELLO, Utah—San Juan County Commissioner Phil Lyman made a defiant point about land use when he led an unauthorized ride of all-terrain-vehicle users into a nearby scenic canyon last

May after it had been closed by the Bureau of Land Management to protect archaeological artifacts.

Yet only 10 months later, at a recent meeting with land protection proponents, Lyman chatted amiably about the need to make compromises in resource management.

The new attitude came thanks to a proposed federal law some call the "Grand Bargain." Under the legislation being finalized, San Juan and some other counties in Utah would agree to wilderness and other restrictions on public lands in return for getting other areas designated for energy and other uses.

"No one is walking away from this until we get an agreement," Mr. Lyman said at the March 19 meeting.

The gathering among oft-warring groups was facilitated by an aide to Utah's congressional delegation, which has been working for three years to broker a rare accord on how the West's vast public lands are used. Called the Utah Public Lands Initiative, the bill to be released in draft form over the next few weeks could set aside at least 1.5 million acres of backcountry for wilderness and hundreds of thousands more for economic activities such as oil and gas exploration—appeasing interest groups on all sides.

ENLARGE

As of now, eight of Utah's 29 counties would be included in the pact. Besides San Juan, they include Daggett, Uintah, Carbon, Duchesne, Emery, Grand and Summit counties, all in the eastern part of the state.

Congressional officials said such a deal could be replicated across the West in areas where local communities have frequently clashed with federal officials from the Bureau of Land Management, U.S. Forest Service and other agencies over access and use. The federal government owns about half the land in the West; in Utah, 57% of the state is federally owned.

"We're doing something of great significance and hopefully it will bring people's blood pressure down," said Rep. Jason Chaffetz, who is co-sponsoring the legislation with fellow Utah Republican Rep. Rob Bishop, chairman of the House Committee on Natural Resources.

After the draft legislation goes through more public vetting, a final bill is expected to be introduced

in Congress by late spring. Backers hope for bipartisan support as environmental groups supporting it are often allied with Democratic lawmakers on Capitol Hill.

"Just the fact we are talking to each other about what we want and what we can live with—these are conversations we have not had before," said Paul Spitler, an official with the Wilderness Society, a national donor-supported nonprofit based in Washington, D.C., dedicated to wilderness conservation. "Everybody knows we have been battling for 30 years and we can certainly battle for the next 30 years. It's pretty refreshing to see a new approach."

ENLARGE

From left, San Juan County commissioners Rebecca Benally, Bruce Adams and Phil Lyman. *PHOTO: JIM CARLTON/THE WALL STREET JOURNAL*

The decision on which lands to protect and develop has largely been left to local counties, often working with—rather than against—traditional adversaries, including environmental groups. Republican-led Utah, with its spectacular canyons, has been a hotbed of conflict. Counties have sued over issues such as closures of four-wheel-drive roads in federally controlled backcountry, while the Utah Legislature in 2012 passed a bill with largely symbolic value requiring the U.S. to turn over most federal land to the state.

Smaller land bills have been attempted in Congress, but failed to reduce tensions substantially because they lacked enough geographic reach, said Cody Stewart, policy director for Republican Gov. Gary Herbert, who supports the bill. Mr. Stewart said the previous approach limited where land trades could take place to resolve conflicts, such as moving an energy lease from the middle of a

proposed wilderness area to an energy zone.

In 2012, Mr. Bishop began working on a new model: get a group of counties to agree to a land accord. Around that time, environmental groups began ramping up calls for President Barack Obama to designate millions of acres in Utah land as national monuments. He hasn't acted on those requests. Fearing such a move could shut out traditional uses such as grazing, officials in many of the counties said they felt compelled to negotiate.

"This was a situation where you either participate, or run the risk of a…monument being created from Washington, D.C.," said Lynn Jackson, member of the Grand County Council.

Willie Grayeyes, foreground, and behind him Jonah Yellowman of the Utah Diné Bikéyah tribal group, which wants to cordon off land considered sacred. *PHOTO: DAWN KISH FOR THE WALL STREET JOURNAL*

Since then, the congressman and his staff, later joined by other members of the Utah delegation, have attended about 1,000 meetings, including in the counties involved. At first, many of the groups' goals were far apart. The Southern Utah Wilderness Alliance, for example, initially called for as much as 5.5 million acres of new wilderness, but has since scaled back that amount substantially. "We entered this knowing no one would get everything they wanted, including us," said Scott Groene, executive director of the alliance.

Counties, too, have had to bargain. Energy-rich Uintah County, for example, is willing to drop its long-standing opposition to a wilderness designation for parts of Desolation Canyon if environmentalists agree to allow limited drilling near sensitive areas such as the Book Cliffs, which have been studied by geologists and are home to wildlife including Rocky Mountain elk and golden

eagles. "Nobody in the county is excited about wilderness coming in, but if it gives us what we want there needs to be some compromise," said Jon Stearmer, chief deputy county attorney.

Yet even as a final accord seems within reach, tensions remain. Here in the southeastern corner of the state, one of the main points of contention is between a Navajo tribal group and county commissioners over the size of a proposed protected area. The Utah Diné Bikéyah tribal group has proposed to cordon off 1.9 million acres to protect areas including Cedar Mesa and Bears Ears, which they consider sacred. On a recent tour of the area, spiritual leader Jonah Yellowman pointed at an old test drilling site in a red-rock desert called Valley of the Gods, where he said Navajos believe the spirits of some ancestors come in with the fog.

ENLARGE

Butler Wash in Cedar Mesa, which is full of archaeological artifacts that both sides agree should be protected. *PHOTO: DAWN KISH FOR THE WALL STREET JOURNAL*

"This is what we're trying to stop," said Mr. Yellowman, 63 years old, touching a rusted pipe.

A committee appointed by San Juan County commissioners, though, supports smaller protected areas of about 600,000 acres. In return, Mr. Lyman, the county commissioner, said he hopes other land can be set aside in an energy zone. Both sides agree the Cedar Mesa area, full of archaeological artifacts, should be protected, and that they should look for other common ground.

"For it to work, everyone needs to give a little," Fred Ferguson, Rep. Chaffetz's chief of staff, said at the meeting in the San Juan County courthouse.

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Conversation Contents

Fwd: FW: NNC Bears Ears legislation

Attachments:

/300. Fwd: FW: NNC Bears Ears legislation/1.1 Unamended NNC Bears Ears Supporting Resolution March 12, 2015.pdf
/300. Fwd: FW: NNC Bears Ears legislation/1.2 NCA Proposal- Backgrounder final 12-8-14 (13).docx

"Harding, Stephenne" <stephenne_harding@ios.doi.gov>

From:	"Harding, Stephenne" <stephenne_harding@ios.doi.gov>
Sent:	Mon Mar 16 2015 11:35:29 GMT-0600 (MDT)
To:	Nicole Buffa <nicole_buffa@ios.doi.gov>, Jenna Whitlock <jwhitloc@blm.gov>, Neil Kornze <nkornze@blm.gov>
Subject:	Fwd: FW: NNC Bears Ears legislation
Attachments:	Unamended NNC Bears Ears Supporting Resolution March 12, 2015.pdf NCA Proposal- Backgrounder final 12-8-14 (13).docx

FYI:

---------- Forwarded message ----------
From: **Bill Hedden** <(b) (6)
Date: Fri, Mar 13, 2015 at 6:00 PM
Subject: FW: NNC Bears Ears legislation
To: stephenne_harding@ios.doi.gov

Stephenne,

My staff sent this message about yesterday's Navajo Tribal Council action on the Bears Ears proposal. The attached supporting resolution, with minor amendments as noted below, was passed 15-0 after about 90 minutes of debate.

Bill Hedden

435-259-5284

From: Natasha K. Hale [mailto:njohnson@grandcanyontrust.org]

FOR COMMITTEE USE ONLY

Sent: Friday, March 13, 2015 2:30 PM
To: Bill Hedden
Subject: NNC Bears Ears legislation

Bill,

Let me know if you have any questions. I've attached the two page NCA Proposal background paper because the council made amendments on the floor to add some of the language in this two pager into the supporting legislation. The final copy of the legislation should be done by early next week.

N

--

Natasha K. Hale (Johnson)

Native America Program Manager
Grand Canyon Trust

2601 North Fort Valley Road

Flagstaff, AZ 86001
Office: (928) 774-7488

Fax: (928) 774-7570

The mission of the Grand Canyon Trust is to protect and restore the Colorado Plateau — its spectacular landscapes, flowing rivers, clean air, diversity of plants and animals, and areas of beauty and solitude.

www.grandcanyontrust.org

--

Stephenne Harding
Deputy Director
Congressional and Legislative Affairs
Department of the Interior
Stephenne_Harding@ios.doi.gov

FOR COMMITTEE USE ONLY

202-208-6174 (desk)
202-341-8080 (cell)

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0074-15

DATE: February 20, 2015

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION, AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

PURPOSE: The purpose of the resolution is to support the Utah Diné Bikeyah conservation proposal for the federal designation of some 1.9 million acres of land in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument and wilderness to forever protect federal lands for their cultural, natural, scenic and archaeological values. The Bear's Ears region is the ancestral home of the Diné and many other Southwestern Native American Tribes and includes the birthplace of Navajo Headman Manuelito and is world renowned for its integrity and abundance of archaeological sites. This legislation seeks a collaborative management role for the Navajo Nation and other Tribal governments to ensure that traditional stewardship practices, wisdom, and cultural activities are elevated in the future management of this cultural landscape. Utah Navajo communities have been involved in developing and advancing the proposal to protect an area they depend upon for food, medicine, firewood and their spiritual well-being.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

15-240-1

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5-DAY BILL HOLD PERIOD: [illegible]
Website Posting Time/Date: 12:04pm 2/26/15
Posting End Date: 3/2/2015
Eligible for Action: 3/3/2015

Resources & Development Committee

THENCE

Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL – First Year, 2015

INTRODUCED BY

(Walter Phelps)

(Prime Sponsor)

TRACKING NO. 0076-15

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). All powers not delegated are reserved to the Navajo Nation Council. 2 N.N.C. §102(B). The Navajo Nation Council shall supervise all powers delegated. 2 N.N.C. §102(C).
2. The Naabik'íyáti' Committee is one of five standing committees of the Navajo Nation Council and is comprised of all twenty-four members of the Navajo Nation Council. The Committee is authorized to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 180 and 701(A)(6).

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3. The Navajo Nation includes communities in San Juan County, Utah; these communities depend on federal lands and resources within San Juan County, Utah; a copy of a Memorandum of Understanding between the Utah Dine Bikeyah, A Utah Non-Profit Corporation and the Navajo Nation Division of Natural Resources is attached as Exhibit B; and
4. The Navajo Nation members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
5. Bear's Ears area within San Juan County, Utah, is part of the proposed National Conservation Area/National Monument to consist of 1.9 million acres and would include additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribes which assert their affiliation, occupation and enduring use of these lands. The Bear's Ears region is also the birthplace of Navajo Headman Manuelito; and
6. The proposed National Conservation Area/National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and the Navajo Nation; the proposed National Conservation Area/National Monument is characterized by prodigious topographic diversity and striking landforms containing intricately rich ecological systems; the Navajo and other Tribes depend upon the land within the proposed National Conservation Area/National Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the proposed National Conservation Area/National Monument's centerpiece, offers sprawling vistas of Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert bighorn sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of ponderosa pine, spruce, fir and aspen, providing a home to mule deer, elk, black bear and mountain lion, sacred icons of the mesa's original peoples. Paramount for the

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Navajo, the majority of the regions inhabitants, is the proper management of the proposed National Conservation Area/National Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices; and

7. This region contains unsurpassed cultural and paleontological resources; the proposed National Conservation Area/National Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed National Conservation Area/National Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed National Conservation Area/National Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations; and
8. The proposed National Conservation Area/National Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, which crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the proposed National Conservation Area/National Monument lands was perhaps by the Formative Period Peoples (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites; and
9. The proposed National Conservation Area/National Monument includes Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert

mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde; and

10. Priority Management values to protect within the proposed National Conservation Area/National Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the proposed National Conservation Area/National Monument's management is to better protect these resources and to ensure their ongoing and sustainable use; and
11. Native Americans have unique and important cultural and historical ties to the land, its wildlife and other natural resources; and the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs, food gathering, firewood gathering and the grazing of livestock; and
12. Native Americans have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and
13. These areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices; and
14. To prevent this rapid destruction of lands in the San Juan County region important to Native peoples, formal protection as a national conservation area or national monument is required; and
15. Formal protection of the area as a National Conservation Area/National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:
    A. Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of

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cultural, historical and ecological values that define Native connections to these lands.

B. Protection as a national conservation area or national monument creates important opportunities for Native American co-management of these resources and increased funding for protection with an emphasis on conservation and preservation of the region's cultural and natural resources.

C. Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.

D. Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and prioritization of staffing, resources and cooperation with Native peoples.

16. It is in the best interest of the Navajo Nation to support the federal designation of 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument. Resolutions in support of the federal designation are attached as Exhibit A.

THEREFORE BE IT RESOLVED, that the NAVAJO NATION COUNCIL'S NAABIK'ÁYÁTI' COMMITTEE extends its support for:

1. Designation of the 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument.
2. Designation of identified roadless areas as wilderness under the Wilderness Act.
3. Establishment of Collaborative Management Agreement(s) between the Navajo Nation, other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region.

FOR COMMITTEE USE ONLY

EXHIBIT
A

Congress of the United States

Washington, DC 20515

February 4, 2015

Dear Public Lands Initiative Participants,

The Utah Public Lands Initiative (PLI) has transformed the way local communities confront federal land management issues in Utah. February 15 will mark the three-year anniversary of this multi-county, grassroots planning process. The goal then was to bring land-use certainty, economic development, land conservation, and enhanced land management models to eastern Utah counties. We're pleased to report that our goals are still very much attainable and we are on track to move forward in the near future.

A coalition of counties, tribal leaders, and over 120 different interest groups has crafted more than 60 detailed proposals outlining each group's desired land-management outcomes. Our offices have hosted nearly 1,000 meetings, driven over 50,000 miles, and spent countless hours digesting maps, bill language, and broad-ranging policy proposals. Our county partners have also led local working groups, lands councils, and public meetings to assist their efforts in identifying areas and policies that merit consideration in PLI.

The next step in the process will involve the release of a map and a legislative proposal. The draft map and proposal will be crafted by our offices and released to the public on March 27, 2015. The draft map and proposal will include areas and policy provisions that have been discussed over the past three years. The draft will attempt to incorporate the ideas and recommendations of the various participating entities including counties, tribes, the State of Utah, conservation organizations, SITLA, and others interest groups.

Our offices will give deference to local zones of agreement and consensus where they exist. In areas where consensus has not been reached, our offices will do our best to minimize local impacts. We recognize that some groups may oppose the draft proposal and while we welcome comments and the opportunity to address these concerns, we realize it's impossible to achieve 100% consensus.

Thank you for your participation in PLI. Virtually all local officials, interest group leaders, and members of the public have participated in good-faith and want to see PLI succeed. We would not be on the cusp of a paradigm shift of this magnitude without each of these people and their efforts. Thank you.

Sincerely,

Rob Bishop
Member of Congress

Orrin Hatch
U.S. Senator

Jason Chaffetz
Member of Congress

Mike Lee
U.S. Senator

Chris Stewart
Member of Congress

Mia Love
Member of Congress

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THE HOPI TRIBE

Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

September 30, 2014

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, D.C.

Senator Orin Hatch
104 Hart Senate Office Building
Washington, D.C. 20510

Senator Mike Lee
316 Hart Senate Office Building
Washington, D.C. 20510

Congressman Rob Bishop
123 Cannon Building
Washington, D.C. 20515

Congressman Jason Chaffetz
2464 Rayburn House Office Building
Washington, D.C. 20515

Congressman Jim Matheson
2211 Rayburn House Office Building
Washington, D.C. 20515

Congressman Chris Stewart
323 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. President, Senators and Congressmen,

On behalf of Hopi people, Hopisenom, I have the honor of providing the Hopi Tribe's support for the designation of the greater Cedar Mesa area including Alkali Ridge and Montezuma Canyon in southeastern Utah as a National Conservation Area or National Monument.

Pursuant to the enclosed Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to ancestral puebloan cultural groups in the greater Cedar Mesa area. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate your solicitation of our input and your efforts to address our concerns.

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *Màasaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, ancestral Hopi clans

traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuuwanasavi*, the Earth Center on the Hopi Mesas.

The land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant. The Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life.

The Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity. This landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship. As a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future. These lands are part of our ancestral lands. Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding.

We are fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all terrain vehicle use. We have encouraged the BLM to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a Century and continue to be looted today.

We appreciate the Friends of Cedar Mesa and National Trust for Historic Preservation for working with the Hopi Tribe and other tribes culturally associated to the area to develop proposals that will enhance the protection of cultural landscapes and the sites within them in San Juan County.

And therefore, the Hopi Tribe and Hopi Cultural Preservation Office supports Congressional action to designate the greater Cedar Mesa area as a National Conservation Area. Based on over century of looting and grave robbing, we also support a provision in the designation that provides for protection and preservation and avoidance of our ancestor's human remains. Such a designation could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses.

However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a National Monument before the end of this term.

Should you have any questions or need additional information, please contact Leigh Kuwanwisiwma, Director, Hopi Cultural Preservation Office at lkuwanwisiwma@hopi.nsn.us or 928-734-3611. Thank again you for your consideration.

Respectfully,

Herman G. Honanie, Chairman
THE HOPI TRIBE

FOR COMMITTEE USE ONLY

Alex Bitsinnie
President

Jamie R. Holgate
Vice-President

Ella Jean Badoni
Secretary/Treasurer

Lucille S. Krause
Grazing Committee Member

Jonathan Nez
Council Delegate

RESOLUTION OF THE NAVAJO MOUNTAIN CHAPTER OF THE NAVAJO NATION

RESOULUTION NO: NM05-309-2014

SUPPORTING THE EFFORTS OF UTAH DINE' BIKE' YAH, INC PURSUANT TO PROPOSED LAND DESIGNATION FOR A NATIONAL MONUMENT AND/OR NATIONAL CONSERVATION AREA WITHIN THE SOUTH EASTERN STATE OF UTAH AND IN SAN JUAN COUNTY OF THE STATE OF UTAH.

WHEREAS:

1. The Navajo Mountain Chapter is recognized as local government body of the Navajo Nation Government pursuant to 2.N.N.C., Section 4004; and vested with the authority to discuss all matters affecting the Navajo people and its nation; furthermore, pursuant to 2 N.N.C., Section 4028, (a) the local Navajo chapter is authorized to made recommend to appropriate entities to the Navajo Nation and other local agencies for appropriate relief or actions of the matters impacting; and

2. The Navajo people of Navajo Mountain, Utah are apart of the San Juan County residents just as their forefathers did for generations before them and according to the Federal laws they have unique political recognition whereby they are citizen of the Navajo Nation, San Juan County, the State of Utah and the United States America; and

3. By virtue of the Civil Rights Act, these Navajo people have the same and equal rights as other ethnic groups throughout the United States; therefore, their interest in the public land (Bureau of Land Management) is perpetual and dating back long before the discovery; and

4. Furthermore, the area of interest and proposed for land designation reflects a very high interest for the Native American people throughout the Colorado Plateau, more specifically, the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs and organic food gathering areas plus firewood gathering and grazing of livestock before Columbus sat foot on this continent and even before of the Treaty of 1886, between the Navajo people's Headmen and the Federal Government.

NOW, THEREFORE BE IT RESOLVED THAT:

The Navajo Mountain Chapter hereby supports the efforts of Utah Dine' Bike'yah, Inc pursuant to proposed land designation for a national monument and/or national conservation area within the south eastern State of Utah and in San Juan County of the State of Utah.

FOR COMMITTEE USE ONLY

CERTIFICATION

I, hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Navajo Mountain Chapter at Navajo Mountain, Navajo Nation (Utah) at which a quorum was present and the same was passed by a vote of 25 in favor, 00 opposed and 00 abstained on this 21 day of May, 2014.

Motion: Margaret Bitsinnie

Second: Clarita Drake

Alex Bitsinnie, President

Ella J. Badoni, Secretary /Treasurer

Jamie Holgate, Vice- President

Lucille Saganitso Krause

FOR COMMITTEE USE ONLY

All Pueblo Council of Governors

2401 12th Street NW Suite 200 N Albuquerque NM 87104

Officers
Governor E. Paul Torres, Chairman
Governor Arlen Quetawki, Vice Chairman
Governor Terry Aguilar, Secretary

Acoma
Cochiti
Isleta
Jemez
Laguna
Nambe
Ohkay Owingeh
Picuris
Pojoaque
San Felipe
Sandia
San Ildefonso
Santa Ana
Santa Clara
Santo Domingo
Taos
Tesuque
Ysleta Del Sur
Zia
Zuni

RESOLUTION

ALL PUEBLO COUNCIL OF GOVERNORS

RESOLUTION NO. APCG 2014-17

Support for the Protection of Cultural Resources and Sacred Sites on Public Lands in the Greater Cedar Mesa region

WHEREAS, the All Pueblo Council of Governors ("APCG") is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta del Sur, each having the sovereign authority to govern their own affairs;

WHEREAS, the purpose of the All Pueblo Council of Governors is to advocate, foster, protect, and encourage the social, cultural & traditional well-being of the Pueblo Nations; and

WHEREAS, through their inherent & sovereign rights, the All Pueblo Council of Governors will promote the language, health, economic, and educational advancement of all Pueblo people; and

WHEREAS, each APCG member is a federally recognized Pueblo Nation within the United States with the sovereign right to protect its traditional cultural properties and sacred sites, whether or not they are located within each pueblo's current exterior boundaries; and

WHEREAS, the protection of the traditional cultural properties and sacred sites of Pueblo people is paramount to each pueblo's cultural preservation now and into the future; and

WHEREAS, the greater Cedar Mesa region is located in southeast Utah and includes the Montezuma Canyon, the Indian Creek Corridor and Beef Basin; and

WHEREAS, the greater Cedar Mesa region includes hundreds of thousands of sites of vital importance to the pueblo peoples' identity and history, including villages, shrines, burials, rock paintings and etchings, ancestral dwellings, and ancient roads; and

WHEREAS, these ancestral sites are under constant threat of grave digging, cultural vandalism, looting of cultural sites, indiscriminate off-road vehicle use that damages areas sacred to Pueblo peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to traditional practices; and

WHEREAS, to prevent the rapid destruction of the lands in the Greater Cedar Mesa region, the Pueblos are seeking the formal and permanent protection mechanism, such as a National Conservation Area or a National Monument; and

WHEREAS, the APCG believes the Greater Cedar Mesa region needs to be a National Conservation Area or a National Monument because it will provide important consistency and

quality management of these lands and define standard principles of management, establish consultation with Native Americans, and emphasize the primacy of conservation and preservation of the region's cultural and natural resources; and

WHEREAS, through consultation and coordination with the APCG's member cultural preservation offices, or designated offices, APCG seeks to exercise administrative responsibilities to negotiate and enter into agreements with the necessary and proper entities which will ensure protection, preservation and management of these sacred ancestral sites and regions for the Pueblo people and its members; and

WHEREAS, while the APCG recognizes the important role of other tribes and groups in advocating for protection of the area, APCG's support of a designation for the greater Cedar Mesa area should not be perceived as support for any specific proposal for the area. Discussion of many details of management and boundaries are ongoing and the APCG intends to have an active voice in those discussions;

NOW, THEREFORE, BE IT RESOLVED THAT the All Pueblo Council of Governors supports the permanent, long-term protection of cultural resources and sacred sites on public lands in the Greater Cedar Mesa region through designation such as a National Conservation Area or a National Monument.

CERTIFICATION

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2014-17 was considered and adopted at a duly called council meeting held on the 19th day of November 2014, and at which time a quorum was present and the same was approved by a vote of 17 in favor, 0 against, 0 abstain, and 8 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By: _____
Governor E. Paul Torres, APCG Chairman

ATTEST:

_____
Governor Terry Aguilar, APCG Secretary

HUALAPAI TRIBAL COUNCIL
RESOLUTION NO. 06-2015
OF THE GOVERNING BODY OF THE
HUALAPAI TRIBE OF THE HUALAPAI RESERVATION
PEACH SPRINGS, ARIZONA

TITLE: Support for conservation of the Bear's Ears region to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Hualapai Tribe does hereby establish and submit the following resolution; and,

WHEREAS, the Hualapai Tribe recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the proposed *Bear's Ears National Conservation Area/ National Monument* is the ancestral home of many Southwestern Native American Tribes, including the Navajo, the Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah ●uray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the White Mountain and Jicarilla Apache Tribes, all of whom assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the proposed National Conservation Area/ National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the proposed Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions current inhabitants, is the proper management of the proposed Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the proposed National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons, which expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and paleontological resources, the proposed Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed Conservation Area/ Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-

vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

WHEREAS, the proposed National Conservation Area/ National Monument has been inhabited for greater than 12,000 years by multiple indigenous cultures, who utilized, traveled through, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. Other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. Perhaps the most intensive occupation of the proposed Conservation Area/ Monument lands was during the time that archaeologists have called the Formative Period (AD 100 – AD 1300), which resulted in very large numbers of archaeological sites ranging from small lithic scatters to large, highly complex village sites. The region continued to be occupied and utilized by the ancestors of present-day Southern Paiute, Ute, Navajo, Apache, and various Puebloan cultures for many centuries, up until modern times.

WHEREAS, the proposed Bear's Ears Conservation Area/ National Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the proposed Conservation Area/ Monument are: cultural, archaeological, wildlife, and natural & scenic resources. An essential aspect of the proposed Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places, and as sources of economic development; and

WHEREAS, Native American have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of southeastern Utah lands as a National Conservation Area/ Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- Protection will be a permanent part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of lands in southeastern Utah as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED, that the Hualapai Tribe extends its support for the Bear's Ears National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

I, the undersigned as Chairwoman of the Hualapai Tribal Council hereby certify that the Hualapai Tribal Council of the Hualapai Tribe is composed of nine (9) members of whom nine (9) constituting a quorum were present at a **Regular Council meeting** held on this **9th day of February 2015;** and that the foregoing resolution was duly adopted by a vote of **(9) in favor, (0) opposed;** pursuant to authority of Article V, Section (a) of the Constitution of the Hualapai Tribe approved March 13, 1992.

Sherry J. Counts, Chairwoman
HUALAPAI TRIBAL COUNCIL

ATTEST:

Adeline Crozier, Assist. Secretary
HUALAPAI TRIBAL COUNCIL

FOR COMMITTEE USE ONLY

The Legislative Branch
The Navajo Nation

LoRenzo Bates
Pro tem Speaker of the Navajo Nation Council

RESOLUTION OF THE
NAVAJO UTAH COMMISSION
OF THE NAVAJO NATION COUNCIL

NUCAUG-616-14

SUPPORTING CONSERVATION DESIGNATION TO PROTECT CULTURAL, HISTORICAL, AND NATURAL RESOURCES ON FEDERAL LANDS IN SAN JUAN COUNTY, UTAH

WHEREAS, the Navajo Utah Commission is a subunit of the Navajo Nation and hereby establish and submit the following resolution; and,

WHEREAS, the Navajo Utah Commission recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, National Conservation Area/ Monument is the ancestral home of many additional Southwestern Native American Tribes, including the Navajo, accompanied by the, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and

Navajo Utah Commission • P.O. Box 570 • Montezuma Creek, Utah 84534
Phone: 435-651-3508 • Fax: 435-651-3511

paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

WHEREAS, the National Conservation Area/ Monument has been inhabited for greater then 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the Conservation Area/ Monument lands was perhaps by the Formative Period Peoples, (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites.

WHEREAS, the Conservation Area/ Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the Conservation Area/ Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places and as sources of economic development; and

WHEREAS, Native American shave shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, the Greater Cedar Mesa region of southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in the Greater Cedar Mesa region important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of the Greater Cedar Mesa region as a national conservation area/ monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of the Greater Cedar Mesa region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Utah Commission hereby extends its support for a National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Tse Bonito, New Mexico at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstentions, this 13th day of August, 2014.

Herman Daniels, Jr., Chairperson
NAVAJO UTAH COMMISSION

MOTION: Herman Farley
SECOND: Brenda Brown

Council Delegates:
Davis Filfred
Kenneth Maryboy

Aneth Chapter

Aneth, (Navajo Nation) Utah

RESOLUTION OF
THE ANETH CHAPTER

AC-AUG-10-161

Chapter Officers:
John Billie, President
Bill Todachennie , Vice-President
Brenda Brown, Secretary/Treasurer
Calvin Thomas, Grazing Committee

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. Pursuant to 2 NTC Section 4002, The Aneth Chapter is a duly certified chapter of the Navajo Nation who has the power and authority to approve and rescind resolutions enacted thru its membership; and

2. Through the Established Plan of Operations, The Aneth Chapter delegates the authority to the Elected Chapter Officers to enact plans that are in the best interest of the community; and

3. The Aneth Chapter has the authority to act on behalf of its community to recommend, support, and approve community related projects; and

4. The Aneth Chapter has accept to support the announcement made by Utah State Senator, Bob Bennett on March 23rd, 2010, of the intention to pursue the creation of a Congressional Land-Use Bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and Monuments and the zoning of different regions of the county for protection and development; and

5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and

6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests; and

7. The Aneth Chapter accepts and approves this request, which was presented before the Aneth Chapter Membership in which a legal quorum was present.

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PAGE TWO OF ANETH CHAPTER RESOLUTION NUMBER: AC-AUG-10-161

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

NOW THEREFORE BE IT RESOLVED THAT;

1. The Aneth Chapter accepts and supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's Office on August 18, 2010.

2. The Aneth Chapter supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.

3. The Aneth Chapter supports the designation of current road less areas in San Juan County, Utah as wilderness.

4. The Aneth Chapter community members will identify motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that this forgoing resolution was duly considered by the Aneth Chapter Membership at a duly called meeting at which a quorum was Present and that an approval was passed with a vote of 26 in Favor, 3Opposed And 2 Abstained this 17 th Day, the Month of August, in the year 2010.

Motioned by: Mr. Davis Filfred
Seconded by: Mr. Robert Whitehorse

John Billie, Aneth Chapter President

Bill Todachennie, Aneth Chapter Vice-President

Brenda Brown, Aneth Chapter Secretary/Treasurer

Davis Filfred, Council Delegate

Kenneth Maryboy, Council Delegate

RESOLUTION OF THE OLIJATO CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. OLIJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

2. OLIJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

3. OLIJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and

5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and

6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the OLIJATO CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. The OLIJATO CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.

2. The OLIJATO CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.

3. The OLIJATO CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.

4. OLIJATO CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

FOR COMMITTEE USE ONLY

NOW THEREFORE BE IT RESOLVED THAT:

1. Oljato Chapter endorses the preparation of a "Short-Term Water System Improvements Project PER (PER Project) with accompanying Environmental investigation to support the funding and design of water system improvements; and
2. Oljato Chapter recommends that the PER Project be performed as an extension of Navajo Utah Chapters Regional Water Plan Study with San Juan County, Utah continuing to serve as contract administrator; and
3. The Oljato Chapter requests the use of the Navajo Revitalization Funds chapter allocation to fund the PER Project.

CERTIFCATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Oljato Chapter, Navajo Nation, at which a quorum was present ant that the same was passed by a vote of 50 in favor, 0 opposed, and 0 abstained, this 8th day of August, 2010.

Motioned By: Carl Holiday Seconded By: Frank Haycock

NAME, President

Shirley Benally, Sec/Treasure

Grazing Officer

Council Delegate

RED MESA CHAPTER

Red Mesa, Navajo Nation, Utah

Resolution RM- 011-08-09-10

RESOLUTION OF THE RED MESA CHAPTER SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS:

1. RED MESA CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

2. RED MESA CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

3. RED MESA CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and

5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and

6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the RED MESA CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. The RED MESA CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.

2. The RED MESA CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.

3. The RED MESA CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.

4. RED MESA CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

We hereby certify that the foregoing resolution was duly considered by the RED MESA CHAPTER at a duly called Regular meeting at Red Mesa Chapter , NAVAJO NATION, Utah, at which a quorum was present and that the same was passed by a vote of 31 in favor, 00 opposed, and 00 abstained, this 9th day of August, 2010.

Motioned by: Mr. Sam Dee Seconded by: Ms. Fannie Clark

Herman Farley, President

Kenneth Maryboy, Council Delegate

Doris J. Tsinnijinnie, Vice-President

Davis Filfred, Council Delegate

Marlene Dee-Ben, Secretary/Treasurer

FOR COMMITTEE USE ONLY

TEEC NOS POS CHAPTER GOVERNMENT

P. O. Box 106, Teec Nos Pos, Arizona, Navajo Nation 86514
Highway 160 BIA School Road #5114 Chapter Government Building
Telephone #928-656-3662 Facsimile #928-656-3661

TNPCH-42-01d

RESOLUTION OF THE TEEC-NOS-POS CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. **TEEC-NOS-POS CHAPTER** is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. **TEEC-NOS-POS CHAPTER** includes community members that live in San Juan County and depend on its federal lands and resources; and
3. **TEEC-NOS-POS CHAPTER** community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. **On March 23rd, 2010,** Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. **Senator Bennett's** office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. **The Utah Navajos** are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the TEEC CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. **TEEC-NOS-POS CHAPTER** supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on August 12, 2010.
2. **TEEC-NOS-POS CHAPTER** supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. **TEEC-NOS-POS CHAPTER** supports the designation of current roadless areas in San Juan County as wilderness.
4. **TEEC-NOS-POS CHAPTER** community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the TEEC CHAPTER at a duly called Regular meeting at Teec Nos Pos Chapter, NAVAJO NATION, Arizona, at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed, and 01 abstained, this 12 day of AUGUST, 2009. MOTION BY: Wallace Todacheeny SECOND BY: Elsie Dee

Roy Kady, President

John MacDonald, Sr., Vice President

Verma Francisco, Sec./Treas

Francis Redhouse, Council Delegate

Dale Redhouse, Grazing Officer

CHAPTER OFFICERS

Roy Kady PRESIDENT | John MacDonald, Sr. VICE PRESIDENT | Verma Francisco SECRETARY/TREASURER | Dale Redhouse GRAZING OFFICER

ADMINISTRATION:

Francis Redhouse COUNCIL DELEGATE | May Howard COMMUNITY SERVICE COORDINATOR | Susie Joe OFFICE SPECIALIST

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Herman Daniels Jr., President
Albert Holliday, Vice President
LaNell Menard-Parrish, Secretary/Treasurer
Shirlee A. Bedonie, CSC

Jonathan Nez, Council Delegate
Benedict Daniels, Grazing Official
Peggy Abrigo, AMS
Phone: 435-727-5850 Fax: 5852

Scanned & emailed
11/18/14 - sp

Oljato Chapter; PO Box 360455; Monument Valley, Utah 84536

RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ 11-15-2014

SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY, UTAH TO PROTECT DINE' RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS, OLJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

WHEREAS, OLJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

WHEREAS, OLJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, is a National Conservation Area/ National Monument proposal of 1.9 million acres in size and includes additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing intricately rich ecological systems, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants are the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, this region contains unsurpassed cultural and paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

FOR COMMITTEE USE ONLY

Ysleta del Sur Pueblo
TRIBAL RESOLUTION

TC-055-13
Pertaining to National Trust for Historic Preservation Implementation

WHEREAS, The Tribal Council (the "Council") of the Ysleta del Sur Pueblo (the "Pueblo"), is the duly constituted traditional governing body of the Ysleta del Sur Pueblo exercising all inherent governmental power, fiscal authority, and tribal sovereignty as recognized in sections 101 and 104 of the Act of August 18, 1987 (the Ysleta del Sur Pueblo Restoration Act), 101 Stat. 666, Public Law No. 100-89; and,

WHEREAS, the Pueblo has operated from time immemorial as a Native American political sovereign without organic or written constitution, charter, or by-laws; and,

WHEREAS, the Pueblo governs itself by oral tradition; and,

WHEREAS, the Council, has authorized the Governor or in his absence the Lieutenant Governor of the Pueblo to act for the Tribe in the signing of this resolution; and,

WHEREAS, the civil and criminal law authority of the Pueblo is vested in the Council consisting of the Cacique, Governor, Lt. Governor, Aguacil, War Captain and four (4) Council members; and,

WHEREAS, The Ysleta del Sur Pueblo is culturally affiliated with all known Puebloan groups including the 19 New Mexico Pueblos, the Hopi Tribe of Arizona, and all Ancestral Puebloan groups including so-called "Anasazi" peoples and sites.

WHEREAS, All Pueblos have a basis for claiming cultural affiliation from all Ancestral Pueblo sites in the San Juan region. As a Tanoan speaking group, Ysleta del Sur maintains the same oral traditions which states that Tanoan speaking groups lived in the Four Corners region centuries ago.

WHEREAS, Ysleta del Sur Pueblo supports the National Trust for Historic Preservation's Implementation of a Cultural Resourse Preservation and Land Management Plan in San Juan County, Utah.

WHEREAS, Ysleta del Sur Pueblo supports the Utah Navajo in its proposed creation of the Dine' Bikeyah National Conservation Area, and its efforts to protect cultural and biological resources.

NOW, THEREFORE, BE IT RESOLVED, by the Ysleta del Sur Pueblo Tribal Council as follows:

1. Accepts that all Pueblos have a basis for claiming cultural affiliation from all Ancestral Pueblo Sites in the San Juan Region. They support the National Trust for Historic Preservation Implementations of a Cultural Resource Preservation and Land Management Plan in San Juan County, UTAH; and, also support the UTAH Navajo's efforts to protect cultural and biological resources.

ADOPTED this the 5th day of November

CERTIFICATION

I, the undersigned, Governor/Lt. Governor of the Ysleta del Sur Pueblo hereby Certify that the Ysleta del Sur Pueblo Tribal Council at a meeting convened and held on the 5th day of November 2013, at the Ysleta del Sur Pueblo approved the foregoing Resolution, a quorum being presented, and that 8 voted for, 0 opposed, and 0 abstained.

YSLETA DEL SUR PUEBLO:

Frank Paiz
Tribal Governor

ATTEST:

Lory Granillo
Tribal Council Secretary

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EXHIBIT B

MEMORANDUM OF UNDERSTANDING

BETWEEN

UTAH DINE BIKE'YAH, A UTAH NON-PROFIT CORPORATION,

And

THE NAVAJO NATION DIVISION OF NATURAL RESOURCES

This Memorandum of Understanding (hereinafter referred to as "the MOU or "MOU") is entered into pursuant to 2 N.N.C. §§ 164(B) and 222 (A) by and between the Navajo Nation Division of Natural Resources ("Nation" or "Navajo Nation"), duly authorized and acting through its President, and Utah Dine Bike'yah, a Utah non-profit corporation ("Utah Dine Bike'yah"), duly authorized and acting through its Executive Director. The Navajo Nation Division of Natural Resources and Utah Dine Bike'yah are collectively referred to as "the Parties." The Parties reduce their understandings to writing as follows:

WHEREAS, the mission of the Navajo Nation Division of Natural Resources is to manage, protect, conserve and preserve the Navajo Nation's natural and cultural resources for the benefit of the Navajo People;

WHEREAS, the Navajo Nation Division of Natural Resources recognizes that Navajo ancestral lands, both within and beyond current Navajo Reservation boundaries, are important to the subsistence, health, and well-being of the Navajo people.

WHEREAS, the Navajo Nation Division of Natural Resources recognizes the importance of maintaining the ecological health and productivity of Navajo ancestral lands, within Navajo Indian Country as authorized by Navajo Nation and Federal laws;

WHEREAS, the Navajo Nation Division of Natural Resources recognizes the importance of engaging in land planning, and land management activities, pertaining to public land management and designation of Navajo ancestral lands;

WHEREAS, Utah Dine Bike'yah, as a legally recognized entity, a Utah non-profit corporation engaging in consulting services, is a respected non-profit organization dedicated to the formulation and accomplishment of conservation strategies.

WHEREAS, Utah Dine Bike'yah, completed state-of-the-art conservation assessment and assisted in the implementation development of these assessments through comprehensive, regional conservation strategies

in partnership with Federal, State, and County governments, non-governmental organizations , and local communities.

WHEREAS, Utah Dine Bike'yah, working in partnership with the Utah Navajo, have completed a cultural use inventory of Navajo ancestral lands on the public lands of San Juan County, Utah.

WHEREAS, the Parties agree that a collaborative approach to land planning on Public Lands adjacent to the Navajo Nation is mutually beneficial to ensure the best possible land management practices and land-use restrictions favorable to the Navajo Nation on the public and Navajo ancestral lands within San Juan County, Utah.

THEREFORE, be it resolved that:

1.0 PURPOSE

1.1 The purpose of this MOU is to provide a foundation for collaboration among the Parties in their collective efforts to develop and implement a long term regional conservation strategy, land-use designations, and co-management arrangements for the public and Navajo ancestral lands within San Juan County, Utah. Furthermore, this foundation will also foster greater institutional capacity for improved land management activities for Navajo Nation lands bordering said public lands and situated within the San Juan watershed.

2.0 PRINCIPLES

2.1 The Parties recognize and respect the jurisdiction of the Navajo Nation Division of Natural Resources as the senior authority.

2.2 The Parties acknowledge that successful efforts to develop and implement a long term, regional conservation strategy, land-use designations, and co-management arrangements demand an approach that balances cultural, social, and ecological values, and engages collaboration with federal, state and county authorities, non-governmental organizations, local communities, and other affected interests.

2.3 The Parties agree that maintaining and expanding the capacity of the Navajo Nation Division of Natural Resources is an essential component of a comprehensive conservation strategy for San Juan County and the San Juan River watershed.

3.0 SCOPE OF COLLABORATIVE EFFORTS

3.1 The Parties commit to develop a schedule of collaborative work to develop and implement a long term regional conservation strategy, land-use designation and co-management arrangements for the Navajo ancestral lands within San Juan County, Utah, as well as, to foster greater capacity for improved land management activities for Navajo Nation lands bordering said public lands, in particular those parcels within the San Juan River watershed. That work will include the following:

3.1.1 Joint planning sessions to clarify objectives, identify priorities, and determine tasks and responsibilities;

3.1.2 Utilization of Utah Navajo cultural use and biological assessment mapping to support proposed land use designations collected by Utah Dine Bike'yah;

3.1.3 Development and distribution of preferred land-use designations for San Juan County;

3.1.4 Investigation, development, and cost analysis of alternative public lands co-management arrangements;

3.1.5 Needs assessment of necessary expansion of institutional capacity for the Navajo Nation Division of Natural Resources to best fulfill current needs and to functionally operate within a co-management regime, which also considers acquisition of additional financial resources for added responsibilities;

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3.1.6 Actively seek and negotiate for legislative and administrative designation of developed land-use designation and preferred co-management arrangements;

3.1.7 Actively seek and develop long term funding mechanisms to implement land-use designations and carry out co-management arrangements.

3.2 The Parties agree that all activities conducted under this Agreement will be framed and managed to facilitate capacity building and sharing of technical knowledge and skills among all of the parties.

4.0 PROTOCOL AND RELATIONSHIPS

4.1 The Parties agree that all work shall be conducted to the highest professional and ethical standards.

4.2 The Parties agree to share information openly regarding their activities, and to create and maintain a climate of mutual trust and cooperation. The Navajo Nation information exchange is subject to the Navajo Nation Privacy and Access to Information Act. The Parties agree that no information will be released which may prejudice the privacy or protection of Native resources, except as required by applicable law. The Nation reserves the right to not disclose certain sensitive information.

4.3 The Parties agree that all work conducted will be in accordance with necessary authorizations.

4.4 The Parties commit to regular joint planning sessions to identify priorities, allocate resources, and clarify work plans, on a mutually agreed upon timetable.

5.0 COMMUNICATION

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5.1 None of the Parties shall make any representation or warranty on behalf of any other Party without approval in advance and under legal authorization.

5.2 Where consistent with other conditions outlined under this MOU, each Party may communicate with external interests regarding this collaborative initiative, as may be necessary, and, for the Navajo Nation, as authorized by the laws of the Navajo Nation.

5.3 Each Party shall identify an individual to act as their lead representative to facilitate communication among the Parties.

6.0 FUNDING AND RESOURCES

6.1 Contributions from or through Utah Dine Bike'yah for collaborative work, as set out above, shall include:

6.1.1 Foundation funding to support the work of Utah Dine Bike'yah;

6.1.2 Contributions from Utah Dine Bike'yah to the Navajo Nation Division of Natural Resources to support staff time and logistical activities (details for these contributions to be set out through specific contracts);

6.1.3 In-Kind contributions of staff time and logistical support from the Navajo Nation Division of Natural Resources, as available.

6.2 The Parties commit to work together to attract additional resources to support their Efforts:

6.2.1 The Parties agree to collaborative fundraising efforts only as authorized by the laws of the Navajo Nation and the United States, including the various provisions of the Navajo Nation Ethics in Government Act.

6.2.2 Fundraising efforts by Utah Dine Bike'yah targeted at organizations, individuals, and foundations will be with the full knowledge of the Navajo Nation Division of Natural Resources.

7.0 CONFLICT RESOLUTION

7.1 Mutually agreed measures will be used to resolve any disputes among the Parties. Such measures may include impartial facilitation of discussions.

8.0 GENERAL TERMS

8.1 Keeping with the intent of this MOU, the parties agree that:

8.1.1 This MOU is effective from the date of the last Party signing.

8.1.2 The Parties will act in good faith for the implementation of this MOU.

8.1.3 The MOU will be reviewed from time to time and may be amended at any time by mutual consent of the Parties.

8.1.4 Nothing in this MOU shall encumber or fetter the mandates, authority, or responsibilities of either party in any way, or create legally binding obligations between the Parties or their respective members.

8.1.5 A Party will provide not less than 30 days written advance notice of a decision to propose amendments to this MOU, and not less than 90 days of a decision to unilaterally withdraw from this MOU.

8.1.6 All Navajo Nation commitments are subject to available funding pursuant to 2 N.N.C. § 223.

8.1.7 Nothing contained in this MOU waives, nor shall it be construed to waive, the sovereign immunity of the Navajo Nation.

NAVAJO NATION

BY: _____ DATE: DEC 19 2014

Ben Shelly, President
Office of the President/Vice-President

UTAH DINE BIKE'YAH

BY: _____ DATE: January 8, 2015

Willie Greyeyes
Chairman

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Document No. 003123 Date Issued: 11/24/2014

SECTION 164 REVIEW FORM

Title of Document: MOA UtahDineBikeyah and NNDNR Contact Name: JEFF, SHARILENE

Program/Division: DIVISION OF NATURAL RESOURCES

Email: sjeff27@gmail.com Phone Number: 928-871-6592

Division Director Approval for 164A: _____

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

			Sufficient	Insufficient
☐ **Statement of Policy or Positive Law:**				
1. OAG:		Date:	☐	☐
☐ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**				
1. OMB:		Date:	☐	☐
2. OOC:		Date:	☐	☐
3. OAG:		Date:	☐	☐

Section 164(B) Final approval rests with the President of the Navajo Nation

☐ **Grant/Funding Agreement or amendment:**				
1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐
☐ **Subcontract/Contract expending or receiving funds or amendment:**				
1. Division:		Date:	☐	☐
2. BRD:		Date:	☐	☐
3. OMB:		Date:	☐	☐
4. OOC:		Date:	☐	☐
5. OAG:		Date:	☐	☐
☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**				
1. Division:	Robert A. Gm	Date: 12/1/14	☒	☐
2. OAG:		Date: 12/2/14	☒	☐
☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**				
1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐

Pursuant to 2 N.N.C. § 164 and Executive Order Number 07-2013

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NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

RECEIVED
DEC - 1 2014
DEPARTMENT OF JUSTICE
RECEPTIONIST DESK

DOJ
12/01/14 2:49pm
DATE / TIME
☑ 7 Day Deadline
DOC #: 003123
SAS #:
UNIT: NRU

☐ RESUBMITTAL

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: 12-01-14
ENTITY/DIVISION: Natural Resources
CONTACT NAME: Sherilene Jeff
DEPARTMENT: Administration
PHONE NUMBER: 928 871 6592
E-MAIL: (b) (6) [redacted]

TITLE OF DOCUMENT: Moab Utah Dirt Bike yrd. and NNDNR.

DOJ SECRETARY TO COMPLETE

RECEIVED
DEC 1 2014
DEPARTMENT OF JUSTICE
NATURAL RESOURCES UNIT

DATE/TIME RECEIVED: 12.01.14 4:00pm
REVIEWING ATTORNEY/ADVOCATE: Brittan Becker 12-10-14
DATE/TIME TO UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

legally sufficient so long as ~~Redline~~ ~~Edits Marked~~ retyped to include edits noted on the MOU

REVIEWED BY: (*PRINT*)	DATE / TIME	SURNAMED BY: (*PRINT*)	DATE / TIME
		Becker	12/2/14 5pm

DOJ Secretary Called: Elouise Watchman for Document Pick Up on 12/3/14 at 9am By: AG

PICKED UP BY: (*PRINT*) DATE / TIME:

NNDOJ/DRRF-July 2013

COMPLETED

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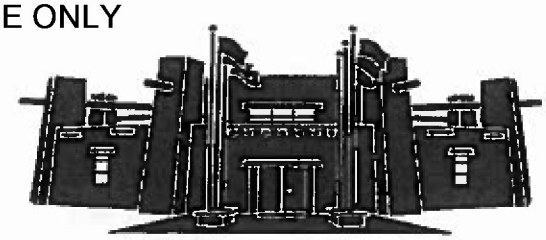
Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

To : Honorable Walter Phelps
Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters

From : Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

Date : February 20, 2015

Re : PROPOSED STANDING COMMITTEE RESOLUTION, AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

Thank you for your service to the Navajo Nation.

15-240-1

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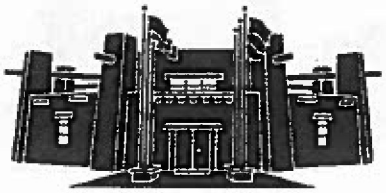
LEGISLATIVE BRANCH
NAVAJO NATION



HONORABLE LORENZO C. BATES
Speaker, 23rd Navajo Nation Council

February 24, 2015

MEMORANDUM

TO : *Honorable* Members
Resources and Development Committee
Naabik'iyati' Committee

FROM : 2/25
Hon. LoRenzo C. Bates, *Speaker*
23rd Navajo Nation Council

SUBJECT : **ASSIGNMENT OF LEGISLATION**

Pursuant to 2 N.N.C § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Resources and Development Committee and Naa'bik'iyati' Committee;

Legislation No. 0076-15

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAA'BIK'IYATI' COMMITTEE; SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

As the Committee assigned to consider the legislation, Legislation No. 0076-15 must be placed on the Resources and Development Committee and the Naa'bik'iyati' Committee's agenda at the next regular meeting for final consideration.

ATTACHMENT: Legislation No. 0076-15

xc: Hon. Ben Shelly, *President*
The Navajo Nation
Harrison Tsosie, *Attorney General*
Mark Grant, *Controller*
Dominic Beyal, *Executive Director, OMB*
Honorable Walter Phelps, Council Delegate (*Prime Sponsor*)

OFFICE OF THE SPEAKER – NAVAJO NATION LEGISLATIVE BRANCH
POST OFFICE BOX 3390 / WINDOW ROCK, ARIZONA 86515 / T: (928) 871-7160 F: (928) 871-7255

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0076-15____ **SPONSOR: Walter Phelps**

TITLE: An Action Relating To the Resources and Development Committee and the Naa'bik'iyati' Committee; Supporting the Utah Dine; Bikeyah Conservation Proposal for the Federal Designation of the Bear's Ears National Conservation Area/National Monument in San Juan County, Utah, to Protect Native Rights and Interests on Native Lands for Future Generations

***Date posted*: February 25, 2015 at 12:06pm**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

1st Report

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0076-15

SPONSOR: Honorable Walter Phelps

TITLE: Relating To Resources and Development Committee and the Naa'bik'iyati' Committee; Supporting the Utah Dine; Bikeyah Conservation Proposal for the Federal Designation of the Bear's Ears National Conservation Area/National Monument in San Juan County, Utah, to Protect Native Rights and Interests on Native Lands for Future Generations.

Posted: February 25, 2015 at 12:06 pm

5 DAY Comment Period Ended: March 2, 2015

Digital Comments received: *No comments were received.*

Marie M Allison
Policy Analyst
Office of Legislative Services

3/3/15 8:50am
Date/Time

RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL

FIRST YEAR 2015

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

> **Legislation # 0076-15:** An Action Relating to Resources and Development Committee and the Naabik'íyáti' Committee; Supporting the Utah Dine Bikeyah Conservation Proposal for the Federal Designation of Bear's Ears National Conservation Area/National Monument in San Juan County, Utah, to Protect Native Rights and Interests on Federal Lands for Future Generations. (Sponsor: Walter Phelps, Co-Sponsor: Davis Filfred)

Has had it under consideration and report the same with a **PASS** with the no amendment and thereafter referred to the Naabik'íyáti' Committee.

Respectfully submitted,

Alton Joe Shepherd, Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Date : March 3, 2015
Motion: Davis Filfred
Second: Benjamin Bennett
Vote : 4-0
(Chair not voting)

Utah Diné Bikéyah

Bear's Ears

A Proposed National Conservation Area/ National Monument

SHASH-JAÁ-BAA-ÁHÓLYÁ

PROTECT BEARS EARS

An Initiative of the Navajo Nation and Utah Diné Bikéyah

In February 2010 former Utah Senator Bob Bennett invited Utah Navajo residents to develop a proposal on issues such as wilderness, conservation, and development of public lands in San Juan County, Utah. An assessment was carried out under the authority of all seven Navajo Chapter Houses in Utah that built on interviews with dozens of elders and medicine men. The initial result of this work was the creation of a "Navajo Lands of Interest" map that was widely circulated among Navajo communities and elected officials on and off reservation. This map was the basis of subsequent discussions between the Navajo Nation and San Juan County aimed at developing a shared legislative proposal to advance to Congressman Bishop. Today, more than two years after formal discussions began, and eighteen months after submitting the Bear's Ears proposal, the Navajo Nation is still waiting for a San Juan County response.

In April 2013, the Navajo Nation and the Utah Diné Bikéyah organization proposed the creation of the 1.9 million acre Bear's Ears National Conservation Area and wilderness designations. This approach provides the best management for a diversity of uses, while directing resources towards priority cultural and biological resource protection. To honor our deep history in this region, we are also proposing that the Navajo Nation, other Tribes, and Utah Diné Bikéyah have a formal role in planning and managing the Bear's Ears National Conservation Area/ National Monument.

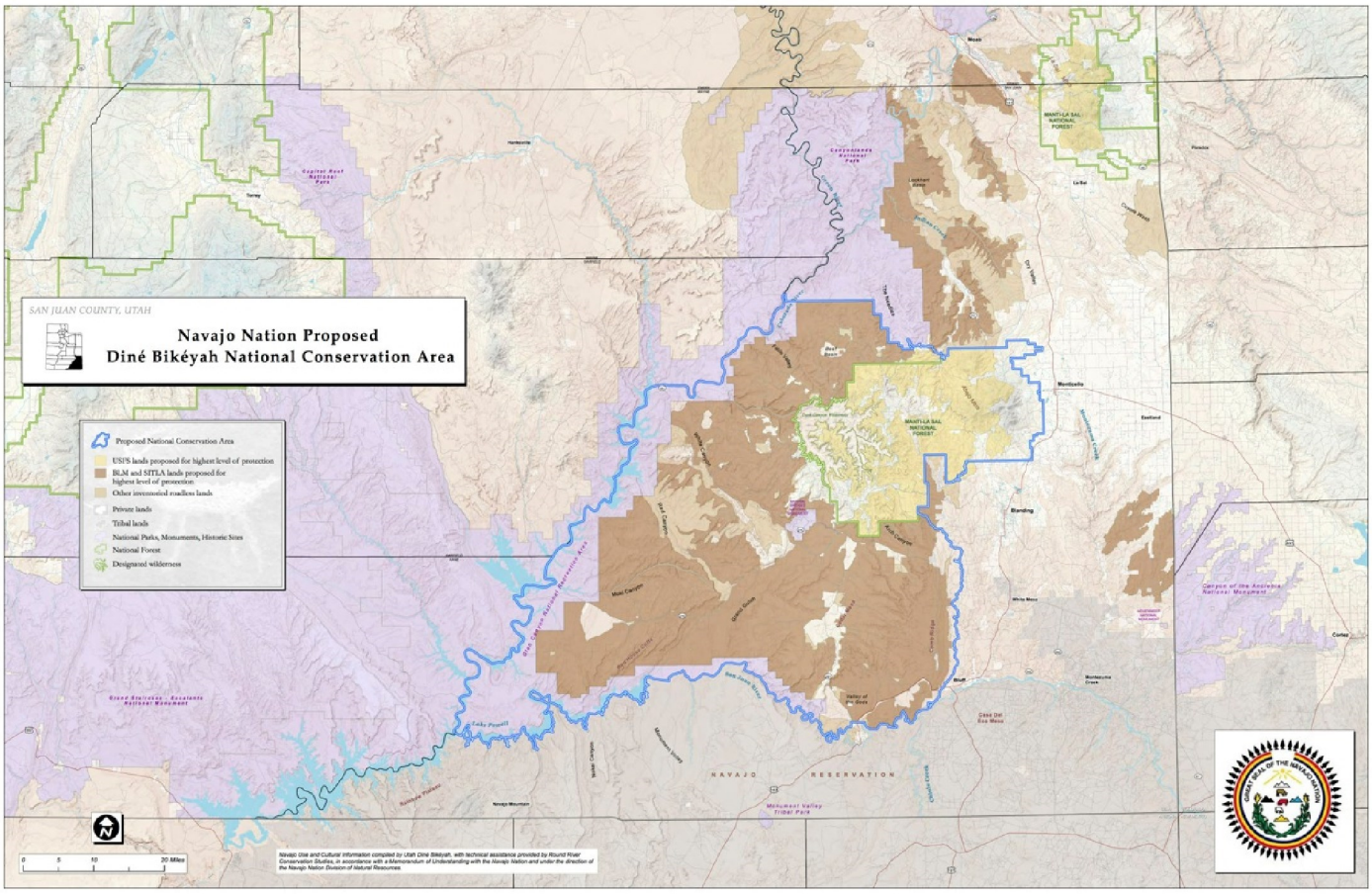
This region has been used by Native People for millennia, contains some of our country's richest archaeological sites and continues to serve as a pilgrimage site for many tribal members due to its historical significance. It is significant as the birthplace of Navajo Headman Manuelito and as the former center of civilization for many modern day Pueblo

Nations, including the Hopi. The Navajo Nation and Utah Diné Bikéyah organization have proposed this conservation region be set aside to protect traditional activities and sacred places to include Cedar Mesa, White Canyon, Dark Canyon, Comb Ridge, Nokai Dome, Abajo Peak, Ruin Park, the San Juan River, and Comb Ridge.

As part of Congressman Bishop's Eastern Utah Land-Use Initiative several Tribal Nations and Navajo Chapter Houses have been adopting resolutions of support for the Bear's Ears proposal. The Hopi Tribe and All Pueblo Council of Governors have endorsed protection for the region, and all seven Navajo Chapter Houses in Utah have taken supportive action. Most recently Utah Navajo communities have come together at eight Town Hall meetings where they discussed the proposal and hand-wrote nearly 400 public comments that were submitted to San Juan County on November 30th. 64% of the total responses during the public process that ended requested designation of the Bear's Ears NCA/NM and wilderness.

Utah Navajo People have been actively advancing protection for this region for nearly five years and continue to educate and involve all US citizens who hold interests in these lands. Native American Tribes have seldom had their voices hear in the debate over public lands and it is time to recognize the depth of history and intergenerational stewardship exhibited by Tribes across these landscapes. Protection is welcome whether through Congressional or administrative action. Local people are determined to take action to make this happen and we hold out hope that one day soon our voices will finally be heard.

Ahyéhé- Thank you.



Utah Diné Bikéyah, 501(c)3 non-profit organization
utahdinebikeyah@gmail.com
Phone: (801) 521-7398

Conversation Contents

Utah Dine Bikeyah Letter

Attachments:

/301. Utah Dine Bikeyah Letter/1.1 UDB Letter to BLM 1-12-15.pdf

Dine Bikeyah <utahdinebikeyah@gmail.com>

From:	Dine Bikeyah <utahdinebikeyah@gmail.com>
Sent:	Mon Jan 12 2015 11:00:18 GMT-0700 (MST)
To:	Neil G Kornze <nkornze@blm.gov>
Subject:	Utah Dine Bikeyah Letter
Attachments:	UDB Letter to BLM 1-12-15.pdf

Dear Director Kornze,
Please find a letter attached below from Utah Diné Bikéyah Chairman Willie Grayeyes requesting your involvement in setting up a meeting amongst Tribes for the Bear's Ears conservation proposal. Thanks and please feel free to contact me if you have any questions.

Sincerely,

Gavin Noyes

Utah Dine Bikeyah
314 W 300 S, Suite 225
SLC, UT 84101
801-521-7398
www.utahdinebikeyah.org

FOR COMMITTEE USE ONLY

Utah Diné Bikéyah

January 12, 2015

Director Neil Kornze
Bureau of Land Management
1849 C Street NW, Rm. 5665
Washington, DC 20240

Dear Director Kornze,

On December 8th, 2014, members of Utah Diné Bikéyah and the Navajo Nation met with Secretary Jewell and her staff in her offices in Washington. We were there to educate the Secretary on our efforts to protect the Bear's Ears region in southeastern Utah.

For more than four years, we have been pursuing a conservation designation for approximately two million acres in San Juan County. This region stretches from Indian Creek in the north to the Abajo Mountains of the Manti-La Sal National Forest, south to lands east of Comb Ridge and west to the canyons that drain into the Colorado and San Juan Rivers.

This region has enormous significance to the Navajo and many other tribes. These lands contain our heritage, are where we find our medicines and conduct spiritual ceremonies and are the resting place of our ancestors. We have made great efforts to identify, through wildlife science and elder knowledge, a proposal that honors Native American beliefs and interests. We have shared our proposal with elected officials in Utah and we remain committed to participating in an open, respectful and transparent legislative process. Thus far, we have found it difficult to have Navajo and other tribal interests accorded the proper attention and respect that our issues warrant at the local level, and this causes us great concern that a fair legislative outcome is possible.

At the meeting with Secretary Jewell, we requested support from her department to convene Tribes, hear our interests in the Bears Ears proposal, understand its significance to our heritage and ensure tribal participation in future management. I am therefore writing to ask you, as the BLM Director, to convene tribal representatives, hear our concerns and work with us to ensure that these concerns are accurately reflected in ongoing discussions about the future of Bears Ears.

Ideally, a meeting in the Four Corners region no later than mid-March would maximize tribal participation and ensure that legislative efforts do not proceed quickly without accurate and fair tribal engagement. We stand ready to help you with recruitment of appropriate tribal voices so that participation reflects the broad diversity of Native voices with strong connections to the Bears Ears.

Thank you for your prompt attention to this matter.

Sincerely,

Willie Grayeyes

FOR COMMITTEE USE ONLY

Conversation Contents

Letter to the President Requesting a Bears Ears National Monument from 18 Leading Preservation and Cultural Resource Groups

Attachments:

/67. Letter to the President Requesting a Bears Ears National Monument from 18 Leading Preservation and Cultural Resource Groups/1.1 Bears Ears Letter from Cultural Resources Groups 11-30-2016 (002).pdf

Tom Cassidy <TCassidy@savingplaces.org>

From:	Tom Cassidy <TCassidy@savingplaces.org>
Sent:	Wed Nov 30 2016 10:47:16 GMT-0700 (MST)
To:	Nicole Buffa <Nicole_buffa@ios.doi.gov>, Neil Kornze <neil_kornze@blm.gov>
Subject:	Letter to the President Requesting a Bears Ears National Monument from 18 Leading Preservation and Cultural Resource Groups
Attachments:	Bears Ears Letter from Cultural Resources Groups 11-30-2016 (002).pdf

Nikki and Neil,

I am pleased to transmit a letter to the President from 18 leading preservation and cultural resource organizations requesting the President to exercise his Antiquities Act authority and proclaim a Bears Ears National Monument this year. This is a significant expression of support from our community.

If you or your staff have any questions, 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

FOR COMMITTEE USE ONLY

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National Trust for Historic Preservation ◊ Archaeological Conservancy ◊ Friends of Cedar Mesa
American Anthropological Association ◊ Archaeological Institute of America ◊ Archaeology Southwest
California Preservation Foundation ◊ Colorado Plateau Archaeological Alliance ◊ Colorado Preservation, Inc.
Crow Canyon Archaeological Center ◊ National Association of Tribal Historic Preservation Officers
Nevada Preservation Foundation ◊ Providence Preservation Society ◊ Site Steward Foundation
Society for American Archaeology ◊ Society for Historical Archaeology
Utah Rock Art Research Association ◊ Washington Trust for Historic Preservation

November 30, 2016

The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

We urge you to proclaim a Bears Ears National Monument this year.

Bears Ears is one of the most significant cultural landscapes in the United States. It contains more than 100,000 cultural and archaeological sites associated with the Navajo, Ute, Hopi, and Pueblo people who consider this region their homeland. The 1.9 million acres of public lands south and east of Canyonlands National Park include Ice Age hunting camps, cliff dwellings, prehistoric villages and petroglyph and pictograph panels that tell the diverse stories of 12,000 years of human habitation.

Despite its vast cultural significance, inadequate legal protections and insufficient funding have resulted in the degradation and destruction of these archaeological treasures from illegal looting, mismanaged recreational use, and inappropriate energy development. The designation of this new national monument, including adequate funding, will provide the enhanced protections required to protect this national treasure.

Several of the organizations who have signed this letter have been actively engaged in the Public Lands Initiative legislative process. However, it now appears unlikely that Congress will put forth a bill that has the broad based bi-partisan support necessary to become law.

The Antiquities Act was enacted in 1906 in order to provide protection for objects of historic and scientific interest from appropriation, excavation injury or destruction. Our groups represent a broad range of national, regional and local organizations dedicated to the preservation of cultural and archaeological resources. With great enthusiasm we request that you use your authority under the Antiquities Act to protect this world class yet unprotected landscape by designating a Bears Ears National Monument.

If you have any questions, please contact Tom Cassidy, Vice President, Government Relations and Policy at the National Trust for Historic Preservation, at tcassidy@savingplaces.org or (202) 588-6078.

Sincerely,

National Trust for Historic Preservation
American Anthropological Association
Archaeological Conservancy
Archaeological Institute of America
Archaeology Southwest
California Preservation Foundation
Colorado Plateau Archaeological Alliance
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Washington Trust for Historic Preservation

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Conversation Contents

Denver Post OpEd (Udall): Still time for President to save Bears Ears

Jessica Kershaw <jessica_kershaw@ios.doi.gov>

From:	Jessica Kershaw <jessica_kershaw@ios.doi.gov>
Sent:	Mon Nov 21 2016 09:56:54 GMT-0700 (MST)
To:	Nicole Buffa <nikki_buffa@ios.doi.gov>, Laura Pardue <lpardue@blm.gov>, Neil Kornze <nkornze@blm.gov>, Kelly Kate <kate_kelly@ios.doi.gov>, Interior Press <interior_press@ios.doi.gov>, Janice Schneider <janice_schneider@ios.doi.gov>, Steven Ellis <sellis@blm.gov>, Matthew Allen <mrallen@blm.gov>, Sarah Neimeyer <sarah_neimeyer@ios.doi.gov>, Felipe Mendoza <felipe_mendoza@ios.doi.gov>, Maria Najera <maria_najera@ios.doi.gov>, John Blair <john_blair@ios.doi.gov>
Subject:	Denver Post OpEd (Udall): Still time for President to save Bears Ears

Denver Post OpEd (Udall): Still time for President Obama to save Bears Ears

By **MARK UDALL**
November 19, 2016 at 5:01 pm

Rick Bowmer, AP File
U.S. Interior Secretary Sally Jewell looks from Dead Horse Point during a tour Thursday, July 14, 2016, near Moab, Utah. Jewell visited the area to meet with proponents and opponents

Sent from my iPhone

the latest indication the Obama administration is giving serious consideration to the “Bears Ears” monument proposal.

For more than a century, our nation has been inspired to preserve our

national heritage — from the Statue of Liberty to Rocky Mountain National Park. This conservation ethic, which encapsulates our roots, values, and history as Americans, has inspired great leaders, from Theodore Roosevelt to Barack Obama, to protect sites that link us to our past as well as inform our national character.

The president has a rare opportunity to advance this proud tradition by protecting a spectacular area critical to our western heritage: Bears Ears, a 1.9 million-acre area in southern Utah replete with thousands of historic and cultural sites.

President Obama has already demonstrated his commitment to preserving and protecting unique public treasures for generations to come. He did so with Chimney Rock in southwest Colorado and again with Browns Canyon in Chaffee County. I was proud to champion both bipartisan efforts to protect these landscapes for future generations.

The president now has the chance to preserve lands vital to our nation's heritage and history with the support of five Native American tribes whose heritage is memorialized in this area. He should utilize the Antiquities Act to protect the Bears Ears region in southeast Utah — a site that represents our western pioneering history and that of the tribal communities across the region, including the Ute Mountain Ute Tribe.

Numerous Native American tribes trace their roots to Bears Ears. In fact, the strongest voices in favor of a designation have come from the Ute Mountain Ute, Hopi, Navajo, Uintah and Ouray Ute, and Zuni tribes. The site also is home to artifacts from

pioneers who made a home in the American West.

One of the prominent natural features in the landscape is Jacob's Chair, named after my great-great grandfather, Jacob Hamlin, who was known as the Mormon Pathfinder. Hamlin spent his life working tirelessly to resolve conflicts that arose between the newly arrived settlers and the deeply rooted Native American tribes and bands already living in the area. His vision encompassed a future where both groups lived and worked together collaboratively, respecting each other's traditions and beliefs, and living in harmony with the land. A Bears Ears National Monument would be a 21st century investment in that vision.

Protecting Bears Ears through the Antiquities Act would also honor the origins and intent of the 1906 law. That year Congress, recognizing the harm of unauthorized looting of artifacts from places like Mesa Verde in the late 19th century and early 20th century, gave presidents the power to protect sites with significant archeological and historical significance. Bears Ears, which contains more than 100,000 sensitive archeological sites, is emblematic of this tradition.

Although there has been some vocal opposition to creating a Monument, I believe the president can move forward in a way that enhances public access while also providing critical protections to the area's historical sites. The president did that in early 2015 with his designation of Browns Canyon, which remains an accessible and widely enjoyed landscape.

The president should tailor this

monument designation in a way that keeps faith with the tribes' history in the area. The designation should create a significant role in collaboratively managing this area and preserving it for future generations.

I was raised to believe and live by the maxim that we don't inherit the earth from our parents — we borrow it from our children. That compact with future generations relies on the judgment of today's leaders to ensure that our public lands and historical sites endure.

President Obama should act before he leaves office to honor and protect the extraordinary living history of the Bears Ears region for our children and all future generations.

Mark Udall represented Colorado in the U.S. Senate from 2009 to 2015 and in the U.S. House of Representatives from 1999 to 2009.

Conversation Contents

Fwd: Bears Ears Coalition Letter - November 18 2016.pdf

Attachments:

/69. Fwd: Bears Ears Coalition Letter - November 18 2016.pdf/1.1 Bears Ears Coalition Letter - November 18 2016.pdf
/69. Fwd: Bears Ears Coalition Letter - November 18 2016.pdf/1.2 ATT00001.htm

"Ferguson, Fred" <Fred.Ferguson@mail.house.gov>

From:	"Ferguson, Fred" <Fred.Ferguson@mail.house.gov>
Sent:	Sat Nov 19 2016 20:16:44 GMT-0700 (MST)
To:	Nikki Buffa <nicole_buffa@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, "jwhitloc@blm.gov" <jwhitloc@blm.gov>, Tommy Beaudreau <Tommy_Beaudreau@ios.doi.gov>
Subject:	Fwd: Bears Ears Coalition Letter - November 18 2016.pdf
Attachments:	Bears Ears Coalition Letter - November 18 2016.pdf ATT00001.htm

FYI - I know Pat has been engaging you guys. Wanted to make sure you saw our recent correspondence.

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

Begin forwarded message:

From: "Ferguson, Fred" <Fred.Ferguson@mail.house.gov>
Date: November 19, 2016 at 22:15:23 EST
To: "pas@patrickashea.com" <pas@patrickashea.com>
Subject: Bears Ears Coalition Letter - November 18 2016.pdf

Hey Pat,

Great hearing from you. This letter is not public nor is the November 2 letter. But I wanted you to be aware. We cannot move forward without the tribal input

they agreed to provide during our Nov 2 meeting. As you know a bill has very little chance of success when tribes oppose. This is why we've been working so hard to bring them back to the table.

Thanks for what you do.

Best,
Fred

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Congress of the United States

Washington, DC 20510

November 18, 2016

To the Co-Chairmen and Members of the Bears Ears Inter-Tribal Coalition,

The November 2, 2016 meeting involving the Bears Ears Inter-Tribal Coalition and our offices was very productive. We were grateful for the time of the Coalition members who were able to attend. We look forward to continued dialogue as proposals are put forward concerning the Bears Ears region of Utah.

Following up on the conversations we had during our meeting, we are writing to formally request draft legislative language that would implement an equitable co-management system for the Bears Ears region. It has been widely reported that co-management cannot be achieved through an Antiquities Act designation. We believe the congressional process can craft a meaningful co-management plan in which the Tribes are made equal to other participants.

We are committed to finding legislative solutions to the various land designation and management challenges facing the Bears Ears region of San Juan County, Utah. Open dialogue and communication will ensure that all points of view, options, and solutions are considered.

We look forward to hearing from you and stand ready to work together.

Sincerely,

Orrin Hatch
United States Senator

Rob Bishop
United States Representative

Mike Lee
United States Senator

Jason Chaffetz
United States Representative

Union Calendar No.

114TH CONGRESS
2D SESSION

H. R. 5780

[Report No. 114–]

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

NOVEMBER --, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 14, 2016]

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''.

SEC. 2. TABLE OF CONTENTS.

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. Definitions.
Sec. 203. Map and legal description.
Sec. 204. Administration of National Conservation Areas.
Sec. 205. General provisions.
Sec. 206. Additional purpose for Docs Valley, Stone Bridge Draw, Stuntz Draw, Beach Draw, and Diamond Mountain National Conservation Areas.
Sec. 207. 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.

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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.

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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 management.
Sec. 811. Red Mountain Recreation Zone management.
Sec. 812. Devils Hole Recreation Zone management.
Sec. 813. Bourdette Draw Recreation Zone management.
Sec. 814. Red Wash Recreation Zone management.
Sec. 815. Recapture Canyon.
Sec. 816. 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.

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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. Definition.
Sec. 102. Public Lands Initiative Planning and Implementation Advisory Committee.

DIVISION D—BEAR EARS NATIONAL CONSERVATION AREA

TITLE I—BEAR 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.

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 in-

clude 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.

(a) 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 September 19, 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 452,204 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 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 September 19, 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 Sep-

tember 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 dated September 19, 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 September 19, 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 September 19, 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 dated September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 de-

picted on the Utah PLI Wilderness Map dated September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 dated September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 September 19, 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 comprising approximately 6,562 acres, as generally depicted on the Utah PLI Wilderness

Map dated September 19, 2016, which shall be known as the ''Indian Creek Wilderness''.

(41) STEER GULCH.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 25,094 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Steer Gulch Wilderness''.

(b) PREVIOUS LAND USE.—The previous land use 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.—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, the Committee on Agriculture, Nutrition, and Forestry of the Senate, 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 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).

(d) LIVESTOCK.—

(1) GRAZING.—The grazing of livestock in each wilderness area, if established before the date of enactment of this Act, shall continue, subject to reasonable rules and regulations as prescribed by the relevant Secretary, in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) 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).

(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 and Food shall be given consideration by the relevant Secretary to establish historic grazing areas, locations, or use.

(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 to the extent necessary to realize the recreational and 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 access to the property.

(g) WILDLIFE WATER DEVELOPMENT PROJECTS.—The relevant Secretary shall allow existing water structures and facilities for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title.

(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.).

SEC. 104. WATER RIGHTS.

(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.

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.

SEC. 108. ACQUISITION OF LAND AND INTERESTS IN LAND.

(a) ACQUISITION.—

(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 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 to, and administered as part of the wilderness area.

SEC. 109. WILDERNESS RELEASE.

(a) 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 September 19, 2016, have been adequately studied for wilderness designation—

(1) the 43,322-acre area known as Winter Ridge Wilderness Study Area;

(2) the 7,051-acre area known as Jack Canyon Wilderness Study Area;

(3) the 6,557-acre area known as Squaw and Papoose Wilderness Study Area;

(4) the 38,242-acre area known as Desolation Canyon Wilderness Study Area included within the Desolation Canyon Special Management Area as designated by title IV of this Division and as depicted on the map;

(5) the 2,516-acre area known as Daniels Canyon Wilderness Study Area; and

(6) the 945-acre area known as Cross Canyon Wilderness Study Area.

(b) RELEASE.—Any land managed by the Bureau of Land Management within the areas described in subsection (a) that is not designated as wilderness by this title—

(1) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(2) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(3) shall no longer be subject to Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

SEC. 110. AIRSHEDS.

(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 to by the State of Utah under existing authorities.

(b) EXCEPTIONS.—The lands within the wilderness designated by section 101(27) and (28) 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 September 16, 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 Coun-

ty as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 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 September 16, 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 September 16, 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 September 16, 2016, to be known as the ''Stuntz Draw National Conservation Area''.

(6) SAN RAFAEL SWELL.—Certain Federal land, comprising approximately 530,380 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 September 16, 2016, to be known as the ''San Rafael Swell National Conservation Area''.

(7) LABYRINTH CANYON.—Certain Federal land, comprising approximately 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 September 16, 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 dated September 16, 2016, to be known as the ''Muddy Creek National Conservation Area''.

(9) COLORADO RIVER.—Certain Federal land, comprising approximately 166,949 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 September 16, 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 dated September 16, 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 September 16, 2016, to be known as the ''San Rafael River National Conservation Area''.

SEC. 202. DEFINITIONS.

In this title:

(1) MANAGEMENT PLAN.—The term ''management plan'' means the management plans for each National Conservation Area developed by the relevant Secretary under section 204.

(2) 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 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, the Committee on Agriculture, Nutrition, and Forestry of the Senate, 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.

(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 Land Management and the United States Forest Service.

SEC. 204. ADMINISTRATION OF NATIONAL CONSERVATION AREAS.

(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 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) MANAGEMENT PLANS.—

(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.

(2) RECOMMENDATIONS AND CONSULTATION.—In developing the management plans required under paragraph (1), the relevant Secretary shall consult and coordinate with appropriate State, local and tribal government entities, members of the public, and the Public Lands Initiative Planning and Implementation Advisory Council 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. 205. GENERAL PROVISIONS.

(a) WITHDRAWALS.—

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

(A) all forms of entry, appropriation, and 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.

(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 Division.

(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).

(c) WILDLAND FIRE 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) in Conservation Areas designated under section 201.

(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 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 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 des-

ignation 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 livestock facilities in areas designated by this title 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 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 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 and Food 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.

(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.

(l) 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.

(m) 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.

(n) 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 204(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 205(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.—