

**To:** Heather Swift[heather\_swift@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-05T10:41:49-04:00  
**Importance:** Normal  
**Subject:** State Historic Briefing  
**Received:** 2017-05-05T10:41:56-04:00  
[Utah05071-2FWSStateHistoricPreservation.docx](#)

.. from FWS

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

**INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** Meeting with State Historic Preservation Office & Utah Department of Heritage

**DATE:** May 7, 2017                      **TIME:** 1-2 pm

**FROM:** Maureen Foster, Acting Assistant Secretary

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**I. STATEMENT OF PURPOSE**

To discuss cultural and historic objects within the Bears Ears & Grand Staircase-Escalante N.M..

**II. DISCUSSION**

The National Park Service has worked with the Utah State Historic Preservation Office on several projects.

In 2014, the state received an Underrepresented Community Grant to complete a Asian and Pacific Islander Survey and Nomination of Historical Resources. \$42,050 was awarded for archaeological survey of the Iosepa Polynesian Archaeological District and railroad sites associated with Chinese labor and the construction of the Transcontinental Railroad. The survey has been completed and a National Register nomination is being prepared as a model for future listings of these sites.

The State of Utah has 93 Certified Local Governments (CLGs), the second largest program in the country, Utah's CLGs have made a local commitment to historic preservation and become part of the Federal Preservation Partnership with the NPS and the State Historic Preservation Office, Utah Division of State History. Springfield, UT, a CLG since the start of the program in 1985, recently monies passed through from the Historic Preservation Fund to rehabilitate the windows at the Springville Museum of Art. Constructed in 1936 and listed in the National Register of Historic Places, the project aided in the long-term preservation provided an improved environment for the artwork displayed in the galleries.

**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**Cc:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Rigas, Laura  
**Sent:** 2017-05-07T11:29:03-04:00  
**Importance:** Normal  
**Subject:** Re: Monday T.P.  
**Received:** 2017-05-07T11:29:10-04:00

This is great, thanks, Downey. Let's chat before our 10:45 with him about when we share what with him. Know there's a lot of moving parts.

Thanks!

L

*Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior*

On Sat, May 6, 2017 at 10:12 PM, Magallanes, Downey <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)> wrote:

I modified the memo BLM submitted for the outdoor industry roundtable and dinner and threw in talking points and background specific for this crowd. Please take a look.

On Sat, May 6, 2017 at 3:07 PM, Rigas, Laura <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)> wrote:

Hi Christine and team --

Attached please find:

1. His talking points which he should repeat and use at every meeting this week.
2. The letter that Jim Cason sent to NCAI clarifying his comments about Tribal sovereignty. He should echo these messages when he speaks to Tribes Sunday night and the rest of this week.

I have also printed them out and will take hard copies with me.

Please let me know if you need anything else. My flight is at 4:55 eastern but hopefully I will have wifi.

Thanks,

L

*Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior*

On Sat, May 6, 2017 at 1:48 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Laura and Heather,  
Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office  
440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe (Kykotsmovi, AZ)

James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation (Fort Defiance, AZ)

Davis Filfred, Navajo Nation Council (Window Rock, AZ)

Shaun Champoos, Chairman, Ute Indian Tribe (Fort Duchesne, UT)

Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)

Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute (Towaoc, CO)

Natasha Hale, Native American Program Director, Grand Canyon Trust

Charles Wilkinson, Legal Advisor, University of Colorado

Leland Begay, Legal Advisor, Ute Mountain Ute

Gavin Noyes, Utah Dine Bikeyah, Executive Director

TBD other support staff

Ed Roberson, BLM State Director

Don Hoffheins, BLM, Monticello Field Manager

Tyler Ashcroft, BLM, Bears Ears Project Manager

Mike Richardson, BLM, Acting Communications Director

Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)

Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Utah Attorney General Sean Reyes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Mike Mower Deputy Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor  
Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor  
Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of  
Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy  
Coordinating Office  
Mike Styler, Executive Director, Utah Department of Natural  
Resources  
Val Hale, Executive Director, Governor's Office of Economic  
Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office  
of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator  
Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike  
Lee  
Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership

Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of  
Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

**To:** Wendy Fink[wendy\_r\_fink@ios.doi.gov]  
**Cc:** Virginia Johnson[virginia\_johnson@ios.doi.gov]  
**From:** Foster, Maureen  
**Sent:** 2017-05-04T19:36:32-04:00  
**Importance:** Normal  
**Subject:** Fwd: Utah 0507 1-2 State Historic Preservation - Invitation to edit  
**Received:** 2017-05-04T19:36:38-04:00

Wendy:

Here is the original ask on the google doc which I just shared.

Sorry to leave this for you. We have missed the deadline but if we can add info in the morning, that would be great.

Thank you!

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Maureen D. Foster  
Chief of Staff  
Office of the Assistant Secretary  
for Fish and Wildlife and Parks  
1849 C Street, NW, Room 3161  
Washington, DC 20240

202.208.5970 (desk)  
202.208.4416 (main)

[Maureen\\_Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)

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

**From:** Monetti, Justin <[justin\\_monetti@nps.gov](mailto:justin_monetti@nps.gov)>  
**Date:** Thu, May 4, 2017 at 6:17 PM  
**Subject:** Re: Utah 0507 1-2 State Historic Preservation - Invitation to edit  
**To:** Maureen Foster <[maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)>  
**Cc:** Herbert Frost <[bert\\_frost@nps.gov](mailto:bert_frost@nps.gov)>, "Beverly (Grace) Stephens" <[grace\\_stephens@nps.gov](mailto:grace_stephens@nps.gov)>

Hi Maureen,

I may be able to pull more tomorrow, but here are two of the priorities/programs/projects from the UT SHPO form our folks here:

2014 Underrepresented Community Grant: Asian and Pacific Islander Survey and Nomination of Historical Resources -- \$42,050 for archaeological survey of the Iosepa Polynesian Archaeological District and railroad sites associated with Chinese labor and the construction of the Transcontinental Railroad. Survey has been completed and a National Register nomination is being prepared as a model for future listings of these sites.

93 Certified Local Governments: Second largest program in the country, Utah's CLGs have made a local commitment to historic preservation and become part of the Federal Preservation

Partnership with NPS and their State Historic Preservation Office, Utah Division of State History. Springfield, UT, a CLG since the start of the program in 1985, recently used pass through from the Historic Preservation Fund to rehabilitate the windows at the Springville Museum of Art. Constructed in 1936 and listed in the National Register of Historic Places, the project aided in the long-term preservation provided an improved environment for the artwork displayed in the galleries.

On Thu, May 4, 2017 at 9:39 AM, Frost, Herbert <[bert\\_frost@nps.gov](mailto:bert_frost@nps.gov)> wrote:

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Herbert C. Frost, Ph.D.  
Acting Deputy Director, Operations  
National Park Service

202-208-3818 - Office

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

From: **Foster, Maureen** <[maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)>  
Date: Wed, May 3, 2017 at 10:54 AM  
Subject: Fwd: Utah 0507 1-2 State Historic Preservation - Invitation to edit  
To: Beverly Stephens <[grace\\_stephens@nps.gov](mailto:grace_stephens@nps.gov)>, Bert Frost <[Bert\\_Frost@nps.gov](mailto:Bert_Frost@nps.gov)>  
Cc: Virginia Johnson <[virginia\\_johnson@ios.doi.gov](mailto:virginia_johnson@ios.doi.gov)>

I have shared the google document with you.

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Maureen D. Foster  
Chief of Staff  
Office of the Assistant Secretary  
for Fish and Wildlife and Parks  
1849 C Street, NW, Room 3161  
Washington, DC 20240

202.208.5970 (desk)  
202.208.4416 (main)

[Maureen\\_Foster@ios.doi.gov](mailto:Maureen_Foster@ios.doi.gov)

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

From: **Christine Bauserman (via Google Docs)** <[drive-shares-noreply@google.com](mailto:drive-shares-noreply@google.com)>  
Date: Wed, May 3, 2017 at 10:49 AM  
Subject: Utah 0507 1-2 State Historic Preservation - Invitation to edit  
To: [maureen\\_foster@ios.doi.gov](mailto:maureen_foster@ios.doi.gov)



Cc: [virginia\\_johnson@ios.doi.gov](mailto:virginia_johnson@ios.doi.gov), [dailybriefingbinder@ios.doi.gov](mailto:dailybriefingbinder@ios.doi.gov)

Christine Bauserman has invited you to **edit** the following document:

## Utah 0507 1-2 State Historic Preservation

Hello Virginia and Maureen,

Secretary Zinke is traveling to Utah next week.

The Secretary needs a briefing memorandum for a meeting on Sunday, May 7th from 1:00 - 2:00 pm with the State Historic Preservation Office and Utah Department of Heritage and Arts.

Please complete the briefing memo by May 4th at 3:00 pm.

If you have any supplemental materials please email as an attachment or <SHARE> to:

[dailybriefingbinder@ios.doi.gov](mailto:dailybriefingbinder@ios.doi.gov)

### TOPICS:

- Cultural and historic objects at Bears Ears and Grand Staircase
- background on general SHPO Utah activities

### ATTENDEES:

- State Historic Preservation Office
- Utah Department of Heritage and Arts

Let me know if you need any additional information, if you need me to <SHARE> with others or if you have any questions.

Thank you,

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

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Justin Monetti  
Bevinetto Fellow  
National Park Service  
1849 C St NW  
Room 3127  
Washington, DC 20240  
Office: (202) 208-5035  
Cell: (202) 641-3869

**To:** randal\_bowman@ios.doi.gov[randal\_bowman@ios.doi.gov]  
**From:** Downey Magallanes  
**Sent:** 2017-05-15T13:38:54-04:00  
**Importance:** Normal  
**Subject:** Fwd: AFRC Letter re Cascade-Siskiyou National Monument  
**Received:** 2017-05-15T13:39:02-04:00  
[ATT00001.htm](#)  
[Letter to Zinke CSNM Executive Order review 5-2-17.pdf](#)

Sent from my iPhone

Begin forwarded message:

**From:** Heath Heikkila <[hheikkila@amforest.org](mailto:hheikkila@amforest.org)>  
**Date:** May 4, 2017 at 12:00:11 PM EDT  
**To:** "Kaster, Amanda" <[amanda\\_kaster@ios.doi.gov](mailto:amanda_kaster@ios.doi.gov)>  
**Cc:** "Benedetto, Kathleen" <[kathleen\\_benedetto@ios.doi.gov](mailto:kathleen_benedetto@ios.doi.gov)>, "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>  
**Subject:** AFRC Letter re Cascade-Siskiyou National Monument

Amanda –

It was nice meeting with you yesterday. Attached is the letter to Secretary Zinke regarding the Cascade-Siskiyou National Monument that I left you. You mentioned that a website may be created to accept these types of documents, but I wanted to get it to you in the meantime. If possible, could you make sure it gets into the right hands there at Interior/BLM?

Thank you,

Heath Heikkila  
Director, Government Affairs  
[American Forest Resource Council](#)  
924 Capitol Way South, Suite 102  
Olympia, WA 98501  
(202) 285-3514 cell  
(253) 248-0650 direct



May 2, 2017

Secretary Ryan Zinke  
Department of the Interior  
1849 C Street, N. W.  
Washington, D.C. 20240

**Re: Executive Order on the Review of Designations Under the Antiquities Act**

Dear Secretary Zinke:

On behalf of the American Forest Resource Council (AFRC), congratulations on your nomination and confirmation as Secretary of the Interior. AFRC represents the forest products industry in Montana, Idaho, Washington, Oregon, and California, and we are eager to work with you and your team on federal land management issues. As you know, our federal forests provide tremendous potential to support rural jobs and communities if they are responsibly and actively managed.

**We write to urge you to include the Cascade-Siskiyou National Monument in your upcoming review of designations under the Antiquities Act.<sup>1</sup>**

We support President Trump's Executive Order because of our concerns regarding President Obama's 48,000-acre expansion of the Cascade-Siskiyou National Monument located in Southern Oregon and Northern California. The monument was initially established by President Clinton in 2000 using the Antiquities Act. These designations epitomize the lack of public outreach and public coordination that has been all too common with Presidential use of Antiquities Act authority. The designation and expansion of the Cascade-Siskiyou National Monument is also unique because it raises serious legal questions about the conflict between a clear congressional mandate for the lands in question and the administration authorities of the Antiquities Act.

Currently, there are three separate lawsuits challenging this midnight monument expansion, including one filed by AFRC.<sup>2</sup> While the Antiquities Act gives the President some discretion to designate national monuments under the specific guidelines of the Act, it clearly does not give the President power to override congressional mandates and intent. Unfortunately, the designation and expansion of the Cascade-Siskiyou National Monument does exactly that by

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<sup>1</sup> Executive Order 13792 of April 26, 2017, "Review of Designations Under the Antiquities Act." 82 Fed. Reg. 20,429 (May 1, 2017).

<sup>2</sup> *AFRC v. United States*, No. 1:17-cv-00441-RJL (D.D.C. filed on March 10, 2017); *Ass'n of O&C Counties. v. Trump*, No. 1:17-cv-00280-RJL (D.D.C. filed on February 13, 2017); *Murphy Co. v. Trump*, No. 1:17-cv-00285-CL (D. Or. filed on February 17, 2017).

unlawfully repurposing more than 40,000 acres of statutorily unique O&C Lands that have already been reserved by Congress for the explicit purpose of “permanent forest production . . . in conformity with the princip[le] of sustained yield,” under the O&C Act of 1937.

Some media reports have indicated the Cascade-Siskiyou National Monument is not on the list of designations to be reviewed because it does not meet the Executive Order’s review criterion. The Cascade-Siskiyou National Monument, however, meets the Executive Order’s threshold requirements and should be evaluated in the Department of the Interior’s interim and final report to the President. For your reference, we have included written comments from AFRC and Knox Marshall (Vice President of the Resources Division for Murphy Company) to the U.S. House Committee on Natural Resources Subcommittee on Federal Lands for the May 2, 2017 hearing on “Consequences of Executive Branch Overreach of the Antiquities Act.” Those written comments highlight the legal, ecological, economic, and social controversies of the monument expansion and how it is a quintessential example of the very abuse of power made by the previous administration that this Executive Order seeks to redress.

### **The Cascade-Siskiyou National Monument Meets the Executive Order’s Acreage Threshold**

The Executive Order applies to monuments that were designated or expanded since 1996 that cover more than 100,000 acres of federal land. On June 9, 2000, President Clinton issued Presidential Proclamation 7318 creating the original Cascade-Siskiyou National Monument by repurposing approximately 52,000 acres of federal land. Seventeen years later, on January 12, 2017, President Obama issued Proclamation 9564, titled Boundary Enlargement of the Cascade-Siskiyou National Monument. The area covered by President Obama’s proclamation was approximately 48,000 acres – nearly doubling the monument’s size – and included over 40,000 acres of O&C Lands expressly designated by Congress for sustained-yield timber production. The total acreage for the monument is 100,000 acres but could be larger. In fact, there is some debate over the total acreage of the Cascade-Siskiyou National Monument. Some sources have determined that President Obama expanded the Cascade-Siskiyou Monument from 65,000 acres to 113,000 acres, clearly over the Executive Order’s 100,000-acre threshold.<sup>3</sup> The lack of certainty on the exact size of the monument provides even more reason for the Department of the Interior to take a hard look at the original designation and expansion.

### **The Cascade-Siskiyou National Monument Was Expanded Without Adequate Public Outreach**

When the expansion was announced in January 2017 (just eight days before President Obama’s second term expired), the Oregon BLM – the agency responsible for managing the monument – did not know the exact boundaries of the expansion and could not produce a map when asked by the press. That is because the final decision was made in Washington, D.C., not driven by the local experts and agency scientists. I strongly encourage you and your team to interview the

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<sup>3</sup> See <http://www.opb.org/news/article/trump-order-national-monuments-could-affect-hanford-cascade-siskiyou/> (last visited May 1, 2017); [http://www.oregonlive.com/environment/index.ssf/2017/04/trumps\\_national\\_monument\\_revie\\_2.html](http://www.oregonlive.com/environment/index.ssf/2017/04/trumps_national_monument_revie_2.html) (last visited May 1, 2017) (noting that “Merkley’s office believed the monument was larger than 100,000 acres”).

local BLM staff to get their on-the-ground perspective about how the expansion will impact the Department's ability to responsibly manage these lands to respond to real threats like catastrophic fire, insect infestations, disease, and climate change.

Despite claims that extensive public input was considered in the 2017 monument expansion, President Obama's decision was made with almost no public outreach and coordination with relevant stakeholders – namely the surrounding counties whose economic vitality is directly implicated by the expansion.

The first public meeting regarding the proposed monument expansion was in October 2016, only a few months before Obama's proclamation. Neither the President nor Secretary of the Interior Sally Jewell visited or attended that public meeting. In an October 13, 2016 letter sent to Oregon Senators Ron Wyden and Jeff Merkley, AFRC outlined its concerns about the proposed expansion and the legal precedent of using the Antiquities Act to administratively withdraw productive timberlands from the statutory mandate of the O&C Act. The same letter was sent to Department of the Interior Deputy Secretary Michael Connor and Oregon Governor Kate Brown. No response was ever received and none of AFRC's concerns were addressed in the final designation.

For every supporter listed by proponents of the expansion, there is an extensive list of opponents, including Oregon and California U.S. Representatives, Oregon state representatives and state senators, and the Association of O&C Counties – which collectively represent hundreds of thousands of individuals who are directly and indirectly impacted by the designation. The full list of opponents is identified in AFRC's attached written comments.

If the expansion had provided adequate public involvement, the administration would have evaluated the environmental, economic and social impacts of the designation and disclosed that information to the public. If the expansion had proper coordination with location officials and other relevant stakeholders, the administration would have worked to ensure the designation balanced environmental conservation priorities with the economic and social needs of the surrounding rural communities, which suffer from chronic unemployment and lack of funding for public services. Instead, the administration ignored the concerns about the impacts to local communities, forest products infrastructure, and workers in its so-called "public process" and ultimately made a decision that will negatively impact the economic condition of communities that are already suffering significant hardship.

### **A Better Way Forward**

AFRC and its members care deeply about the health and sustainability of public forestlands. In fact, the business model and future success of AFRC members is *dependent* upon the responsible management, ecological health, and long-term sustainability of our national forests and BLM lands. No one appreciates the uniqueness of Southwest Oregon's forests – the forests in our backyard – more than our local members and the need to protect them for future generations.

A better approach to protecting these lands for current and future generations would be through an inclusive, transparent, public process that results in comprehensive legislation to tackle the ecological, economic, and social crises in Southwest Oregon. Only by taking a holistic approach

to land management and involving diverse stakeholders will we be successful in creating a durable, sustainable solution for these at-risk lands.

For the reasons articulated above, AFRC strongly supports executive review of the designation and expansion of the Cascade-Siskiyou National Monument to help restore trust between local communities and the federal government. Again, AFRC and its members remain committed to working with you, the Oregon and California congressional delegations, and local stakeholders to craft a scientifically-sound and broadly supported plan for the O&C Lands in Southwest Oregon.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Joseph". The signature is written in a cursive, slightly slanted style.

Travis Joseph  
President, AFRC

Enclosures (2)

**To:** Russell Roddy[russell\_rodde@ios.doi.gov]  
**From:** Galipeau, Russell  
**Sent:** 2017-04-25T16:29:36-04:00  
**Importance:** Normal  
**Subject:** Contact information for John Gehrini  
**Received:** 2017-04-25T16:29:45-04:00

Rusty, the Secretary also asked about John Gehrini. Mr. Gehrini was out of town during his visit and was sorry to have missed the opportunity to talk with the Secretary.

Mr. Gehrini's family ran a sheep ranching operation on the eastern portion of Santa Cruz Island prior to selling their island interest to the National Park Service. As a willing seller, the Gehrini family was provided a 25 year use and occupancy deed for a parcel of land on the east side of Santa Cruz Island, specifically Scorpion. A very similar arrangement as with the Vail family. John Gehrini's cell phone number is (b)(6). The next time the Secretary is in Santa Barbara he would like the opportunity to meet with him and to discuss his family's island legacy.

Mr. Gehrini will also be in Washington D.C. May 10-14 and 18-19 and he would like to drop in to see the Secretary if his schedule permits. Mr. Gehrini will have his cell with him.

If you need anything from us, please let me know.

Russell

--

Russell E. Galipeau, Jr.  
Superintendent  
Channel Islands National Park  
1901 Spinnaker Dr.  
Ventura, CA 93001  
(805) 658-5702



**To:** Laura Rigas[laura\_rigas@ios.doi.gov]  
**Cc:** Caroline Boulton[caroline\_boulton@ios.doi.gov];  
timothy\_nigborowicz@ios.doi.gov[timothy\_nigborowicz@ios.doi.gov]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-03T08:04:36-04:00  
**Importance:** Normal  
**Subject:** Re: Tom Cors  
**Received:** 2017-05-03T08:04:43-04:00

You can tell him we should be following up with him today. Caroline is planning on reaching out. He has contacted her a bunch so he knows her.

On Wed, May 3, 2017 at 8:02 AM, Laura Rigas <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)> wrote:

Hi--

I'm at the Land Trust event and Tom Cors from The Nature Conservancy asked if the Secretary is able to visit his ranch next week. Who should I direct him to?

Thanks,

L

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

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Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

**To:** Bowman, Randal[[randal\\_bowman@ios.doi.gov](mailto:randal_bowman@ios.doi.gov)]  
**From:** Williams, Timothy  
**Sent:** 2017-06-07T08:20:47-04:00  
**Importance:** Normal  
**Subject:** Fwd: National Monument Reviews - The Katahdin Woods and Waters National Monument  
**Received:** 2017-06-07T08:21:24-04:00  
[KNM 6 6 17 to Secretary Zinke.docx](#)

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

From: <[wpeet@wpeet.com](mailto:wpeet@wpeet.com)>  
Date: Tue, Jun 6, 2017 at 6:28 PM  
Subject: National Monument Reviews - The Katahdin Woods and Waters National Monument  
To: [Timothy\\_Williams@ios.doi.gov](mailto:Timothy_Williams@ios.doi.gov)

Dear Mr. Williams:

At the suggestion of Anne Williams of the Maine Woods Coalition, I am attaching a copy of the letter I had earlier sent to Secretary Zinke. Thank you for your help in getting this information to others who are concerned.

Sincerely,  
William Peet

--

**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

Cell: (202) 706-4982

June 6, 2017

Secretary Ryan Zinke  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Dear Secretary Zinke:

As a Trustee of the Maine Woods Coalition and a northern Maine property owner for almost 50 years, I have closely followed the Katahdin Woods and Waters Monument issue and have concluded that this particular Monument designation was unwarranted and improper, for the reasons enumerated below. I hope you find these facts helpful.

The [Antiquities Act](#) authorizes National Monuments in order to protect “*historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.*”

- **The Katahdin Woods and Waters National Monument land does not need protection - yet.**  
The establishing [proclamation](#) promises “protection” numerous times, but it does not specify the endangered historic objects or the threats, because there really aren’t any. However, a very real threat to any historic objects may arise from heavy national promotion of the Monument, together with the lure of snowmobiling, fishing and ice fishing within Monument grounds.
- **This Monument may not comply with the Antiquities Act’s “smallest area” requirement.**  
Text of the establishing Proclamation does not disclose that the Monument is comprised of several non-contiguous parcels. These separate parcels are not individually identified and there is no explanation as to why each parcel requires monument status. Apart from not needing protection, some of these parcels may not even possess qualifying historic or scientific objects.
- **This Monument has the appearance of memorializing a generous gift of land and money.**  
For many years the National Park Service had tried to accept a donation of about 87,500 acres, together with an attached forty million dollar maintenance fund. The donor required that the land be used to establish a new National Park and Recreation Area - which the local populace as well as state and national legislators steadfastly refused to accept. The donor’s response was to donate the land and supporting funds to create a National Monument, which required only a Presidential Proclamation confirming that the Monument complies with requirements of the Antiquities Act. That’s how the Katahdin Woods and Waters National Monument deal was struck.
- **The possibility of economic benefit must not be allowed to mask a serious misapplication of National Monument status.**  
In recent testimony before a congressional committee, former governor Angus King [said](#), “*the monument has already begun to yield real economic benefits to the region*” and “*I am deeply concerned that this review will stifle that progress by threatening future investments and hampering economic growth when it is needed there now more than ever before.*”

I am not a lawyer, but it does seem clear that this monument designation is badly flawed and should be reversed. Thank you for your consideration.

Sincerely,

William J. Peet II (wpeet@wpeet.com)  
M.I.T Alum.; former Naval Reserve Officer; Young Presidents Org.; patents holder, etc.

**To:** Howarth, Robert[Robert\_Howarth@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-07-11T16:43:37-04:00  
**Importance:** Normal  
**Subject:** Fwd: Invitations to Southern New Mexico for Secretary Zinke  
**Received:** 2017-07-11T16:44:15-04:00  
[Invitation Secretary Zinke FOMDP.PDF](#)  
[LCGCC Invitation to Zinke 2017.pdf](#)  
[Joint Mayoral Invite to Interior Secy 6.28.17.pdf](#)  
[VVF OMDP DOI Invite .pdf](#)  
[Zinke Letter-Invitation OMDP.DOC](#)

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**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-1923

Honorable Ryan Zinke  
Secretary of the Interior  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

June 28, 2017

Dear Secretary Zinke:

Last week you announced your intent to visit New Mexico, and you committed to visit with a wide range of stakeholders here including federal, state and local officials about the Organ Mountains-Desert Peaks National Monument. As the mayors of Las Cruces, Mesilla, Anthony and Sunland Park, we represent constituents who live in close proximity to the monument and whose livelihoods and families are connected to the monument. We also see the day-to-day effects of the Organ Mountain-Desert Peaks National Monument's designation on our cities and towns, including the positive economic impacts the monument has brought to the region.

As the mayors, we invite you to participate in a public meeting we will host when you are in southern New Mexico so that you can hear from community members about the Organ Mountains-Desert Peaks National Monument. We know that your attendance will be viewed as an important opportunity for the public to be heard. As local leaders, we can facilitate a constructive discussion with those who have great stakes in the monument and provide the kind of input you are seeking during your review.

We understand you are still planning your trip. We look forward to working with you so you can attend a public meeting with our constituents as well as visit the monument itself to see the spectacular landscape in which we live. We ask that you please have your staff reply as quickly as possible so that we can make the appropriate arrangements to accommodate your schedule. Please contact Cynthia Stoechner-Hernandez, Mesilla town clerk-treasurer, 575-524-3262, ext. 105, or at [cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov), and she will share your office's information with the other mayors.

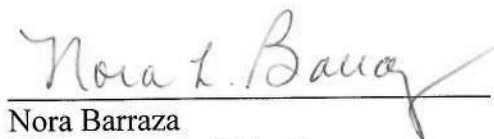
Sincerely,



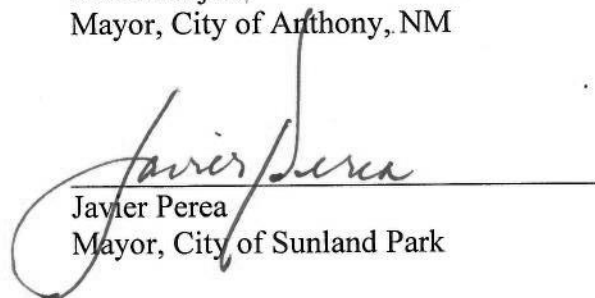
Ken Miyagishima  
Mayor, City of Las Cruces



Diana Trujillo  
Mayor, City of Anthony, NM



Nora Barraza  
Mayor, Town of Mesilla



Javier Perea  
Mayor, City of Sunland Park



July 7, 2017

The Honorable Ryan Zinke  
Secretary of the Interior  
1849 C St NW  
Washington, DC 20240

Dear Secretary Zinke,

You would know better than many Americans that serving in the U.S. military is about more than defending our nation's people and its values; it's also about fighting to ensure that the very lands on which we live and recreate are still here for our children and grandchildren to enjoy.

The Organ Mountains-Desert Peaks is special place of unparalleled rugged beauty. It stands at the crossroads of American history including pre-historical places sacred to Native Americans, the Camino Real traversed by Spanish settlers for centuries, and the Butterfield Stage Route used by Americans traveling east-west across the country in the 19<sup>th</sup> century. These kinds of sites tell us something about our past and how far we've come as a nation.

Thus, I would like to offer you the opportunity to hike and discover some of the special places the Organ Mountain-Desert Peaks contains with a group of military veterans who worked very hard to make their support of the monument heard by the previous administration. I understand you will be in New Mexico at the end of July. Please let me know what day and time you would like to hike with our veterans through the Organ Mountains-Desert Peaks. We are happy to accommodate your schedule.

As a veteran who understands and appreciates the military contribution to our country, you might enjoy seeing some of the rich military history connected to the monument. During this hike, we can show you how the Organ Mountains Desert-Peaks also is home to some more recent pieces of history that are particularly important to veterans. Perhaps the best examples are the Deming aerial bombing targets, which were used to help train Army Air Corps pilots during World War II. These large bull's eye targets gave our Greatest Generation critical training to defeat the enemies of freedom during some of the darkest days the world has ever known.

Though I served my country in the armed forces, I believe fighting for this monument was another kind of service – a type of service that will allow my children and grandchildren to explore and enjoy these public lands as well as learn more rich chapters of the American story.

The proximity of military installations like Ft. Bliss and White Sands Missile Range means that these lands offer great opportunities for our service members, veterans and their families to enjoy and explore. Las Cruces and the surrounding region has a proud military tradition and a strong veteran community.

Thank you in advance and look forward to showing you this special part of my community.

Sincerely,

A handwritten signature in black ink, appearing to read "Garrett Reppenhagen", with a long horizontal flourish extending to the right.

Garett Reppenhagen  
US Army 1<sup>st</sup> Infantry, Kosovo and OIF II Veteran  
Regional Director  
Vet Voice Foundation  
719-235-7030  
[repp@vetvoicefoundation.org](mailto:repp@vetvoicefoundation.org)

*Southwest Consolidated Sportsmen*  
**Las Cruces, New Mexico**

100 Juh Trail, Hillsboro New Mexico 88042-9500

June 28, 2017

The Honorable  
Ryan Zinke  
Secretary of the Interior  
1849 C Street N. W.  
Washington, DC 20240

Dear Mr. Secretary:

As representatives of the Southwest Consolidated Sportsmen, a coalition of the organized sportsmen and outdoor enthusiasts groups in the Las Cruces area, we wish to convey our concerns about the ongoing consideration to reduce the footprint of the Organ Mountains-Desert Peaks National Monument.

Many members of our organization have been actively involved in the discussions regarding the formation of the monument since the initial consideration of protection for these areas began back in the late 1980s. Some of our members have been hunting and recreating in these areas for better than fifty years and, as such, are intimately familiar with all of them, the opportunities they present for the public and the cultural, social, and economic values they hold for the region.

Granted, we as sportsmen were initially concerned for the future of these special locations in the direction of the debates and discussions among the various stakeholders. We feared that our values as wildlife enthusiasts and hunters would be dismissed or, worse yet, eliminated altogether in the process. What we found instead was a refreshing willingness to compromise and accept differing viewpoints and outlooks among almost all of the stakeholders involved.

The result of all of those interactions, debates and discussions was a final product that objectively took into consideration every reasonable request for consideration from all of the parties involved, while still maintaining the overall perspective of protecting these areas as a whole.

We are concerned that the political bickering at the national level has led us to a place where all of our efforts over the last few decades to, first, protect these landscapes because they are deserving of protection, while second, providing reasonable multiple uses to all stakeholders involved are being jeopardized. They are being threatened because of a small minority of special interests and individuals that somehow believe their perspective supersedes the overall interest of the public as a whole and, even more importantly, the protection the monument designation affords these special places.

The Organ Mountains-Desert Peaks National Monument, in its entirety, has overwhelming support from a large majority of the citizens of this area. On behalf of those citizens, we would hope that your ultimate recommendation would be to preserve our monument as it is.

Finally, we are aware that you are making an effort to visit the various monuments being reviewed. As representatives of the local sportsmen's community, we would like to meet with you, at your convenience, to discuss the monument "in person." In fact, if time allows, we would be delighted to show you around "our" monument from a sportsmen's perspective. Also, if you would like to hone your shotgun skills, we would like to challenge you to a little competition at Butterfield Shooting Range, our state-of-the-art trap and skeet range sited just on the edge of the monument. We could do



The Honorable Ryan Zinke  
June 28, 2017  
Page 2

this early in the morning or at an evening shoot to stay out of the heat and any potential wind, and local sportsmen will provide wild game fare for either breakfast or dinner.

Please feel free to contact either of us by phone or email: John Cornell at 575-740-1759 or [jcls1010@gmail.com](mailto:jcls1010@gmail.com); Jim Bates at 575-644-7751 or [jim\\_bates2@hotmail.com](mailto:jim_bates2@hotmail.com).

We look forward to hearing from you.

Sincerely,

John Cornell & Jim Bates, Co-chairmen

Southwest Consolidated Sportsmen



Friends of Organ Mountains – Desert Peaks  
PO Box 2676  
Las Cruces, NM 88001

Secretary Ryan Zinke  
Department of the Interior  
1849 C St. NW  
Washington, D.C. 20240

July 7, 2017

RE: Invitation to learn about Organ Mountains – Desert Peaks National Monument on the ground

Dear Secretary Zinke:

Friends of Organ Mountains – Desert Peaks is pleased to learn that you plan to visit Organ Mountains – Desert Peaks National Monument as part of the Monument Review process undertaken by the Department of Interior. We cordially invite you to join us on the ground to see firsthand the natural, cultural and historic resources protected by Organ Mountains – Desert Peaks National Monument and the diverse base of community support that the Monument enjoys.

Friends of Organ Mountains – Desert Peaks is a non-profit community-based organization based in Las Cruces, New Mexico. We represent diverse voices and stakeholders including sportsmen and women, local businesses, recreation users, faith leaders and local citizens. The Friends work closely with the Bureau of Land Management on shared goals and projects that connect our community with our public lands including community education and outreach programs, trail maintenance, trash cleanups and an Artist in Residence Program. We also provide significant volunteer resources to BLM to achieve their multipurpose mission.

Organ Mountains – Desert Peaks National Monument was designated in 2014 at our community's request, following an extensive outreach and engagement process that included local sportsmen and sportswomen's groups, businesses, recreational users, scientists and citizens who all weighed in to create a Monument that protected our most important cultural, historical and natural resources.

New Mexico's U.S. Senate offices, the Department of the Interior and the State Land Office worked closely with stakeholders to ensure that ranching, Border Patrol and national security activities could continue unimpeded by the new designation. By the time then-Secretary of the

Interior Sally Jewel visited to inspect the proposed Monument, the proposal enjoyed overwhelming support in polling, from stakeholder groups throughout Doña Ana County, and at a massive event held for the community at large.

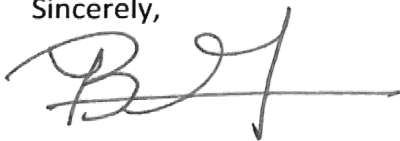
In the three years since designation of the National Monument in 2014, our community has even more fully embraced the Monument. The Las Cruces Convention & Visitor's Bureau's annual Monuments to Main Street celebration is a growing focal point of regional tourism and economic development for Southern New Mexico. Local businesses have incorporated the Monument into their marketing and developed new products connect visitors and locals to Organ Mountains – Desert Peaks. User groups have organized to volunteer and help maintain trails and build community identity around the Monument. National and international publications recognize Organ Mountains – Desert Peaks as a top destination for travelers.

As you might understand, our community was surprised to hear of a Monument Review process, given the positive impacts and continued community support we have witnessed since designation. In response to the review, thousands of comments have been generated by Doña Ana County residents in support of the Monument, and local boards and commissions have passed formal resolutions of support, citing overwhelming community support, economic impact, and the importance of the protected cultural, historical and natural resources to our region. These include the Doña Ana County Board of County Commissioners, Las Cruces City Council, Anthony City Council, Town Council of Mesilla and Sunland Park City Council.

Please reach out to me to arrange to visit the Monument and meet with community leaders and citizens. I look forward to meeting with you and showing you our Organ Mountains – Desert Peaks National Monument.

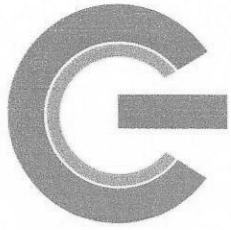
I can be reached at [ben@organmtnfriends.org](mailto:ben@organmtnfriends.org) or via phone at (575) 489-4709.


Sincerely,

A handwritten signature in black ink, appearing to read 'Benjamin Gabriel', with a long horizontal line extending to the right.

Benjamin Gabriel

Executive Director  
Friends of Organ Mountains – Desert Peaks



  
LAS CRUCES  
GREEN CHAMBER OF COMMERCE  
THINKLOCAL BUYLOCAL GIVELOCAL

July 11, 2017

Secretary Ryan Zinke  
Monument Review MS-1530  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Dear Secretary Zinke,

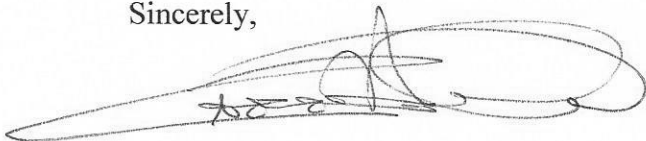
On behalf of the Las Cruces Green Chamber of Commerce, I would like to extend an invitation to you and your office to visit Las Cruces, New Mexico to experience the culture, the food, and our Organ Mountains-Desert Peaks National Monument.

As the only organization in town that focuses specifically on the economic impact of our locally owned businesses, the Las Cruces Green Chamber of Commerce has the honor of highlighting the hard work and dedication to our community that small business owners have and exhibit every day. We have also seen our local businesses take ownership of our National Monument and would like to share with you their stories.

We would be honored if you and your staff were able to visit Southern New Mexico to experience our incredible sunrises and sunsets, meet the amazing people here who are working hard every day to make our region the great place it is, and to see how our National Monument has impacted our city.

I look forward to hearing from your office.

Sincerely,



Carrie Hamblen  
CEO/President  
Las Cruces Green Chamber of Commerce  
221 N. Main Street, Las Cruces, New Mexico 88004  
575-323-1575

**To:** Virginia Johnson[virginia\_johnson@ios.doi.gov]; Maureen Foster[maureen\_foster@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-03T13:22:27-04:00  
**Importance:** Normal  
**Subject:** Utah Briefing Request Recap  
**Received:** 2017-05-03T13:22:35-04:00

Hello there.

Here is a recap list of the briefings for NPS that you have received:

**This list is very close hold please do not share or send out in its entirety to anyone.**

DUE: May 4th at 3:00 pm.

**Sunday, May 7**

1:00 PM - 2:00 PM: Meeting with State Historic Preservation Office and Utah Department of Heritage and Arts  
*The meeting will be to discuss cultural and historic objects at Bears Ears and Grand Staircase but also need background on general SHPO Utah activities.*

2:00 PM - 2:30 PM: Meeting with Legislative Leadership and Utah AG, Sean Reyes  
*Any hot button Utah state issues.*

6:00 PM - 9:00 PM Dinner and Roundtable with federal and legislative representatives, the Utah Office of Outdoor Recreation and the below industry representatives:

- Gary Heward, CEO, Liberty Mountain
- Bill Harmon, Goal Zero
- Joshua Bradley, Amer Sports
- Nazz Kurth, Petzl
- Amanda Covington, Vista Outdoors
- Ashley Kornblat, Western Spirit
- Don Peay, Utah Sportsmen for Fish and Wildlife

*Need background on recreation viewpoints/and recreation activities in Utah especially as they relate to monuments.*

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

**To:** downey.magallanes@gmail.com[downey.magallanes@gmail.com]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-07T09:51:05-04:00  
**Importance:** Normal  
**Subject:** Fwd: Monday T.P.  
**Received:** 2017-05-07T09:51:12-04:00  
Outdoor Industry Roundtable UT May 7.docx

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

**From:** **Magallanes, Downey** <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>  
**Date:** Sat, May 6, 2017 at 10:12 PM  
**Subject:** Re: Monday T.P.  
**To:** "Rigas, Laura" <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>  
**Cc:** "Swift, Heather" <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>

I modified the memo BLM submitted for the outdoor industry roundtable and dinner and threw in talking points and background specific for this crowd. Please take a look.

On Sat, May 6, 2017 at 3:07 PM, Rigas, Laura <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)> wrote:

Hi Christine and team --

Attached please find:

1. His talking points which he should repeat and use at every meeting this week.
2. The letter that Jim Cason sent to NCAI clarifying his comments about Tribal sovereignty. He should echo these messages when he speaks to Tribes Sunday night and the rest of this week.

I have also printed them out and will take hard copies with me.

Please let me know if you need anything else. My flight is at 4:55 eastern but hopefully I will have wifi.

Thanks,

L

*Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior*

On Sat, May 6, 2017 at 1:48 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Laura and Heather,  
Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2

he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office

440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe (Kykotsmovi, AZ)

James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation (Fort Defiance, AZ)

Davis Filfred, Navajo Nation Council (Window Rock, AZ)

Shaun Chapoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)

Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)

Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute (Towaoc, CO)

Natasha Hale, Native American Program Director, Grand Canyon Trust

Charles Wilkinson, Legal Advisor, University of Colorado

Leland Begay, Legal Advisor, Ute Mountain Ute

Gavin Noyes, Utah Dine Bikeyah, Executive Director

TBD other support staff

Ed Roberson, BLM State Director

Don Hoffheins, BLM, Monticello Field Manager

Tyler Ashcroft, BLM, Bears Ears Project Manager

Mike Richardson, BLM, Acting Communications Director

Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)

Senator Orrin Hatch

Senator Mike Lee

Rep. Rob Bishop

Rep. Jason Chaffetz

Rep. Chris Stewart

Utah Attorney General Sean Reyes

Justin Harding, Chief of Staff, Office of Governor Herbert

Mike Mower Deputy Chief of Staff, Office of Governor Herbert

Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office  
Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl



Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

--  
Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

--  
Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

--  
Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

## Outdoor Industry Roundtable

### Top Line Points:

There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites in Utah.

These sites attract visitors to hike, camp, explore, and participate in world-class hunting opportunities.

We have to recognize that recreation visitors have increased over the last 16 years in the Grand Staircase and the area around Bears Ears.

So with this in mind, throughout this review period as we get back on track to manage our federal lands in accordance with multiple use, we are going to look at opportunities for expanded recreational and sportsmen access.

Land use planning should always include public input, and we hope to restore that process by giving locals a voice with this review.

### Background Data:

There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites in Utah.

In 2016, there were 13,988,000 visitors to National Park units in Utah, which supported \$1.1 billion in spending.

The Monticello Field Office, which is right next to Bears Ears, estimates 418,684 recreational visitors to BLM lands in the Monticello footprint in FY16. This is up from 180,233 in FY00.

Total estimated recreational visitors to Grand Staircase in FY16 was 926,236, up from 568,214 in FY00.

### Sportsmen activities:

The combined 3.2 Million acres of both Bears Ears and the Grand Staricase are home to deer, elk, pronghorn, desert bighorn sheep, antelope, cougar, mountain lion, black bear, and turkey.

Around 51,007 hunters apply for permits in these areas, and it generates around \$29 Million in direct conservation funding and economic activity.

BLM partnered with the Utah DWR to re-introduce pronghorn, bighorn, and wild turkey within the Grand Staircase.

More than \$1 Million of private sportsmen funds have invested in the last ten years to grow and expand these herds.

**To:** caroline\_boulton@ios.doi.gov[caroline\_boulton@ios.doi.gov];  
timothy\_nigborowicz@ios.doi.gov[timothy\_nigborowicz@ios.doi.gov];  
downey\_magallanes@ios.doi.gov[downey\_magallanes@ios.doi.gov]  
**From:** Laura Rigas  
**Sent:** 2017-05-03T08:02:53-04:00  
**Importance:** Normal  
**Subject:** Tom Cors  
**Received:** 2017-05-03T08:02:59-04:00

Hi--

I'm at the Land Trust event and Tom Cors from The Nature Conservancy asked if the Secretary is able to visit his ranch next week. Who should I direct him to?

Thanks,

L

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

**To:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-08T12:39:22-04:00  
**Importance:** Normal  
**Subject:** May 9 - Briefings.  
**Received:** 2017-05-08T12:39:29-04:00  
[May 9th - Daily Briefings.docx](#)

Here are tomorrow's Briefings.

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330



**United States Department of the Interior**  
Washington, D.C. 20240

**INFORMATION MEMORANDUM FOR THE SECRETARY**

**TIME:** 9-11 am

**SUBJECT:** BLM Briefing - Visit The Nature Conservancy's TNC, Dugout Ranch

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

---

**I. STATEMENT OF PURPOSE**

You are visiting the 'The Nature Conservancy's' Dugout Ranch to meet with rancher Heidi Redd and discuss the Land and Water Conservation Fund.

**II. BACKGROUND**

Heidi Redd owns and manages the Indian Creek Cattle Company and resides approximately 20 miles northwest of Monticello, Utah, on the 5,200-acre Dugout Ranch. Ms. Redd is a long-time livestock producer and federal and state grazing permittee in San Juan County who has held grazing permits for 50 years. Ms. Redd currently serves as a Utah Resource Advisory Council member, representing Category 1, grazing permits and leases. She has also served as the chairperson for the Utah Cattlemen's Association Public Lands Committee; as a member of the Utah Division of Wildlife Advisory Council; and a member of the San Juan County Lands Bill Council.

**III. DISCUSSION**

The Dugout Ranch, which is a working grazing and ranching operation managed in coordination with The Nature Conservancy, is located near the entrance to Canyonlands National Park Needles District in the heart of the Colorado Plateau. Faced with the need to sell the ranch, the Redd family began working with The Nature Conservancy in 1995 to explore alternatives to commercial sale of the property.

By acquiring the Dugout Ranch, The Nature Conservancy helped preserve part of an iconic western landscape that includes canyon bottoms, riparian areas, steep sandstone cliffs and talus slopes. The area contains historic structures built by early settlers and a wealth of ancestral Puebloan rock art and dwellings such as the world-renowned Newspaper Rock.

The Dugout Ranch's 5,200 acres and accompanying 250,000 acres of grazing allotments provide a biologically diverse natural area, as well as 'relict areas' that remain little or not at all altered by human actions. The ranch and surrounding area also serve as the foundation for the Canyonlands Research Center, which focuses on research and education for understanding the interaction of land-use and climate and the development of management solutions that meet human needs.

**IV. ATTACHMENTS**

1. NOTE: The following attachments are available in the briefing book:  
Heidi Redd Bio



**United States Department of the Interior**  
Washington, D.C. 20240

**Heidi Redd**

Heidi Redd, owner and manager of the Indian Creek Cattle Company, resides in Monticello, Utah. Ms. Redd is a long-time livestock producer and federal and state grazing permittee in San Juan County, holding grazing permits for 50 years. She currently manages the Dugout Ranch grazing and farming operation with The Nature Conservancy.

Ms. Redd has knowledge of a broad range of disciplines and is intimately familiar with all aspects of livestock grazing. She is a level-headed, common sense voice in deliberation of federal lands management issues. She understands the importance of consensus-building and collaborative decision making in relationship to land management.

She currently serves as a Utah Resource Advisory Council member, representing Category 1, grazing permits and leases. In addition, she has served a Chairperson of the Public Lands Committee for the Utah Cattlemen's Association, member of the Utah Division of Wildlife Advisory Council and member of the San Juan County Lands Bill Council.



**United States Department of the Interior**  
Washington, D.C. 20240

## **INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** FWP Briefing - Visit The Nature Conservancy's, TNC, Dugout Ranch

**DATE:** May 9, 2017                      **TIME:** 9-11 am

**FROM:** Maureen Foster, Acting Assistant Secretary FWP

---

### **I. STATEMENT OF PURPOSE**

Provide the Secretary with background and current status on the U.S. Fish and Wildlife Service's (USFWS) recent history of using Land and Water Conservation Funds in Utah to conserve wildlife habitats for the American people.

### **II. BACKGROUND**

Over the past 5 years, the USFWS has acquired 768 acres at Bear River Migratory Bird Refuge in Utah using \$1.599M in LWCF funding, in addition to paying the State for leased lands at Ouray NWR. In FY16, the Service was appropriated \$2m for the Bear River Watershed Conservation Area (BRWCA) located in Utah, Wyoming, and Idaho for acquisition of voluntary conservation easements. Congressman Bishop, Senator Hatch, and Senator Lee support BRWCA; Congressman Bishop attended the event honoring 30 acre donation by the Ferry family in Box Elder County, Utah that was received in 2016 and formally established the BRWCA. The BRWCA enjoys broad landowner-based support.

### **III. DISCUSSION**

As appropriated by Congress, Land and Water Conservation Fund appropriations are used to acquire and lease lands within approved acquisition boundaries of National Wildlife Refuges and Conservation Areas within the State of Utah. BRWCA was established through a 30-acre donation from the Ferry family in Box Elder County, Utah, in July 2016. Currently, one additional voluntary easement acquisition is pending, in Box Elder County, Utah using FY16 LWCF appropriations. We continue to have a high level of landowners interested in the easement program.

### **IV. NEXT STEPS**

The Bear River Watershed Conservation Area (BRWCA) will use LWCF funds to gain a 728-acre easement from the Ferry family for \$800,000 in late 2017; the remaining \$1.2 M will be used to acquire other voluntary easements in the area.

**To:** Scheduling SIO[scheduling@ios.doi.gov]; Downey Magallanes[downey\_magallanes@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-06-01T14:22:23-04:00  
**Importance:** Normal  
**Subject:** Fwd: FW: Maine and Florida trips  
**Received:** 2017-06-01T14:22:56-04:00  
[Maine TNC Zinke request.docx](#)  
[Florida Everglades TNC Zinke request.docx](#)

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

**From:** **Kameran Onley** <konley@tnc.org>  
**Date:** Thu, Jun 1, 2017 at 1:29 PM  
**Subject:** FW: Maine and Florida trips  
**To:** "Doug Domenech (Douglas\_Domenech@ios.doi.gov)" <Douglas\_Domenech@ios.doi.gov>, James Cason [REDACTED] (b)(6), "Williams, Timothy" <timothy\_williams@ios.doi.gov>  
**Cc:** Tom Cors <tcors@tnc.org>

Doug, Jim and Tim,

Just keep you three in the loop on two meeting proposals we put forward from our state chapters.

Thanks and let us know how we can help. Kameran

---

**From:** Tom Cors <tcors@TNC.ORG>  
**Date:** Wednesday, May 31, 2017 at 1:51 PM  
**To:** Rusty Roddy <russell\_rodny@ios.doi.gov>, "SIO, Scheduling" <scheduling\_sio@ios.doi.gov>, Caroline Boulton <caroline\_boulton@ios.doi.gov>  
**Subject:** Maine and Florida trips

Rusty and Caroline,

I hope you all are doing well and the trip to Alaska went/is going well.



My Maine and Florida chapters understand that Mr. Zinke will be coming to Maine and Florida. Attached are two proposals for some time on the Secretary's schedules for when you all head to Maine and Florida. In Maine, we own 49,000 acres adjacent to the Katahdin Monument and in Florida, we have been extremely active in the Everglades restoration efforts, including the Everglades Headwaters NWR.

Let me know how things are shaping up and I hope to see you all soon.

Best regards,

Tom

Tom Cors

Director, Lands

US Government Relations

The Nature Conservancy

[tcors@tnc.org](mailto:tcors@tnc.org)

919-636-2297

--

**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

Cell: (202) 706-4982

# Meeting Proposal Information Form

\*Please complete this form and send to [scheduling@ios.doi.gov](mailto:scheduling@ios.doi.gov)

**Specific request to the Secretary:**

Two hour visit and tour of the Disney Wilderness Preserve with The Nature Conservancy's Florida Director to discuss Everglades restoration efforts, conservation easements and land management.

**Meeting date:**

During the Secretary's Florida Visit.

**Meeting location:**

The Nature Conservancy's Disney Wilderness Preserve. 2700 Scrub Jay Trail, Poinciana Florida 34759. Approximately 30 miles south of downtown Orlando. Other locations can be provided.

**Contact information:**

Garrett Wallace, The Nature Conservancy, Florida Chapter. [garrett.wallace@tnc.org](mailto:garrett.wallace@tnc.org) 561-504-6877

**Briefly describe the proposed meeting agenda in as much detail as possible, and the desired outcome of the Secretary's participation:**

While the Secretary is in Florida to discuss Everglades restoration, we would be pleased to have him visit TNC's Disney Wilderness Preserve. We would like to discuss our participation in conservation efforts in Florida, including the conservation easements, the Everglades Headwaters National Wildlife Refuge and Everglades restoration. The Nature Conservancy donated the initial land to establish the Refuge and growing the Refuge's footprint can be a critical component to aid Everglades restoration. Leading our discussion will be our Florida Executive Director, Temperince Morgan. Prior to joining TNC, Temperince was the leader of Everglades Restoration for the South Florida Water Management District and can provide in-depth perspectives on Everglades restoration from multiple perspectives. Also, we would like to discuss strategy on one of Mr. Zinke's priorities, the Land and Water Conservation Fund. This meeting would be non-attributable and without press.

**Expected meeting participants (names and titles):**

Temperince Morgan, TNC Florida State Director  
Kameran Onley, TNC Director of US Government Relations  
Tom Cors, TNC Director of Lands, US Government Relations  
Garrett Wallace, TNC Manager of Government Relations, Florida Chapter

**Desired length of time for the meeting:**

Two hours

**Are there any other specific matters you would like the Secretary to address?**

Not at this time.

**Please supply any pertinent background information regarding the genesis of this meeting proposal:**

Please see attached link on Everglades Headwaters National Wildlife Refuge

**With which Bureau or Agency does your agenda most align?**

The Nature Conservancy works across all the Department's bureaus and agencies.

**If the Secretary is unable to meet, is a surrogate desired? If yes, who specifically?**

That is not necessary. We can catch up with the Secretary and his team in Washington, DC.

# Meeting Proposal Information Form

**\*Please complete this form and send to [scheduling@ios.doi.gov](mailto:scheduling@ios.doi.gov)**

**Specific request to the Secretary:**

A 45-minute meeting with The Nature Conservancy as part of the Secretary's visit to the Katahdin Woods and Waters National Monument in Millinocket Maine. The Conservancy is one of the largest landowners in the area (more than 49,000 acres) and is working with the towns of Millinocket, East Millinocket and Medway to rebuild and revitalize the communities as they rebuild in the absence of papermaking. Our plan is to discuss with the Secretary our work in the region, the Katahdin Woods and Water Monuments, community attitudes and the path ahead.

**Meeting date:**

June 14<sup>th</sup> during the Secretary's Maine visit.

**Meeting location:**

Katahdin Region Higher Education Center, One Industrial Drive East Millinocket, Maine Route 157, 30 miles south of the Katahdin Woods and Waters National Monument and 4.5 off Interstate 95 exit 244.

**Contact information:**

Tom Cors, The Nature Conservancy. [tcors@tnc.org](mailto:tcors@tnc.org) 919-636-2297  
Tom Abello, The Nature Conservancy, [tabello@tnc.org](mailto:tabello@tnc.org) 207-406-0230

**Briefly describe the proposed meeting agenda in as much detail as possible, and the desired outcome of the Secretary's participation:**

While the Secretary is in northern Maine to tour, and discuss the Katahdin Woods and Waters National Monument, we are interested in meeting with Mr. Zinke to discuss The Nature Conservancy's land holdings in the region (some 46,000 acres), our conservation interests and our work with local communities in the region. The Conservancy did not take a position of the establishment of the Katahdin Woods and Waters National Monument. Instead our work was focused on enhancing and managing our own lands and helping the rural communities transition to a diversified economy in the wake of papermaking. Now that the Monument is established, community members and stakeholders are moving forward to take advantage of the project, seeing it as one piece of a new diversified rural economy. Also, we would like to discuss strategy on one of Mr. Zinke's priorities, the Land and Water Conservation Fund. This meeting would be non-attributable and without press. Depending on the Secretary's schedule, it would be a good place to have lunch.

**Expected meeting participants (names and titles):**

William Patterson, TNC Northern Maine Program Manager  
Roger Milliken, Baskahegan Land Company  
Marcia McKeague, Katahdin Timberlands  
John Raymond, Millinocket resident, ATV enthusiast  
Deb Roundtree, Associate Academic Dean, Katahdin Technical Education Center  
Tom Abello, TNC Director of External Affairs

**Desired length of time for the meeting:**

45 minutes.

**Are there any other specific matters you would like the Secretary to address?**

Not at this time.

**Please supply any pertinent background information regarding the genesis of this meeting proposal:**

**With which Bureau or Agency does your agenda most align?**

The Nature Conservancy works across all the Department's bureaus and agencies.

**If the Secretary is unable to meet, is a surrogate desired? If yes, who specifically?**

To:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Rusty Roddy[russell\_roddey@ios.doi.gov]

**From:** Boulton, Caroline  
**Sent:** 2017-06-08T17:29:46-04:00  
**Importance:** Normal  
**Subject:** New England POC Info  
**Received:** 2017-06-08T17:30:23-04:00  
[New England POCs.docx](#)

Attached.

Greg, I will be calling the tribe's people tomorrow, their lobbyist just sent it over.

--

Caroline Boulton  
Department of the Interior  
Scheduling & Advance  
[Caroline\\_Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | [Scheduling@ios.doi.gov](mailto:Scheduling@ios.doi.gov)



## United States Department of the Interior

Points of Contact  
New England: 6.13-6.16

### National Congress of American Indians (6/13)

Jacqueline Pata  
[jpata@ncai.org](mailto:jpata@ncai.org)  
202-466-7767 (office)  
[REDACTED] (cell)

Robert Holden (Security POC)  
[rholden@ncai.org](mailto:rholden@ncai.org)  
202-730-5135

### Bass Pro Shops (6/13)

Martin G. MacDonald, Director of Conservation  
[mmacdonald@basspro.com](mailto:mmacdonald@basspro.com)  
(417) 873-5023 (office)  
[REDACTED] (cell)

### Governor Chris Sununu Staff (6/13)

Jane Hirsch, Director of Scheduling  
[Jane.hirsch@nh.gov](mailto:Jane.hirsch@nh.gov)  
603-271-2121 (office)  
[REDACTED] (cell)

### Governor LePage Staff (6/13)

Nicole Desjardins, Scheduler  
[Nicole.desjardins@maine.gov](mailto:Nicole.desjardins@maine.gov)  
207-287-3540 (office)

Lance Libby, Senior Policy Advisor  
[Lance.libby@maine.gov](mailto:Lance.libby@maine.gov)  
207-287-3416 (office)  
[REDACTED] (cell)

### Katahdin Woods and Waters National Monument (6/14)

Tim Hudson, Superintendent  
[Tim\\_hudson@nps.gov](mailto:Tim_hudson@nps.gov)  
207-242-0186 (cell)

Lucas St. Clair  
[Lucasstclair12@gmail.com](mailto:Lucasstclair12@gmail.com)  
207-518-9462 (office)  
[REDACTED] (cell)

### Katahdin Chamber of Commerce (6/15)

Gail Fanjoy  
[gfanjoy@kfimaine.org](mailto:gfanjoy@kfimaine.org)  
207-723-4433 (office)

Shorey Ewing (Advance)  
[shorey@neoc.com](mailto:shorey@neoc.com)  
[REDACTED]

### Penobscot Nation (6/15)

Michael Rossetti  
[mrossetti@akingump.com](mailto:mrossetti@akingump.com)  
202-887-4311 (office)  
[REDACTED] (cell)

Robert "Bob" Bryant, Chief of Police  
[REDACTED]

Mary Settles, EA to Chief Kirk Francis  
[REDACTED]

### Maine Woods Coalition (6/15)

Anne Mitchell  
[mainewoodcoalition@gmail.com](mailto:mainewoodcoalition@gmail.com)  
207-685-4545 (office)  
[REDACTED] (cell)  
MFPC (Location): 207-622-9288

### L.L.Bean (6/15)

### Northeast Canyons and Seamounts Marine National Monument (6/16)

Brian Benedict, Interim Superintendent  
[Brian\\_benedict@fws.gov](mailto:Brian_benedict@fws.gov)  
207-594-0600x2 (office)  
207-542-0450 (cell)

### Fishermen (6/16)

### MA Secretary of Energy and Environmental Affairs Matthew Beaton Staff (6/16)

Becky Ullman, Chief of Staff  
[Rebecca.ullman@massmail.state.ma.us](mailto:Rebecca.ullman@massmail.state.ma.us)

### New England Aquarium (6/16)

Dr. Scott Kraus, VP of Research

**To:** Amy Holley[Amy\_Holley@ios.doi.gov]; Caminiti, Mariagrazia[Marigrace.Caminiti@sol.doi.gov]; Christine Bauserman[christine\_bauserman@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; Douglas Domenech[douglas\_domenech@ios.doi.gov]; Downey Magallanes[downey\_magallanes@ios.doi.gov]; Edward Keable[edward.keable@sol.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]; Juliette Lillie[juliette\_lillie@ios.doi.gov]; Katharine Macgregor[katharine\_macgregor@ios.doi.gov]; Kerry Rae[kerry\_rae@ios.doi.gov]; Kevin Haugrud[jack.haugrud@sol.doi.gov]; Maureen Foster[maureen\_foster@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Michael Black[mike.black@bia.gov]; Nikolao Pula[Nikolao\_Pula@ios.doi.gov]; Richard Cardinale[Richard\_Cardinale@ios.doi.gov]; Scott Cameron[scott\_cameron@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Timothy Williams[Timothy\_Williams@ios.doi.gov]; Vincent Devito[vincent\_devito@ios.doi.gov]; Virginia Johnson[virginia\_johnson@ios.doi.gov]

**From:** Rees, Gareth

**Sent:** 2017-07-06T15:53:48-04:00

**Importance:** Normal

**Subject:** Weekly Report to the Secretary - July 6, 2017

**Received:** 2017-07-06T15:54:02-04:00

[WeeklyReporttotheSecretary07-06-17.docx](#)

Good Afternoon All,

Please find attached the weekly report to the Secretary. I have attached both the word and Google Doc versions of the reports. If there are any issues, please let me know.

Thanks

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202-208-6291

Fax: 202-208-1873

Cell: 202-957-8299

**Weekly Report to the Secretary 07-06-17**

**WEEKLY REPORT TO THE SECRETARY  
DEPARTMENT OF THE INTERIOR**

**July 06, 2017**

**Office of the Solicitor**

**Week Ahead Schedule of Meetings, Hearings, and Travel**

Nothing to report.

**Week Ahead Announcements and Actions**

**SIGNIFICANT LITIGATION DEADLINES FOR NEXT TWO WEEKS SEPARATELY REPORTED**

**NEW CASES:**

***James Lee Williams v. United States (Fed. Cl.)***

James Lee Williams filed a complaint against the United States, claiming that the Bureau of Reclamation and the Bureau of Land Management, along with other non-federal defendants, violated his constitutional rights by denying him the right to acquire land and water rights on an area of land in the Colorado River known as Yuma Island. Plaintiff is seeking \$25 million in damages. The answer is due July 21.

***San Carlos Irrigation and Drainage District v. United States (Fed. Cl.)***

On June 12, the San Carlos Irrigation and Drainage District (SCIDD) filed a complaint alleging breach of contract, breach of implied covenant of good faith and fair dealing, and breach of trust and fiduciary duty by the Bureau of Indian Affairs. SCIDD's complaint relates to the operation and maintenance costs assessed annually by the BIA through the San Carlos Irrigation Project, a federal irrigation project that provides irrigation water to public and private lands within the Gila River Indian Community. The answer is due August 11.

***Christian and Brooks Haight v. United States (D. Mont.) - Tort-wrongful death and survivorship***

On June 9, 2017, plaintiffs filed a lawsuit seeking an unspecified amount of damages for alleged negligence by the Bureau of Reclamation. Plaintiffs' three-year-old son was killed on April 22, 2016 when part of a Reclamation boat ramp at Canyon Ferry Reservoir (Montana) fell on him. The Department denied a \$14,000,000 FTCA claim for wrongful death and survivorship on June 2, 2017. The United States' answer is due August 14, 2017.

***Bay Institute v. Zinke (N.D. Cal.) - Challenge to Cal. WaterFix biological opinion***

On June 29, the Bay Institute and other environmental organizations challenged the Fish and Wildlife Service's biological opinion on the California WaterFix project. The plaintiffs challenge the BiOp under the APA and the conclusions in the BiOp as arbitrary and capricious.

## **SIGNIFICANT DECISIONS:**

### ***Penobscot Nation v. Mills (1st. Cir.)***

In August 2013, the United States joined a lawsuit filed by the Penobscot Nation against the State of Maine to protect the Nation's fishing rights and seeking a declaratory judgment that the Penobscot Reservation extends bank to bank in the Main Stem of the Penobscot River. On June 30, 2017, the United States Court of Appeals for the First Circuit, in a 2-1 decision, agreed with the State of Maine that the definition of the Penobscot Indian Reservation in the Maine Implementing Act and the Maine Indian Claims Settlement Act unambiguously excludes the waters and submerged lands of the Main Stem of the Penobscot River. The majority also concluded that the federal courts lack jurisdiction to adjudicate the question of the Nation's sustenance fishing rights, and vacated the district court's ruling that the Reservation included the River for sustenance fishing purposes for lack of standing. In a lengthy dissent, Judge Torruella concluded that the Reservation includes the Main Stem of the River.

### ***Native Ecosystems Council et al. v. Krueger (9<sup>th</sup> Cir.) - Lonesome Wood II ESA Litigation***

On June 29, the Ninth Circuit denied appellants' motion for an injunction pending appeal. Appellants challenge the project that would occur in the Gallaton National Forest in Montana under Section 7 of the ESA. The project is projected to begin over the next few weeks.

### ***Crow Allottees Ass'n v. United States (9th Cir.)***

On June 28, the Ninth Circuit – two weeks after oral argument in this matter - issued a decision favorable to the United States in an unpublished memorandum opinion. This matter originated in 2014, when Plaintiffs filed a complaint alleging, *inter alia*, that the United States breached fiduciary duties and took Crow Allottees' water rights without due process based on the 2010 Crow Tribe water settlement. In 2015, the court granted the United States' motion for judgment on the pleadings based on sovereign immunity. When Plaintiffs appealed, the United States argued that the dismissal should be upheld not only on sovereign immunity grounds, but also based on standing, failure to state a claim upon which relief could be granted, and mootness. The Ninth Circuit upheld the lower court's dismissal, finding that Plaintiffs failed to state a claim upon which relief could be granted, that none of Plaintiffs' claims provided reason to find the 2010 settlement act unconstitutional, and that 25 USC 175 does not entitle them to government-funded private counsel. Plaintiffs have until August 11, 2017, to file a petition for rehearing.

This matter represents a separate challenge to the 2010 settlement from that brought previously by Plaintiffs. Plaintiffs similarly objected before the Montana Water Court and appealed adverse rulings to both the Montana and United States Supreme Courts. The Montana state courts



resolved those claims in favor of the United States (and the State and Crow Tribe) as well and upheld the settlement, and the United States Supreme Court denied the petition for *certiaori*.

#### **OTHER LITIGATION MATTERS:**

##### ***Wyoming v. DOI (D. Wyo.) - BLM Venting & Flaring Rule***

The court granted our motion for a 90-day extension of the briefing schedule. Opening briefs are now due October 2 and the Department's response brief is due November 9.

##### ***Wyoming v. Zinke (10th Cir.) - BLM's Hydraulic Fracturing Rule***

The court has scheduled oral argument for July 17, 2017.

##### ***Juliana v. U.S. (D. Ore.) - Climate Change***

On June 26, DMR and DLR provided DOJ estimates from the bureaus of the burdens of complying with the plaintiffs' 30(b)(6) deposition notice. DOJ met with plaintiffs' counsel about the notice. Plaintiffs stated that they will narrow the scope of some of the subject areas of the notice. Also, the court granted the motion of defendant-intervenors to withdraw, and set a trial date of Feb. 5, 2018.

##### **Sage Grouse Litigation-Motions to Stay**

As a result of the review and report required by Secretarial Order 3353 (June 7, 2017) regarding the BLM's 2015 sage grouse land use plans (the 2015 plans), the parties in the following four sage grouse lawsuits (which challenge the 2015 plans) have filed joint motions to stay the litigation for a period of 90 days, and upon expiration of the stay, to submit a status report advising the courts as to whether a continued stay is warranted or if litigation deadlines should be reinstated: *American Exploration and Mining v. DOI* (D. D.C.); *Harney Soil and Water Conservation District v. DOI* (D. D.C.); *Western Energy Alliance v. DOI* (D.D.C.); and *Otter v. Zinke* (D.C. Cir.); DOJ is conferring with plaintiffs in the remaining cases and anticipates filing similar motions within the next week.

##### **BLM Sonoran Desert NM Proposed Plan Amendment/ Final EIS**

The BLM is under a court order to issue a ROD for this planning effort by September 30, 2017. This week it is likely the U.S. will seek a stay of the proceedings on remand and a 90-day extension of the date to complete the Amendment to give the Department time to complete the review of the Monument pursuant to the April 26, 2017 Executive Order.

##### ***Double R Ranch Trust, et al. v. Kristin Bail, et al. (D.D.C.)***

The U.S. response to Plaintiffs' complaint is due July 24 in this case challenging the Wild and Scenic River suitability determinations in the BLM's 2016 Western Oregon Resource

Management Plans.

(b)(5)

(b)(5)

***Edwards S. Danks, Sr. and Georgianna Danks, Land Owners v. Zinke, et al. (D.N.D.)***

The United States was served this action on June 26, 2017. Plaintiffs seek injunctive and declaratory relief, along with a writ of mandamus, from a decision of the Great Plains Regional Director upholding a correction for clerical error to a legal description contained in an oil and gas lease on the Fort Berthold Reservation. The USA's deadline to answer or otherwise plead is August 22, 2017.

**Florida Lake Settlement**

The Fish and Wildlife Service reached a settlement with 3 land owners who built buildings in violation of a restrictive covenant placed on property as part of a land exchange. The Service will receive \$15,000.00.

***Hudson v. Zinke (D.D.C.)***

Plaintiff filed a Motion for Summary Judgment on May 14, 2017 in this Secretarial Election case involving changes to the Tribal Business Council structure for the Mandan, Hidatsa and Arikara Tribes (The Three Affiliated Tribes) in North Dakota. The Government will file its final Reply Brief on July 3, 2017.

**NON-LITIGATION MATTERS:**

**California WaterFix**

NMFS issued a final BiOp internally to Reclamation on June 16, 2017, and the FWS signed a final BiOp on June 23, 2017. On June 29, 2017, The Bay Institute, NRDC, and other NGOs, filed two APA lawsuits challenging them (see "Litigation Activities"). Part 1 (injury to other legal users of water) of the SWRCB hearings on the petition for change in the point of division filed jointly by Reclamation and DWR is coming to an end, at which time, the parties will begin preparation for Part 2 (impacts on fish and wildlife). The SWRCB has not yet set a schedule for Part 2 of the hearings. Recently, Part 1 Parties have begun to take issue with the project description in the BiOps. The project description in the BiOps differs from the project description for operations relied upon for Part 1 of the hearing. It has changed somewhat with respect to reverse flow requirements (OMR restrictions) and required Delta outflow. Currently,

(b)(5)

**Hearing on Red River Gradient Boundary Survey Act (S. 90)**

The Senate Energy Committee has scheduled a hearing on S.90, for July 13, 2017. This bill (and its companion H.R. 428), attempts to resolve a dispute regarding competing claims to land along

approximately 116 miles of the Red River, where it forms the boundary between the States of Texas and Oklahoma. The river's south bank also forms the southern boundary of the Federal estate along these 116 miles. In November 2015, local government entities and private landowners along the Red River filed a case under the Quiet Title Act ("QTA"), as well as the Fourth and Fifth Amendments of the U.S. Constitution, alleging the U.S. had taken their property by identifying land adjacent to their properties as Federal public lands. The State of Texas intervened in the case, styled, *Aderholt, et al. v. Bureau of Land Management*, in order to assert its sovereign border, and the Texas General Land Office intervened to assert its mineral interests. The case has attracted political interest, including an amicus filed by 22 members of the Texas Congressional delegation asserting that the BLM applied incorrect survey methods and harmed property rights. Trial is scheduled for September 25, 2017.

## **Assistant Secretary for Fish and Wildlife and Parks**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Acting Assistant Secretary Virginia Johnson will travel with Secretary Zinke to Colonial National Historic Park on July 7 to tour the park and to participate in a roundtable on Boating Infrastructure Grants in Yorktown, Virginia.

On July 8-14, Deputy Assistant Secretary Aurelia Skipwith will travel to Vail, Colorado, to attend the Western Association of Fish & Wildlife Agencies meeting. She will be meeting with 23 Western Directors of Fish & Game to engage about local issues and policies. She will then tour Utah, Colorado, Wyoming, Idaho and Montana to become familiar with wildlife and habitat management, as well as interstate and federal cooperation in the West. On July 17, she will tour the Lee Metcalf Wildlife Refuge in Montana and July 18-20 attend Governor Butch Otter's Natural Resources & Land Management Trail Ride.

### **Week Ahead Announcements and Actions**

The UNESCO World Heritage Committee is currently holding its annual session in Krakow, Poland from July 2-12. Casey Hammond is part of the delegation and is representing the Department of the Interior. UNESCO lists sites in the USA and other countries as "World Heritage Sites." They are added to an international directory and the designation greatly augments visitation, especially from international visitors. FWP is monitoring third-party efforts to place Chaco Culture National Historic Park in New Mexico on UNESCO's "Endangered List" due to its proximity to current and proposed oil and gas activity in the vicinity. If placed on the "Endangered List," this could augment the efforts of the international environmental community to launch public relations campaign against our oil and gas activity in the region. Several career employees from the Department of State are participating in the session along with one career NPS employee. Casey has advised that Earthjustice is present at the conference and is raising concerns about the impact the Administration's national monuments review could have on another World Heritage Site, the Papahānaumokuākea Marine National Monument in Hawaii. If added to the "Endangered List," this could adversely impact commercial fishing in the region.

Acting Assistant Secretary Virginia Johnson has been working closely with the U.S. Navy to resolve an issue at Camp Pendleton related to the Park Service's historic preservation responsibilities under the National Historic Preservation Act of 1966, as amended. In 2012, the California State Historic Preservation Officer (SHPO) submitted the nomination of Trestles Historic District to the Navy to list it on National Register of Historic Places. Trestles is part of San Onofre State Beach, which the Navy at Camp Pendleton leases to the State. The state's nomination is based on the historic significance of the beach to the California surfing culture. The US Marine Corps has historically conducted amphibious landing and other training exercises in this area. The Navy has not approved the State's request to list Trestles. The State appealed the Navy's decision to the NPS. We are working with the Solicitor's office to assist the NPS in rendering a decision that reflects the views and priorities of the Administration. The NPS is reviewing the latest appeal and is expected to render a decision by July 28.

## **U.S. Fish and Wildlife Service**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

From July 7-11, FWS Acting Director Greg Sheehan will be attending the Western Association of Fish and Wildlife Agencies 2017 Annual Conference in Vail, Colorado.

### **Week Ahead Announcements and Actions**

As soon as possible, FWS will announce it has apportioned \$50 million to state fish and wildlife agencies for developing and implementing programs that benefit wildlife and their habitats. The funding is provided through the Service's State Wildlife Grants (SWG) program and is distributed through an apportionment formula in accordance with the Appropriations Act. These funds have been approved by the FWS Acting Director and by DOI for disbursement and are presently being made available to the states. FWS has a communication strategy but is concerned that news of the disbursement could leak from the recipients prior to public outreach being conducted. The Service will reach key members of Congress, states, tribes, partners, non-government organizations and media interested in wildlife and natural resource conservation through congressional notifications and media outreach via a national news release and accompanying social media.

FWS biologists are among the authors of a paper expected to publish in coming weeks that examines polar bear attacks since 1870 to see if there are commonalities between the attacks. Researchers found that most attacks occurred in human-populated communities. If sea-ice loss continues, polar bears are likely to come on shore more frequently and for longer periods of time, increasing the risk of human-polar bear conflicts. No outreach is planned. Talking points, however, are being prepared.

In coming weeks, in conjunction with NOAA and EPA, FWS plans to publish the *Coastal Wetlands Loss Analysis: Summary Findings of Pilot Studies Conducted by the Interagency Coastal Wetlands Workgroup*. FWS assisted in developing the report, which summarizes wetland loss assessments conducted in four coastal U.S. watersheds. The report was developed to support subsequent policy and management actions designed to decrease net wetland loss in coastal areas. It is not controversial. Stakeholders include NOAA and EPA, local, state and federal government organizations, and NGOs. The report will be made available online, on EPA's website, and disseminated to limited stakeholder groups primarily composed of representatives from government agencies with the purview to support coastal wetland conservation and restoration. No media outreach is planned by FWS.

On July 8, Representative Marcy Kaptur (D-Ohio) will attend Discover Ottawa Day at Ottawa NWR. This is a public event and the congresswoman will make remarks during a portion of the event.

On July 10, the Thunder Basin National Grasslands Prairie Ecosystem Association (TBGPEA) will host a celebration for the completion of the TBGPEA Candidate Conservation Agreement with Assurances, integrated Candidate Conservation Agreement and Conservation Agreement

for sage-steppe and short-grass prairie species. Wyoming Governor Matt Meade as well as state, federal and local partners will attend the celebration to be held at the Nagle-Warren Mansion in Cheyenne, Wyoming. Tyler Abbott, FWS Wyoming Field Supervisor, will attend. FWS will issue a regional news release.

On July 10, Representative Marcy Kaptur (D-Ohio) is hosting a public event in suburban Cleveland to discuss Great Lakes issues. Kaptur is inviting several experts to sit on a panel to answer audience questions about Great Lakes ecological issues. FWS Midwest Deputy Regional Director Charlie Wooley will participate to answer questions about Asian carp. Other groups represented will include NOAA, U.S. Army Corps of Engineers and two or three NGOs.

On or around July 10, FWS will announce more than \$3.8 million in grants matched by more than \$14 million in partner contributions going to 31 collaborative conservation projects in 19 countries across the Americas as part of the Neotropical Migratory Bird Conservation Act grant program. News release and outreach to bird-centric media are planned. This is not controversial.

On July 11, FWS will host a state-tribe American Ginseng Program coordination meeting in Morgantown, West Virginia. American ginseng is a native plant extensively harvested for its roots for export to Asia where they are highly valued for their medicinal properties. Due to the high volume of international trade of wild ginseng, the species is included in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Appendix II allows trade that is biologically sustainable and legal. The meeting will bring together the state and tribe ginseng program coordinators to discuss pressing current issues facing wild ginseng, management efforts, and necessary steps to improve the long-term sustainability of ginseng.

On or around July 14, FWS plans to send to the *Federal Register* a notice announcing a six-month extension of the final determination of whether to list the San Fernando Valley spineflower, a plant species from southern California, as a result of substantial scientific disagreement concerning the species. This notice will also reopen the comment period on the proposed rule to list the species for an additional 30 days. The spineflower listing is locally controversial, but filing a six-month extension is not expected to be controversial. Interested parties include The City of Calabasas and Santa Monica Mountains Conservancy (the petitioners), Wild Earth Guardians (MDL Settlement Agreement), the U.S. Army Corps of Engineers, and the State of California. Outreach will include stakeholder notifications and posting of notice to field office newsroom. On or around August 11, FWS will announce the availability of a draft Candidate Conservation Agreement (CCA) for public comment that outlines conservation measures to benefit the San Fernando Valley spineflower. The CCA was prepared in collaboration with Newhall Land and Farming Company. Interested stakeholder is Newhall Ranch. Outreach will include stakeholder notifications and posting of notice to field office newsroom.

On or around July 15, FWS plans to send to the *Federal Register* its annual proposal for administering tribal hunting, fishing and gathering rights under multiple treaties for several federally recognized tribes in the Great Lakes region. The proposal has been compiled in consultation with the Great Lakes Indian Fish and Wildlife Commission, which represents 11

tribes in Minnesota, Wisconsin and Michigan. FWS has informed the Wisconsin, Minnesota and Michigan DNRs of the proposal. A final decision will not be made until after public comments are reviewed and would not take effect until the fall 2017 hunting season. The proposal is expected to be controversial due to the inclusion of several new techniques for tribal members to take waterfowl, including electronic calls, hand held nets and snares, and use of these nets at night. Outreach to state and tribal leaders is planned.

By July 15, FWS plans to announce about \$1 million in white-nose syndrome grants to states. The grants will help states respond to the deadly white-nose syndrome disease of bats through actions such as looking for the fungus that causes the disease, carrying out decontamination procedures at state caves and mines, and monitoring bat populations. White-nose syndrome is a disease caused by a fungus that has killed millions of valuable insect-eating bats and has been found in 31 states. Recent studies have shown that the agricultural value of insect control by bats is \$1.4 billion annually in Texas alone. FWS leads the national response to the disease. This action is not controversial. A news release and outreach to interested stakeholders is planned – we will coordinate with AFWA and/or state wildlife directors.

### **Hot Topics**

On June 9, four dead cattle were found adjacent to a wetland on Lostwood National Wildlife Refuge in North Dakota. The cattle belonged to a cooperator permitted to graze on the refuge for grassland management purposes. Laboratory tests were positive for blue-green algae toxin. All grazing cooperators and neighboring ranchers were notified of the risk and asked to report sick animals immediately. Since 2014, refuge staff has been working with FWS's Wildlife Health Office and the North Dakota Department of Health on water quality sampling. No proactive outreach is planned. We are prepared to respond to any media inquiries.

FWS is monitoring the 32,500-acre Frye Fire in the Pinaleno Mountains of southeastern Arizona. As of June 29, the fire has burned through much of the remaining habitat of the endangered Mount Graham red squirrel. This species occurs only on this sky island mountain and its population was estimated to be only 252 animals in fall 2016. The fire is 43 percent contained. Fire operations are ongoing. Threatened Mexican spotted owls, Apache and Gila trout, and Wet Canyon talussnail (conservation agreement species) also occur in the affected area.

On March 29, 2017, the 10th Circuit Court of Appeals reversed and remanded a ruling from the District Court of Utah, Central Division regarding Utah prairie dogs. Once a court mandate is issued, FWS will again have the regulatory responsibility for prairie dogs on private and other non-federal lands, and there will be a need to issue incidental take permits for development activities that may take prairie dogs or its habitat. FWS implemented two low-effects Habitat Conservation Plans (HCP) in Iron and Garfield counties that included incidental take provisions for development. These low-effect HCPs have expired. A HCP remains in place in Iron County until July 2018. FWS is working with the state and other parties on a General Conservation Plan (GCP) to provide incidental take for development across the species' range for the next 10 years. A GCP is a streamlined HCP process whereby FWS prepares the conservation plan, completes National Environmental Policy Act (NEPA) requirements, and issues permits to individual developers or landowners (i.e., applicants). FWS anticipates completing the GCP this calendar

year and prior to expiration of the Iron County HCP.

On or around July 19, FWS expects to complete the consultation and biological opinion for the Department of the Navy for the Marines' relocation to Guam and its impact on endangered species. The consultation is being conducted as required by Section 7 of the Endangered Species Act. The final biological opinion is potentially controversial as the consultation is being closely monitored by environmental groups in Guam, Hawaii and the mainland for an action that is extremely important for the Pacific Area national security focus. No outreach is being planned by FWS at this time.

On June 28, Minnesota DNR hosted a public meeting to discuss trails. Local ATV advocates want a new section of trail to be built, across lands that are owned by FWS but managed by the Minnesota DNR. Both FWS and the DNR have concerns about the ecological damage that would be done by opening this closed section of trail for ATVs. It is also parallel to another route that is already open to ATVs. Because of the lease agreement between FWS and the DNR, both parties must agree to any new trails on these lands. The DNR will likely begin a public stakeholder process to determine if they want to submit a formal proposal for the ATV trail to FWS. Representative Collin Peterson (D-MN) has taken a personal interest in opening this section of trail for ATVs, and his staff have been in contact with FWS staff. This is locally controversial.

## **National Park Service**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Nothing to report.

### **Week Ahead Announcements and Actions**

The Federal Interagency Panel (Panel) for World Heritage has recommended to the Office of the Assistant Secretary for Fish and Wildlife and Parks that the "Hopewell Ceremonial Earthworks," consisting of Hopewell Culture National Historical Park in Ohio and several related sites owned by the State of Ohio, be authorized to prepare a World Heritage nomination. This recommendation is pending review by the Assistant Secretary's office. If approved, it would authorize publication of a Federal Register notice of the decision, as well as notification to property owners and Congressional committees. The preparation of a nomination would be done under the guidance of the National Park Service Office of International Affairs, and is likely to take a minimum of a year. When completed, the nomination would be reviewed again by the Panel, NPS, and the Assistant Secretary before a decision is made to submit it to the UNESCO World Heritage Committee, which makes the final decision on World Heritage nominations after a thorough review of their own. This approval package is being routed through DTS for surname.

On July 7, the Secretary will announce the \$1.75 million in available Maritime Heritage project grant funding. These grants will be used for maritime heritage education and preservation projects related to the maritime heritage of the United States. The National Maritime Heritage Act established the National Maritime Heritage Grants Program within the Department of the



Interior. The grants program is administered in partnership with the Maritime Administration. It provides funding for education and preservation projects designed to preserve historic maritime resources and is funded through a percentage of the proceeds from the sale or scrapping of obsolete vessels of the National Defense Reserve Fleet. All grants awarded must be matched on a 1-to-1 basis with non-Federal assets.

On or about July 9, Golden Gate National Recreation Area is scheduled to host the Honorable Rick Colless, Member of the Legislative Council in New South Wales, Australia, who serves as the Parliamentary Secretary for Natural Resources. He is visiting as part of a Commonwealth Parliamentary Association study tour to the U.S. and Canada, and he has expressed specific interest in northern California and Yellowstone. They are interested in visits to national forests and parks and meetings with industry stakeholders to discuss forest and park management, natural resource management, conservation, and commercial logging policies and practices.

On July 11, the NPS will meet with representatives of the Sitka Tribe of Alaska to begin negotiations regarding the Tribe's proposal for compacting certain NPS functions at the park. A pre-negotiation meeting regarding the request was held in late May. The Tribe is seeking to manage maintenance and interpretation & education functions in the park in FY-18.

On July 15, Facebook CEO Mark Zuckerberg will visit Glacier National Park. He will tour the park with the Superintendent and USGS scientist Dan Fagre (Director of the Climate Change in Mountain Ecosystems Project). He will also visit with Gracie the Bark Ranger and official park partners. Zuckerberg will post to Facebook immediately following his visit to his 92 million followers.

On July 15, the NPS anticipates the announcement of \$15 million in Outdoor Recreation Legacy Partnership grant funding for approximately 25 projects. A total of 51 projects were submitted by states to acquire and develop outdoor recreation spaces. This competitive program supplements the annual Land and Water Conservation Fund apportionment to states by supporting projects for disadvantaged populations in urban areas. The NPS is coordinating with DOI Communications on the public announcement and notification to the recipients

On July 16, The Healing Church in Rhode Island will hold a ceremony at Roger Williams National Memorial pending approval of their special use permit application. The use of cannabis is a part of this ceremony. As per legal advice, the NPS will issue a permit to conduct a legal First Amendment assembly. The permit will not allow for illegal activities or use of federally recognized illegal substances. Should illegal activities occur, Providence PD will manage enforcement activities.

On or about July 17, the FY 16 Annual Report on the Economic Impact of the Federal Historic Tax Credit is expected to be issued. The report finds that the \$6.5 billion of private investment in historic rehabilitation for FY16 produced an estimated 109,000 jobs and benefited the national economy with over \$12.3 billion in output, \$6.2 billion in GDP, and \$1.7 billion in taxes generated. The report was undertaken by the NPS through a cooperative agreement with the Rutgers University Center for Urban Policy Research and documents the wide breadth of economic impacts of the credit, as well as the cumulative impacts of the program since the

program's inception in 1976 -- \$131.8 billion in leveraged private investment in the historic rehabilitation, over 42,000 certified projects, and over 2.44 million jobs. Commonly known as the Historic Tax Credit, the program provides a 20-percent federal tax credit to property owners who undertake a substantial rehabilitation of a historic building in a business or income-producing use, while maintaining its historic character. The program is administered by the NPS and the Internal Revenue Service, in partnership with the State Historic Preservation Offices. The NPS certifies that a historic building is eligible for the program and that its rehabilitation meets preservation standards.

## **Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

On July 7, the Senate Committee on Indian Affairs will hold a field hearing in Santa Fe, New Mexico on Native American Art and Crafts authentic crafts and fraudulent crafts.

July 10 is the new deadline for public comments for the Bears Ears National Monument, and the deadline for comments on all other monument designations under review.

On July 12, a Senate Committee on Indian Affairs hearing on S.943, Johnson-O'Malley Supplemental Indian Education Program Modernization Act is scheduled. An invitation for a Departmental witness is expected.

On July 13, DAS-PED Clarkson presents to the entire membership of the Inter-Tribal Five Civilized Tribes Quarterly Meeting in Tulsa, Oklahoma, on updating the Indian Trade and Commerce Regulations.

### **Week Ahead Announcements and Actions**

On July 5, a press release announcing Dr. Gavin Clarkson as the newly appointed Deputy Assistant Secretary for Policy and Economic Development for Indian Affairs will be sent to media, federally recognized Tribes, and Tribal organizations.

July 10 is the target publication date for the 2017 proposed Indian irrigation rate notice in the Federal Register. Timely publication is important for the county to include in bills to landowners and irrigators.

July 13 is the launch date for the new [indianaffairs.gov](http://indianaffairs.gov) website.

## **Assistant Secretary for Land and Minerals Management**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Nothing to report.

### **Week Ahead Announcements and Actions**

During the week of July 10, OSMRE anticipates publishing a Notice of Availability in a local newspaper for the Bridger Mine Mining Plan Modification Draft EA, initiating a 30-day comment period. The Bridger Coal Company's Bridger Mine is an underground mine located in Sweetwater County, WY that employs 540 people. If the modification is approved, production is estimated to be 2.24 million tons per year.

During the week of July 10, OSMRE plans to publish a Notice of Availability in a local newspaper for the Cordero Rojo Mine Mining Plan Modification Draft EA, initiating a 30-day public comment period. Cloud Peak Energy's Cordero Rojo Mine is a surface mine located in Campbell County, WY. The mine employs 383 people and produces approximately 20 million tons of coal per year.

On July 10, the BLM's public comment period for the National Monument review closes. The BLM-WO is reviewing public comments and, in coordination with State Offices, Monument Managers, and the DOI Office of Policy Analysis, will prepare the final report on the 18 National Monuments managed by the BLM. This will be ongoing through July and early August.

On July 10, the BLM-CO White River Field Office will initiate a 30-day public scoping period for a proposal to develop a 384-mile off-highway vehicle (OHV) route system incorporating mostly existing BLM and county roads. Rio Blanco County submitted the Wagon Wheel West OHV Trail proposal to the BLM to increase trail system-based recreation throughout the county and northwestern Colorado. Recreation on BLM-CO-managed lands generated \$543 million and supported 4,625 jobs in FY 2015.

On July 10, BOEM plans to publish the Record of Decision for a project to rehabilitate 4 miles of shoreline damaged by Hurricane Matthew in Martin County, FL. The Bureau will enter into a 3-party agreement with Martin County and the US Army Corps of Engineers to dredge up to 1,000,000 cubic yards of OCS sand.

On July 10, four individuals charged with various crimes during the 2014 Gold Butte cattle impoundment are scheduled to be re-tried in U.S. District Court, Las Vegas, following the declaration of a mistrial on April 24, 2017. The BLM communications team has and will continue to coordinate with DOI communications on public statements or related materials.

On July 10, BSEE Director Scott Angelle will meet with the Gulf Restoration Network in New Orleans, LA.

On July 10, BSEE Director Scott Angelle will meet with the representatives of PHI Helicopters in Houston, TX to discuss issues related to the Bureau's use of offshore helicopter refueling facilities.

On July 11, BSEE Director Scott Angelle is scheduled to speak at the American Petroleum Institute's Safe Lifting Conference in Houston, TX. The conference will cover lifting operations and standards for platform-based cranes.

On July 11-12, BOEM will participate in a panel discussion on marine acoustics and other topics with ocean science leaders hosted by the Woods Hole Oceanographic Institution. Bill Brown, Chief of the Office of Environmental Programs, Jill Lewandowski, Chief of the Division of Environmental Assessment, and Erica Staaterman, a Bioacoustician from BOEM, will represent the Bureau in the panel discussion.

On July 12, the House Natural Resources Subcommittee on Energy and Mineral Resources plans to hold a hearing on the offshore oil and gas programs. Acting Assistant Secretary for Land and Minerals Management Kate MacGregor will be the Department's witness.

On July 12, BSEE Director Scott Angelle is scheduled to meet with offshore industry representatives in Morgan City, LA. Director Angelle will also meet with BSEE Houma District personnel.

On July 13, the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining tentatively plans to hold a hearing on 12 public land bills of interest to the BLM. The BLM witness has yet to be determined.

On July 13, BLM-WY High Plains District, Buffalo Field Office, and Casper Field Office staff will meet with Converse and Campbell County commissioners to discuss coal and oil and gas conflicts, which occur when both industries compete for mineral rights in the same location, within their respective counties. The meeting will initiate dialogue on how the BLM and county commissioners can help the industries carry out their work in accordance with the BLM's relevant land use plan.

On July 14, the House Natural Resources Subcommittee on Federal Lands tentatively plans to hold a hearing on various public land bills, including the following two of interest to BLM; H.R. 2582, Confirming State Land Grants for Education Act (Rep. Love, R-4-UT); and H.R. 1547, Udall Park Land Exchange Completion Act (Rep. McSally, R-2-AZ). The BLM's witness is yet to be determined.

On July 14, BSEE Director Scott Angelle will speak at a meeting of the National Ocean Industries Association's Legislative Strategy Group in Washington, DC.

From July 14 to August 25, BLM-AK plans a temporary shutdown of the Trans-Alaska Pipeline System. Alyeska Pipeline Services Company plans safety and integrity protection system downloads requiring short-term shutdowns for the Trans-Alaska Pipeline System this summer. The BLM Alaska Branch of Pipeline Monitoring will observe the shutdowns.

In mid-July, BOEM plans to release a Note to Stakeholders regarding its proposal to implement a 12.5% royalty rate for oil and gas production in shallow water depths. The reduction would be only for leases offered in Gulf of Mexico Lease Sale 249, which is scheduled to take place on August 16, 2017. Bids for leasing in shallow waters have been in steady decline, primarily due to the high incidents of natural gas in shallow water depths, which compete unfavorably with more onshore gas resource plays. If ASLM approves the proposal, the BOEM will make the announcement using a Note to Stakeholders. Affected governors will be notified via correspondence.

In mid-July, OSMRE's Western Region plans to publish a Notice of Availability in a local newspaper for the John Henry Mine Mining Plan Modification draft EA and unsigned FONSI, initiating a 30-day public comment period. Pacific Coast Coal Company's John Henry Mine is a surface mine located in King County, WA which has been inactive since 1999.

In mid to late July, BLM-CA anticipates the completion of the proposed Hester land exchange. The exchange will result in the BLM's acquisition of approximately 550 acres of non-Federal lands within the new Sand to Snow National Monument in Riverside County, in exchange for 40 acres of Federal mineral interests located on private property in San Diego County. The exchange finalizes restitution of a trespass settlement that began in 2013. Rep. Duncan Hunter (R-CA-5) has been a strong advocate for the exchange and the BLM is keeping him informed of its progress.

## **Assistant Secretary Policy, Management and Budget**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

- Who: Office of Environmental Policy and Compliance (OEPC), Bureau of Reclamation (BR), US Geological Survey (USGS), Fish and Wildlife Service (FWS), Bureau of Indian Affairs (BIA), National Park Service (NPS), Office of the Regional Solicitor, Environmental Protection Agency (EPA), National Marine Fisheries Service, U.S. Forest Service
- What: Columbia River Treaty (CRT) Regional Federal Resource Agency Partners Meeting
- When: July 11, 2017
- Where: Portland, OR
- Press: Closed
- Topic: Updates on recent meetings and work related to the review of the CRT.
  
- Who: OEPC, FWS, BOR, NPS, Office of the Solicitor (SOL), EPA, USDA, NOAA
- What: Columbia River Treaty (CRT) National Federal Resource Agency Partners
- When: July 11 or 12, 2017
- Where: Washington, DC
- Press: Closed
- Topic: Updates with Federal HQ staff on updates and recent meetings and work related to the review of the CRT.
  
- Who: Coordinator Jon Andrew and new Coordinator Brent Range
- What: Interagency Coordination Meetings
- When: July 11-12, 2017
- Where: San Diego, CA
- Press: Closed
- Topic: Jon and Brent will attend coordination meetings with Fish and Wildlife Service, Bureau of Land Management and U.S. Border Patrol field personnel in the San Diego area. They will also attend the San Diego Sector Borderlands Management Task Force Meeting on July 11.
  
- Who: OEPC Portland, BIA, BR, FWS, NPS, USGS, EPA, NOAA Fisheries, USFS, and Columbia Basin Tribes
- What: Columbia Basin Small Workgroup Meeting
- When: July 17, 2017
- Where: Portland, OR
- Press: Closed
- Topic: Updates on recent meetings and work related to modeling and coordination for the Columbia River hydropower system.

### **Week Ahead Announcements and Actions**

**FY 2019 Budget Formulation.** The Office of Budget will hold meetings July 11-13 with Bureaus and DOI Leadership on the Bureau FY 2019 Budget submissions to the Department.

**Royalty Policy Committee.** ONRR issued a Federal Register Notice to extend the nomination period for the Royalty Policy Committee (Committee) by an additional 30 days. On April 3, 2017, the Department of the Interior published a notice establishing the Committee and requesting nominations. The last submission date for Committee nominations was extended to July 3, 2017. The selection committee will meet July 19, 2017, to review the nominations.

**Suspension and Debarment Actions.** On June 9, 2017, DOI debarred Sharon Ann Baldwin. This action is based on Baldwin's conviction for theft of \$313,000 in park entrance fees while employed by the National Park Service (NPS) as a Supervisory Visitor Use Assistant at the Petrified Forest National Park in Arizona.

**Year 2017 Small Business Accomplishments to Date.** As of June 27, 2017, the Department has awarded 55.29% of its contract award dollars to small businesses. The Department-wide small business goal, which was negotiated with the Small Business Administration, is 53.5%. The Department awarded 21.89% of its contract award dollars to small disadvantaged businesses and 13.83% of its contract award dollars to women-owned small businesses, exceeding the statutory goal of 5% for each. The Department awarded 3.58% of its contract award dollars to historically underutilized business zone small businesses and 3.87% of its contract award dollars to service-disabled veteran-owned small businesses. The statutory goal is 3% for each of these categories.

**Internal Control and Audit Follow-up.** The Department has an annual goal of closing 85 percent of corrective actions scheduled for closure in the current FY to address issues raised in OIG and GAO engagements. As of June 30, 2017, the Department has closed 40 percent of open audit recommendations scheduled for closure in FY 2017.



## **Assistant Secretary for Water and Science**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

For July 10-14, 2017, Acting AS/WS Scott Cameron will be in Washington, DC, and participating in routine internal briefings. He will also be orienting the new DAS for Water and Science, and starting the transition to his permanent role as the Principal DAS in PMB.

### **Week Ahead Announcements and Actions**

In the coming weeks, the Department will release a new USGS report on critical minerals for the United States. This publication presents resource and geologic information for 23 mineral commodities currently viewed as important to our national economy and national security, many of which are sourced entirely outside of the United States. The report provides an in-depth look at each commodity's use, distribution of deposit types, and current status of production, resources, and reserves. The individual commodity chapters serve as an update to the 1973 commodity chapters of USGS Professional Paper 820, United States Mineral Resources. A DOI news release is planned, along with release of a possible Executive Order and FY 2019 budget initiative on 3DEEP geologic mapping to promote mining in the US.

## **30-60 DAY LOOK-AHEAD**

### **Office of the Solicitor**

#### **SIGNIFICANT LITIGATION DEADLINES FOR NEXT THREE WEEKS SEPARATELY REPORTED**

### **Assistant Secretary for Fish and Wildlife and Parks**

On August 28, federal agencies will begin selling the new America the Beautiful Senior Pass which allows lifetime access to certain federal lands. The new price for the Lifetime Senior Pass will be \$80; the annual senior pass will be \$20. The current lifetime senior pass is \$10. The NPS issued written guidance to the parks and federal recreational land managers last week instructing them to place orders for new cards no later than close of business on July 7. This change impacts NPS, FWS, BLM, Bureau of Reclamation, USACE, and the US Forest Service. The implementation date will be August 28 to allow sufficient time for training, printing, and fulfillment of existing orders. NPS will announce the effective date on July 10.

### **U.S. Fish And Wildlife Service**

#### **Grants**

Pending Departmental advisement, FWS will approve a slate of projects for funding under the Competitive State Wildlife Grants program. The projects focus on “species of greatest conservation need” identified in State Wildlife Action Plans. Funds for this program are appropriated annually by Congress. FWS Regional Offices will submit individual grants for DOI approval prior to award. This is not controversial. No outreach is planned.

#### **Asian Carp**

On June 22, a silver carp was caught below O’Brien Lock and Dam, 8 miles from Lake Michigan. This is the first Asian carp found above the U.S. Army Corps of Engineers’ Electric Fish Dispersal Barrier (~34 miles to the south) since 2010. This dam is the last barrier before the lake itself, heightening concerns that this highly invasive Asian carp species could find its way into the Great Lakes. It is important to note that this preliminary finding does not confirm that a reproducing population of Asian carp currently exists above the electric dispersal barriers or within the Great Lakes. In eight consecutive years of intensive monitoring and fish sampling in the Chicago Area Waterway System, this is the second time a bighead or silver carp has been found above the electric dispersal barriers. A bighead carp was found in Lake Calumet in 2010.

#### **Endangered Species Act Recovery Actions**

FWS plans to send to the *Federal Register* a notice of availability of the revised draft recovery plan for the giant garter snake in California. The cost of certain actions pertaining to habitat acquisition, restoration and management is listed as “To be decided,” reflecting the considerable uncertainty around what the actual cost of those actions will be once completed. Stakeholders

include federal and state agencies, conservation organizations, local agricultural communities and local municipalities as it concerns water usage. This action is not expected to be controversial, although the estimated costs of voluntary actions and actions needed for recovery could generate local stakeholder and media attention. Planned outreach includes early notifications to stakeholders, news release to local media and postings to website and social media. This is pending clearance by the Department.

On July 19-20, FWS will host public scoping meetings in Central Oregon to gather information to prepare a draft environmental impact statement related to the Deschutes Basin Habitat Conservation Plan. The Deschutes Basin Board of Control and the City of Prineville are the permit applicants for the incidental take of three listed species: Oregon spotted frog, bull trout and steelhead. Media are expected. Stakeholders include local farmers, irrigators, and recreationists. WaterWatch of Oregon, Center for Biological Diversity, Coalition for the Deschutes, Trout Unlimited and the Deschutes River Conservancy will likely get involved in the NEPA process. This will be regionally controversial. Necessary outreach is planned to alert the public to the meetings. There will be a news release, social media posts and outreach to local and state representatives. Phone calls will be made and emails sent to the partners already listed in the report item. The meetings are just the first step in the scoping process, so there will be follow-up outreach with interested partners after the meetings.

FWS continues seeking review and comment until August 29 on the peer-reviewed Mexican wolf draft recovery plan from local, state and federal agencies, tribes and the public in both the United States and Mexico during the public comment period. There is a high level of visibility and controversy on Mexican wolf recovery in general. To gain additional comments and feedback, FWS is hosting public meetings in Arizona and New Mexico on the updated Mexican wolf recovery plan between July 18 and July 22.

On or around August 4, FWS plans to send to the *Federal Register* a notice of availability of a draft post-delisting monitoring plan and reopen the public comment period on the proposed rule to delist the black-capped vireo. The post-delisting monitoring plan will be finalized in concert with the decision on the final delisting rule in January 2018. This action may become controversial. Stakeholders include the petitioners, Pacific Legal Foundation, the Office of Travis Co. Judge, Big Bend National Park and others. There have been a number of public comments opposing the delisting of the black-capped vireo, and a number of partner agencies concerned about having the necessary funds to implement the ongoing management needs (cowbird removal) and monitoring identified for their lands, which may also result in concerns about the viability of both the delisting and the post-delisting monitoring plan. Planned outreach will include notifications to local stakeholders, a press release to local media and social media posts.

### **Endangered Species Act Listing/Delisting Actions**

Pending a decision by the Acting Director and clearance by the Department, FWS plans to send to the *Federal Register* a final listing determination for the i'iwi, a Hawaiian bird. This action is not controversial. The only interested stakeholder groups are the petitioners, Center for Biological Diversity and Life Net. FWS is required by settlement agreement to submit the

finding for the i'iwi to the Federal Register by September 20. Outreach is planned to Hawaiian media and to national conservation and bird-centric media.

On or around July 19, FWS plans to send to the *Federal Register* a notice reopening for public comment the proposed listing of western glacier stonefly and meltwater lednian stonefly, located in Montana and Wyoming, as threatened species. The reopening will allow the public to comment on new range information regarding western glacier stonefly. This action is not expected to be controversial. Interested stakeholders include WildEarth Guardians and the States of Montana and Wyoming. A regional news release is planned.

On or around August 1, FWS plans to send to the *Federal Register* a notice designating critical habitat for three plant species on Hawaii Island and correct the maps for existing designations for an additional four species there. We intend to exclude lands owned or managed by the Queen Liliuokalani Trust, the Department of Hawaiian Homelands and other private landowners under Section 4(b)(2) of the Act. This action is not controversial. Interested stakeholders include the State of Hawaii and multiple state agencies, the County of Hawaii and various private landowners. Outreach includes a news release, social media, emails and phone calls to Congressional offices and stakeholders mentioned above.

On or around August 2, FWS plans to send to the *Federal Register* 90-day petition findings for six species: the oblong rocksnail, sicklefin chub, sturgeon chub, tricolored bat and Venus flytrap. We are publishing a correction to the 90-day finding for leopards which clarifies the range and the entity we are evaluating in our status review. The findings in this batch are not expected to be controversial; however, the substantial 90-day finding for the tricolored bat might generate attention, given that the primary threat to it is white-nosed syndrome (which is threatening other bat species across North America). Stakeholders for the tricolored bat include the wind, oil and gas industries, federal forest land managers (Department of Defense, Forest Service, National Park Service and the Bureau of Land Management), private forest landowners, States, Canada and Mexico, federal academic researchers (U.S. Geological Survey and universities), the caving community, and local municipalities and homeowners who have bats on their property. Stakeholders for the other species include the Center for Biological Diversity, Cahaba River Keeper, WildEarth Guardians, Defenders of Wildlife, the Humane Society, International Fund for Animal Welfare, the Fund for Animals and several individuals. Outreach will include notifications to stakeholders and petitioners and a low-key national news bulletin to media.

On or around August 4, FWS plans to send to the *Federal Register* a 12-month finding and proposed delisting determination on the Deseret milkvetch, found in Utah. The Service concluded that the threats (residential development, highway widening, livestock grazing, and small population size) either have not occurred to the extent anticipated, are being adequately managed, or the species is more tolerant of the stressor than originally known. Interested stakeholders include the petitioner, Western Area Power Administration, entities that own lands occupied by the species, Utah Division of Wildlife Resources and Utah Division of Transportation. Planned outreach will include a regional news release, emailing the news release to relevant congressional offices and phone calls to the respective state wildlife directors. This is not expected to garner national attention.

On or around August 5, FWS plans to send to the *Federal Register* a proposal to list the Louisiana pine snake, located in Louisiana and Texas, as a threatened species with a 4(d) rule. This action is controversial. Stakeholders include the U.S. Army, the U.S. Forest Service, State and private landowners and the timber industry. Planned outreach will include notifications to stakeholders and relevant members of Congress, press release to local media and social media posts.

On or around August 14, FWS plans to send to the *Federal Register* a notice of availability of the final Stock Assessment Report (SAR) for the southern sea otter population in California. We do not anticipate controversy on publication of availability for this report. No outreach is planned.

On or around August 15, FWS plans to send to the *Federal Register* a final rule to remove the eastern cougar (historically known to exist in southeastern Ontario, southern Quebec and New Brunswick in Canada and a region bounded from Maine to Michigan, Illinois, Kentucky and South Carolina in the eastern United States) from the list of endangered and threatened species due to extinction. Although we do not anticipate major public controversy with regard to the final rule, opposition to our conclusion of extinction may be expressed by advocates and advocacy organizations for puma and large predator conservation who maintain that eastern cougars still exist. However, the best available information indicates that sightings of cougars in the east are cases of mistaken identity (with bobcats) or escaped captive animals or, rarely, cougars from western populations dispersing eastwards. Interested parties include eastern U.S. states, the Humane Society of the United States, the Animal Legal Defense Fund and the Cougar Network. National news bulletin and Congressional emails are planned.

### **National Wildlife Refuge Actions**

In August, FWS will publish a proposed rule and open a 30-day public comment period on the 2017-18 Refuge-Specific Hunting and Sport Fishing Regulations. The proposed rule would open various national wildlife refuges to hunting and/or sport fishing for the first time (new hunts) and expand hunting and fishing opportunities at others. Outreach is planned to include a national news release when the *Federal Register* notice is published and notifications to members of Congress in affected districts, with some stakeholder outreach.

### **Migratory Bird Management Actions**

Pending Departmental clearance, FWS plans to announce new regulations that will allow the sale, including consignment sale, of authentic Alaska Native handicrafts or clothing that incorporate nonedible migratory bird parts. Handicrafts must be made from migratory birds harvested for food during the subsistence season. There are 27 bird species from which parts may be used. Outreach is planned to include a regional news release and stakeholder outreach. This is not controversial.

Pending Departmental clearance, in July, FWS will deliver to the *Federal Register*, a final rule establishing the 2017-18 hunting seasons and bag limits for certain migratory game birds to fulfill our responsibilities to the four international conventions to protect and manage migratory

game birds. We annually prescribe frameworks, or outer limits, for dates and times when hunting may occur and the number of birds that may be taken and possessed in hunting seasons. It sets hunting seasons, hours, areas and limits for migratory game bird species. This final rule is the culmination of the rulemaking process for the migratory game bird hunting seasons, which started with the June 10, 2016, proposed rule. Interested stakeholders include the Flyway Councils, state wildlife agencies, non-governmental organizations and hunters. A prepared statement will be provided on our website with a link to the proposed rule. This is not controversial.

Pending Departmental clearance, in July, FWS will deliver to the *Federal Register*, a proposal to establish annual hunting regulations for certain migratory game birds for the 2018-19 hunting season to fulfill our responsibilities to the four international conventions to protect and manage migratory game birds. We annually prescribe outside limits (frameworks) within which states may select hunting seasons. This proposed rule provides the regulatory schedule, announces the Service Migratory Bird Regulations Committee (SRC) and Flyway Council meetings, describes the proposed regulatory alternatives for the 2018-19 duck hunting seasons and requests proposals from Indian tribes that wish to establish special migratory game bird hunting regulations on Federal Indian reservations and ceded lands. A prepared statement will be provided on our website with a link to the proposed rule. This is not controversial.

Pending Departmental clearance, in July, FWS will deliver to the *Federal Register*, a proposal to approve the shot for hunting waterfowl and coots. We have concluded that this type of shot left in the terrestrial or aquatic environments is unlikely to adversely affect fish, wildlife, or their habitats. Approving this shot formulation would increase the nontoxic shot options for hunters. Interested stakeholders include the Flyway Councils, state wildlife agencies, non-governmental organizations and hunters. A prepared statement will be provided on our website with a link to the proposed rule. This is not controversial.

## **Energy**

On or around July 17, FWS plans to send to the *Federal Register* a notice seeking public input to identify potential issues, concerns, impacts and alternatives to be considered in development of either an Environmental Assessment or an Environmental Impact Statement for a proposed General Conservation Plan for oil and gas activities in Santa Barbara County, California. This action is not expected to be controversial. Interested stakeholders are oil and gas operators and environmental organizations in Santa Barbara County, California. Outreach will be targeted to Santa Barbara County area media, congressional staff and stakeholders. FWS will offer a briefing with staff from the Santa Ynez Band of Chumash Environmental Office in advance of *Federal Register* notification of public comment period.

## **Other**

On July 20, in Prior Lake, Minnesota, FWS will host a consultation for any federally recognized tribes to discuss an FWS proposal to change the way permits are distributed for the possession of eagle feathers and eagle parts for Native American religious purposes. This is part of a nationwide effort to host face-to-face consultations before moving forward with any proposed changes

to eagle possession permits.

On August 3, FWS Acting Director Sheehan is invited to present at the U.S. Postal Service's Protect Pollinators First-Day-of-Issue Stamp Ceremony. The ceremony will take place at the American Philatelic Society Stamp Show in Richmond, Virginia. The stamps pay tribute to the beauty and importance of pollinators with stamps depicting two of our continent's most iconic: the monarch butterfly and the western honeybee, each shown industriously pollinating a variety of plants native to North America. The Postal Service has the lead on communications for their event. FWS will be working with them as the event draws near.

## **National Park Service**

In July, the NPS will announce the award of \$18 million in Centennial Challenge projects. Many of the projects accomplish deferred maintenance projects, and all represent public-private partnerships, since each project requires a minimum 50/50 match with non-federal funds. The NPS is coordinating with DOI Communications on the public announcement and notification to the recipients.

In July, the NPS will announce the apportionment of \$1,635,742 in Native American Graves Protection and Repatriation Act grants to fund repatriation and reburial projects. The grants will assist in consultation, documentation, and repatriation of ancestors and sacred objects, objects of cultural patrimony, and funerary objects back to Indian tribes and Native Hawaiian organizations. Enacted in 1990, NAGPRA requires museums and Federal agencies to inventory and identify Native American human remains and cultural items in their collections, and to consult with Indian tribes, Alaska Native villages, and Native Hawaiian organizations regarding repatriation. Section 10 of the Act authorizes the Secretary of the Interior to award grants to assist in implementing provisions of the Act. The NPS will coordinate with DOI Communications on the public announcement and notification to the recipients

In July, the Great Smoky Mountains National Park fire assessment review will be released. In February, a team of fire experts (federal and state) convened at Great Smoky Mountains National Park to conduct an independent review of the 2016 Chimney Tops 2 fire that started in the park on November 23. The purpose of the review is to assess the facts leading up to and during the Chimney Tops 2 fire within the boundaries of the park, as well as make recommendations on any planning, operational, or managerial issues which can be addressed locally, regionally, and/or nationally to reduce the chances of a similar incident in the future. The NPS has received tort claims related to this incident and expects additional lawsuits soon.

In July, the NPS will announce \$21 million in grants from the Historic Preservation Fund (HPF) to States and Territories. Grants will be awarded to 59 State Historic Preservation Offices (SHPOs), based on the amounts available under Consolidated Appropriations Act 115-31. SHPO grants receive minor press coverage when the awards are announced. Several SHPOs have contacted the NPS about their inability to meet payroll because of the late appropriation.

In July, the NPS will announce \$4.5 million in grants from the Historic Preservation Fund (HPF) to Indian Tribes. Grants will be awarded to 169 Tribal Historic Preservation Offices (THPOs),

based on the amounts available under Consolidated Appropriations Act PL115-31. THPO grants receive minor press coverage when the awards are announced. Several THPOs have contacted us about inability to meet payroll because of the late appropriation.

In July, the NPS anticipates the announcement of \$500,000 in Tribal Heritage grants from the Historic Preservation Fund (HPF) to Indian Tribes. Grants will be awarded to 14 Tribes, based on the amounts available under Consolidated Appropriations Act PL 115-31 and reappropriated funding from PL 114-113. Tribal Heritage grants receive press coverage when the awards are announced.

On July 18, the NPS will hold public meetings in Flagstaff, Arizona, seeking public input into the replacement of the Grand Canyon National Park's 12.5 mile long Trans-canyon Pipeline that conveys water from Roaring Springs located below the North Rim to the Indian Gardens Pump Station at the South Rim. This essential component of Grand Canyon's infrastructure is 44 years old, putting it well past its normal life expectancy. The pipeline is the sole source of water supporting park operations on the South Rim, providing all drinking and utility water for more than 4.7 million annual visitors and 2,500 year-round residents.

In mid-July, the National Mall and Memorial Parks will drain the pond in Constitution Gardens for cleaning and maintenance. It is expected to be empty for approximately a week. Work will not commence until after the July 4th holiday. Neither of these projects is related to the recent draining of the Lincoln Memorial Reflecting Pool because of elevated parasite levels.

In mid-July, Mojave National Preserve will begin a 60-day public comment period on the Water Resources Plan and draft Environmental Impact Statement (WRP/DEIS). The plan will manage both developed (diverted springs and wildlife guzzlers) and undeveloped water resources in the park. The process is being closely watched by local hunting groups interested in the management of wildlife guzzlers (large basins which catch rainwater and provide a watering source for wildlife and cattle), which are viewed as necessary to maintaining a healthy bighorn sheep population for hunting.

During the week of July 24, the Reconstruction Era National Monument will hold three open house sessions in St. Helena Island, Port Royal, and Beaufort, South Carolina, as part of the development of a foundation document for this new park. A focused stakeholder meeting will also be held in Beaufort to identify the biggest challenges and opportunities facing the National Park Service in setting up these new areas and also provide input into the development of the foundation document and interpretive themes.

In late July, George Washington Parkway will begin the work to clean, wax, and re-gild the U.S. Marine Corps War Memorial, commonly referred to as the Iwo Jima Memorial. Visitor access will be affected. During this period, there will be no vehicle access to the U.S. Marine Corps War Memorial. The NPS is coordinating with Arlington County to block off a few parking spaces along Meade Street (county road immediately adjacent to the Memorial) as a pick-up and drop-off zone. Pedestrians will be able to access the Memorial by accessible trail from Meade Street. The project includes engraving *Iraq* and *Afghanistan* on the memorial to honor those who served. The park will notify stakeholders of the project's potential impacts. The project was



made possible by a donation from philanthropist David Rubenstein.

On July 29, the Frederick County Landmarks Foundation will host a National Historic Landmark (NHL) plaque dedication ceremony at the newly designated Schifferstadt House in Frederick, Md. The National Park Service (NPS) will supply the NHL plaque, and an NPS representative will make brief remarks. Local, state, and national elected officials are invited. Guest speakers will include Maryland Senator Ron Young and a descendant of the family that owned the property in the 18th century.

From July 29 to August 6, the 49th Annual Citi Open Tennis Tournament will occur at the Rock Creek Park Tennis Center. This event is a major activity of the Washington Tennis and Education Foundation, a park partner. The park will administer the permit under an Incident Command structure working closely with the Tennis Foundation, their contractors, USPP and other DC government agencies. There has been extensive coordination with Ward 4 City Council Member, Brandon Todd.

On August 18, Olympic National Park will host a special event at Hurricane Ridge celebrating the renaming of the Olympic Wilderness to the Daniel J. Evans Wilderness by a 2016 act of Congress. Evans, a former Washington state governor and U.S. Senator, was the lead sponsor of the Washington Park Wilderness Act of 1988. Evans will speak at the event and various Congressional members and/or staff are expected to among the estimated 150 participants. The NPS is working on a communications plan and will coordinate with the DOI Communications Office.

### **Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education**

July 15 is the deadline for comments on E.O 13871, how Interior and the Federal government can be reorganized.

On July 19, a Senate Committee on Indian Affairs hearing oversight hearing on Indian Gaming is scheduled.

On July 19-20, the Self-Governance Advisory Committee quarterly meeting will place at the Embassy Suites DC Convention Center, 900 10th St NW, Washington, DC 20001. The Acting Assistant Secretary for Indian Affairs is invited to attend on Thursday, July 20.

On July 24, the Department's Office of Policy Analysis will hold an Indian Economic Development Data workshop preceding the Tribal-Interior Budget Council meeting, at the Twin Arrows Navajo Casino Resort, 22181 Resort Blvd., Flagstaff, AZ.

On July 25-27, The Tribal-Interior Budget Council (TIBC) will meet at the Twin Arrows Navajo Casino Resort, 22181 Resort Blvd., Flagstaff, AZ.

On July 26, a Senate Committee on Indian Affairs oversight hearing on "Human Trafficking" is scheduled.

August 12 is the deadline for proposals from Tribes for the Office of Indian Energy and Economic Development's (IEED's) FY 2017 Native American Business Development Institute (NABDI) economic development feasibility study grant program. This grant program has, among other successes, enabled the Citizen Potawatomi Nation to build an industrial park and restore a 66-mile rail line that opens an east-west connection to four major north-south rail corridors for regional commerce.

### **Items of Note/Expected Legislative, Legal, Policy Issues**

#### ***Regulations Ready for OS Review***

- None at this time.

#### ***Regulations Pending Departmental Review, Then Ready for AS-IA Signature***

- **Proposed rules pending publication:**
  - **Indian Electric Power Utilities (25 CFR 175):** This proposed rule would not make any substantive changes to the regulations, but would revise the regulations to be in plain language. The regulations affect only a limited number of Tribes because there are only three BIA electric power utilities: Colorado River (serving the Colorado River Indian Tribes Reservation), Mission Valley Power (serving the Salish & Kootenai Tribes, Flathead Indian Reservation), and San Carlos Irrigation Project (serving Gila River Indian Community).
    - *Status:* The proposed rule will be presented to the AS-IA transition contact in preparation for AS-IA signature.

#### ***Upcoming FACA Committee Notices***

- **BIE Negotiated Rulemaking on Accountability (25 CFR 30):** The Every Student Succeeds Act (ESSA) requires BIE to use a negotiated rulemaking process to develop regulations for implementation no later than the 2017-2018 academic year and to define the standards, assessments, and accountability system consistent with Section 1111 of the Elementary and Secondary Education Act (ESEA) for the schools funded by BIE on a national, regional, or tribal basis.
  - *Status:* [No Change] BIE is preparing a new notice of intent to establish the committee and solicitation for membership.

### **Assistant Secretary for Land and Minerals Management**

On July 17, BOEM plans to publish the Final Notice of Sale and Record of Decision for the Gulf of Mexico Lease Sale 249. The sale is scheduled for August 16 and will be the first lease sale under the 2017-2022 OCS Oil & Gas Program as well as the first region-wide sale.

During the week of July 17, BSEE Director Scott Angelle will attend individual meetings with Sen. Lisa Murkowski, Sen. Dan Sullivan, and Rep. Don Young of the Alaska Congressional delegation to discuss offshore developing in the Arctic OCS region.

On July 18 – 20, Acting ASLM Kate MacGregor will participate in the 15<sup>th</sup> annual Governor's Trail Ride hosted by the Idaho Cattle Association and Idaho Governor Butch Otter. The event, which will take place on historic ranchland in the Upper Snake River Valley, is designed to provide an opportunity to explore natural resource issues and will include discussions about improvements to the Federal grazing permit process and sustainable land use.

On July 18 and 25, BLM-Eastern States, in conjunction with the U.S. Forest Service, will hold public meetings in St. Paul, MN, and Virginia, MN, to solicit comments regarding the proposed 20-year withdrawal of 234,328 acres of Federal minerals from national forest system lands on the Superior National Forest within the Rainy River Watershed. Public comments received during project scoping will inform development of an EIS to study the proposed mineral withdrawal. The USFS is the lead agency for developing the EIS, and the BLM is a cooperating agency. BLM Northeastern States District Manager Dean Gettinger will attend.

On July 19, BLM plans to hold an auction of Federally-owned crude helium. Under the Helium Stewardship Act of 2013, the BLM must offer for auction and sale annually a portion of the helium reserves stored underground at the Cliffside Gas Field, near Amarillo, TX. The BLM anticipates auctioning 500 MMcf in a total of 30 lots for delivery in FY 2018. Following the auction, the BLM will offer an allocated sale in which helium is offered to refiners, and a non-allocated sale in which the helium is offered to non-refiners.

On July 19, OSMRE, USFWS, and State regulatory authorities will meet in St. Louis to re-initiate Section 7 consultation under the Endangered Species Act, as a result of the nullification of the Stream Protection Rule and the 2016 Biological Opinion. An internal draft of the Biological Assessment (BA) is under review by an interdisciplinary team and is expected to be completed, including all OSMRE and Solicitor reviews, by July 14, to allow the BA to be submitted to USFWS by the first week of August.

On July 21, BOEM will publish a Notice of Availability (NOA) of the Final Supplemental EIS for the Cape Wind Project. The EIS will supplement the 2009 Final EIS and is being prepared pursuant to a remand order from the D.C. Circuit Court. The NOA of the Record of Decision must publish prior to the court hearing scheduled on August 25.

On July 22, the BLM-OR/WA Lakeview Resource Area plans to hold an open house to discuss ongoing work with a private, non-profit partner to develop a multi-prong approach to managing the Beatty Butte Herd Management Area. For the first time, an external partner will work with BLM staff to bait trap horses, administer PZP to mares, and gentle horses considered good candidates for adoption.

On July 26, BOEM plans to hold a meeting with New Jersey fishing groups, the New Jersey Department of Environmental Protection, and the USACE Philadelphia and New York District Offices in Tom's River, NJ. The purpose of the meeting is to discuss how BOEM identifies and leases OCS sand resources and its efforts to study potential dredging impacts on fish habitats and

fisheries. This is a follow up to a January 2017 meeting hosted by NJDEP with eight fisheries groups.

On July 28, BOEM plans to publish the Notice of Availability of the Draft EIS for the Development and Production Plan for the Hilcorp Liberty Project. The Liberty Project is a 9-acre man-made gravel island proposed to be constructed approximately 5.6 miles offshore in the Beaufort Sea that would be capable of facilitating both drilling and processing operations.

In late July or early August, BOEM plans to publish a final rule to address the use of OCS sand, gravel, and shell resources for shore protection, beach restoration, and coastal wetlands restoration projects by Federal, state, and local government agencies for construction projects authorized by or funded in whole or part by the Federal Government. The rule will describe the negotiated noncompetitive agreement process and codify new and existing procedures.

On July 28, the BLM anticipates publishing proposed revisions to the Waste Prevention Rule in the Federal Register.

On July 30 – August 4, BLM-AK and BOEM will host acting Assistant Secretary for Lands and Minerals Kate MacGregor. The tentative itinerary involves tours on Alaska's North Slope, including the Trans-Alaska Pipeline System Pump Station 1, ConocoPhillips Alaska Inc. Alpine processing facility, Northstar Island offshore oil production facility, and overflight of the Arctic National Wildlife Refuge, as well as tours and briefings on the National Petroleum Reserve in Alaska, the legacy well program, and the BLM Alaska Fire Service.

In early August, OSMRE's Western Region plans to submit the Dry Fork Mine (WY) Mining Plan decision documents to OSMRE headquarters for review and approval by the ASLM. Western Fuels' Dry Fork mine is a surface mining complex located in Campbell County, WY that employs 82 people. Estimated production per year is 6 million tons.

On August 1, BOEM is tentatively scheduled to participate in a panel discussion at the "New York Clean Energy Standard—Opportunities and Challenges" in New York, NY. Darryl Francois, Engineering and Technical Review Branch will represent BOEM on the panel discussing opportunities and challenges for clean energy in New York.

On August 2, BLM-WO staff will meet with an International Visitor Leadership Program group hosted by the University of Montana at Main Interior. The University has requested that Secretary Zinke greet the group. Timothy Fisher, BLM program management analyst from the National Conservation Landscape Program, will meet with the group to discuss the BLM's multiple use mission and priority programs.

On August 3, BLM-NV's Las Vegas Field Office will hold a land sale under the Southern Nevada Public Land Management Act (SNPLMA) in Las Vegas. The BLM proposes to offer for competitive sale 81.25 acres of public land in 17 parcels. In accordance with SNPLMA, funds generated by the sale will be used for projects such as the development of parks, trails, and natural areas, capital improvements on Federal lands, acquisition of environmentally sensitive land, and Lake Tahoe restoration projects.

On August 4, BOEM plans to publish the NOA for the Gulf of Mexico Geological and Geophysical Final EIS and MMPA Petition. BOEM must file the Final EIS with the Environmental Protection Agency by July 28. The Record of Decision and associated NOA must publish in the *Federal Register* no later than September 22, in order to meet the court ordered schedule designated in the settlement agreement.

On August 10, OSMRE's Western Region anticipates releasing for public comment a draft EIS for Western Energy Company's Rosebud Coal Mine Area F, located near Colstrip, MT. The proposed permit area for Area F would add 6,746 acres to the 25,576-acre surface coal mine. The mine currently employs 400 people, and produces 12.3 million tons per year.

In mid to late August, OSMRE's Western Region plans to submit the Belle Ayr Mine's Mining Plan decision documents to OSMRE headquarters for review and approval by the ASLM. Contura Coal West, LLC's Belle Ayr Coal Mine is a surface coal mine located in Campbell County, WY. The mine employs 259 people and produces approximately 20 million tons of coal per year.

On August 18, the Vegas to Reno off-road race will take place in NV. The race is the longest off road event in the U.S. and the course runs 550 miles, including sections on BLM-NV managed public lands.

During the week of August 21, OMB examiners are tentatively planning to visit field locations in North Dakota and Wyoming to observe BLM oil, coal, and wind energy activities; with special interest in the Bakken, Powder River Basin, and wind energy efforts in Wyoming. Participants will likely include Mike Hagan and Ben Burnett (OMB), Bill Gordon (POB), and Linda Smith (BLM-WO Budget Officer).

On August 22 – 24, BLM wild horse and burro program staff will participate in the National Wild Horse and Burro Summit in Salt Lake City, UT. Participants will discuss science, policy, resource impacts, and management options for on- and off-the-range populations. Secretary Zinke has been invited to speak. Other participants may include state partners and special interest groups.

On August 23 - 24, 2017, OSMRE's Mid-Continent Region (MCR) will hold an All-States Meeting, in Kansas City, MO. The meeting allows the MCR and its 11 states to exchange information on updates to regulations, policies, trends, technology, grants, personnel and budget issues.

On August 22, BSEE Director Scott Angelle will speak at the Deepwater Technology Symposium in New Orleans, and then hold various stakeholder meetings in the Gulf region.

In early September, OSMRE's Western Region plans to submit the Cordero Rojo Mine's Mining Plan decision documents to Headquarters for review and approval by the ASLM. Cloud Peak Energy's Cordero Rojo Mine is a surface mine located in Campbell County, WY. The mine employs 383 people and produces approximately 20 million tons of coal per year.

In early September, OSMRE's Western Region plans to submit the Bridger Mine Mining Plan decision documents to Headquarters for review and approval by the ASLM. The Bridger Coal Company's Bridger Mine is an underground mine located in Sweetwater County, WY that employs 540 people. If the modification is approved, production is estimated to be 2.24 million tons per year.

On September 19, BSEE Director Scott Angelle will speak at the Louisiana Oil and Gas Association's annual meeting in Lafayette, LA.

On September 20, BSEE Director Scott Angelle will speak at the Center for Offshore Safety's Annual Forum in Houston, TX.

### **Assistant Secretary Policy, Management and Budget**

**OMB Travel.** Anna Naimark, Interior Branch Indian Affairs Examiner, is planning to travel to Arizona the week of July 24 to attend the Office of Policy Analysis Indian Economic Development Data Workshop, TIBC, and visit other BIA sites. The Office of Budget is working on details.

Craig Crutchfield, Interior Branch Chief, will travel to Oregon August 14-18 to visit FWS, NPS, and BLM sites. Details are still being finalized. Olivia Ferriter, DAS-BFPA, will accompany him on the trip.

Mike Hagan and Ben Burnett, Interior Branch Examiners, are planning to travel to Montana and North Dakota the week of August 21 to review energy programs. The Office of Budget is working on details.

**Office of Wildland Fire Meetings, July 17-19, 2017.** Office of Wildland Fire Director Bryan Rice will travel to Boise, Idaho to meet with the Deputy Assistant Secretary for Lands and Minerals and Director of the Bureau of Land Management. Leadership will meet with the DOI Fire Directors, receive a National Multi-Agency Coordinating Group briefing, discuss the DOI Medical Standards Program, and tour the National Interagency Fire Center.

**U.S. Coral Reef Task Force Meeting, August 7-12, 2017.** The Office of Policy Analysis (PPA), the NOAA Coral Reef Conservation Program, and the State of Florida are coordinating the U.S. Coral Reef Task Force (USCRTF) biannual meeting to be held in Ft. Lauderdale, with a public Business Meeting to be held on August 11. The Governor of Florida will host the meeting and will tentatively make remarks at the Business Meeting. The theme of the meeting is "Healthy Reefs for a Healthy Economy" and the focus of discussion will be on the value of coral reefs and local actions taken to address key issues in the Florida reef tract. The meeting will include several progress reports on implementation of the USCRTF Strategy and FY16-20 Framework for Action.

**Border Security Forum, Tucson, AZ, September 2017.** A border wide leadership meeting on southwest border security and environmental protection is still expected to take place in Tucson, AZ (date TBD). Planning for possible new border security infrastructure is expected to be the

main focus of the meeting. Senior officials at DOI, CBP, U.S. Border Patrol and USDA Forest Service are expected to attend.

### **New Government Accountability Office (GAO) Audits**

**Assessing Technologies That Can Help Reduce the Agricultural Sector's Impact on Water Supplies (Job Code 102103).** Per request from Ranking Member Raul Grijalva of the House Committee on Natural Resources, and Sen Edward Markey, GAO will review: (1) technologies that reduce agriculture's demand on water supplies; (2) technologies that reduce the negative impact of agricultural runoff into water supplies; and (3) impact adopting these technologies has in areas experiencing water scarcity. The entrance with the United States Geological Survey) and the United States Bureau of Reclamation not scheduled.

### **GAO Entrance Conferences.**

**GAO DATA Act Review Entrance Conference.** The Department received notification of a GAO review that will examine the implementation of the Digital Accountability and Transparency Act. GAO's objectives are to: (1) assess the completeness, timeliness, and accuracy of selected data elements submitted by agencies under the DATA Act for display on USASpending.gov or successor system, and (2) assess OMB and Treasury's progress toward addressing issues related to implementation of the DATA Act. The Department has begun receiving requests for information related to this review and is preparing the first required submission, which is due July 7, 2017. The review is expected to complete by November 8, 2017.

### **Recent Draft GAO Reports (Per GAO, distribution is highly restricted)**

**Small Business Contracting: Actions Needed to Demonstrate and Better Review Compliance with Select Requirements for Small Business Advocates (GAO-17-675).** Per request from the Chair of the House Committee on Small Business, GAO reviewed the compliance of selected Federal agencies to Section 15(k) of the Small Business Act, which requires Federal agencies with procurement powers to establish an Office of Small and Disadvantaged Business Utilization to advocate for small businesses. GAO issued the draft report June 26 and is recommending those agencies (including the Department) which do not demonstrate compliance with section 15(k) requirements should comply or report with Congress on why they have not complied and seek any statutory flexibility or exceptions believed appropriate. The response is due July 24.

### **Recent Draft OIG Reports**

**Evaluation of USGS Scientific Collection Management Policy (2016-ER-057).** The OIG reviewed the current policies of the USGS for managing its scientific collections. The OIG reviewed these policies for consistency with established Department policies and compared them with those of the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). The OIG found USGS scientific collection management policies are not consistent with DOI policies as defined in the Department Manual and are not comparable to policies of the other two

bureaus. In addition, the OIG found USGS did not have a final policy on the management of its biologic specimens. The OIG issued the draft report June 21 with one recommendation to USGS. The response is due August 7.

### **Recent Final OIG Reports**

**Verification Review – Recommendations for the Report, U.S. Department of the Interior’s Underground Injection Control Activities (Report No. CR-EV-MOA-0006-2012), Report No. 2017-EAU-017.** The OIG completed a verification review June 21, 2017, of 18 of the 23 recommendations presented in its March 2014 evaluation report, “U.S. Department of the Interior’s Underground Injection Control Activities” (CR-EV-MOA-0006-2012). Based on the review, the OIG concluded 11 recommendations have been resolved and implemented. The OIG determined seven recommendations, impacting the Office of Insular Affairs, the Bureau of Land Management, USBR, NPS, and FWS have not been fully implemented. The Office of Financial Management is requested to reopen these recommendations for additional remediation activities.

### **Rules and Regulations for Publication in 2017**

**(Update) AA20: Repeal of Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform final rule.** The Office of Natural Resources Revenue (ONRR) published the proposed rulemaking in the Federal Register on April 4, 2017, and the comment period closed May 4, 2017. We received and posted 95 public comments for the proposed rulemaking. Also, we received approximately 2,269 “standard form” public comments. We plan to publish the Repeal rule by July 14 or September 14, 2017, depending whether or not OMB chooses to review the rule. The rule is with the Office of the Solicitor for a comprehensive review.

### **Assistant Secretary for Water and Science**

The afternoon of July 24, Acting AS/WS Scott Cameron and AS/WS Advisor Ryan Nichols will host the quarterly DOI Urban Team meeting. Representatives from NPS, FWS, USGS, and Reclamation have been meeting quarterly for the last three years to share information about respective bureau work in cities to encourage collaboration and, most importantly, leveraging funding and expertise in urban areas, where it is expensive to operate. The Team will be focusing efforts and resources on four cities over the next 2-3 years: Albuquerque, San Antonio, NW Indiana area, and New York City.

The morning of July 24, the District Department of Transportation’s Green Infrastructure Director will host W&S, FWS, USGS, The Conservation Fund, American Forests, Bradley Site Design, and EPA at a green infrastructure project site visit featuring restoration and stormwater management components. This tour is part of the Anacostia Urban Waters Federal Partnership, a coalition of 14 federal agencies working collectively with local partners in 19 cities to restore urban waters and the surrounding lands.

In August, USGS and W&S will select projects for four Urban Waters Federal Partnership locations. In the 2017 budget omnibus, Congress dedicated \$717K of USGS funds for Urban



Waters-focused projects. USGS has been working with local city partners to identify high priority, water-related projects to implement.

**To:** Bauserman, Christine[christine\_bauserman@ios.doi.gov]  
**Cc:** Heather Swift[heather\_swift@ios.doi.gov]; Russell Roddy[russell\_rodny@ios.doi.gov]; Wadi Yakhour[wadi\_yakhour@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Laura Rigas  
**Sent:** 2017-05-06T13:55:50-04:00  
**Importance:** Normal  
**Subject:** Re: Monday T.P.  
**Received:** 2017-05-06T13:55:58-04:00

I am headed to the office now and will have them done before 4pm. Thanks!

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

On May 6, 2017, at 1:48 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Laura and Heather,  
Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office  
440 West 200 South

Salt Lake City, UT 84101  
Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe (Kykotsmovi, AZ)  
James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation (Fort Defiance, AZ)  
Davis Filfred, Navajo Nation Council (Window Rock, AZ)  
Shaun Chapoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)  
Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)  
Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute (Towaoc, CO)  
Natasha Hale, Native American Program Director,

Grand Canyon Trust  
Charles Wilkinson, Legal Advisor, University of Colorado  
Leland Begay, Legal Advisor, Ute Mountain Ute  
Gavin Noyes, Utah Dine Bikeyah, Executive Director  
TBD other support staff  
Ed Roberson, BLM State Director  
Don Hoffheins, BLM, Monticello Field Manager  
Tyler Ashcroft, BLM, Bears Ears Project Manager  
Mike Richardson, BLM, Acting Communications Director  
Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Utah Attorney General Sean Reyes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Mike Mower Deputy Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office  
Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator

Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wisner, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

<0507SumBETribeRecreation3306 (1).docx>

<0507SumBETribeRecreation3306 (1).pdf>

**To:** Tanner, John (Hatch)[John\_Tanner@hatch.senate.gov]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-06T17:11:39-04:00  
**Importance:** Normal  
**Subject:** Re: FW: Economic and Hunting Interest In Utah Monuments  
**Received:** 2017-05-06T17:11:46-04:00

Thanks.

On Sat, May 6, 2017 at 11:00 AM, Tanner, John (Hatch) <[John\\_Tanner@hatch.senate.gov](mailto:John_Tanner@hatch.senate.gov)> wrote:

Downey,

See below for the information that Don Peay, founder of [Sportsmen for Fish and Wildlife](#), will bring up in his meeting with Secretary Zinke tomorrow when he meets with him privately at the dinner.

The attachments include: the economic impacts of hunting to the State of Utah and the areas in and around both national monuments; and photos of big game taken in the area.

Don will also mention his ties to Donald Trump Jr. He developed a relationship with Jr. during the campaign. They have been on several hunts together in Utah.

See you tomorrow.

###

Soon, interior Secretary Zinke will be touring Utah Monuments - Bears Ears and Grand Staircase for a review per Executive Order from President Trump

These 3.2 Million acres, thanks to modern conservation funding are now home to thriving herds of Elk, Mule Deer, Desert Bighorn Sheep, antelope, cougar, black Bear and wild turkey

These areas are lands of the 235 plus inch mule deer, 400 inch elk, 170 inch Rams, and most importantly places where thousands of families have enjoyed world class hunting adventures on public lands. It is the place where many of our children have bagged their first turkey!

51,007 hunters apply for the permits in these areas - highly coveted opportunities! It generates at a Minimum \$29 Million in direct conservation funding, and economic activity. See attached.

The above data is supplied by Don Peay, Founder of Sportsmen for Fish And Wildlife, that has an MBA. It is the best data as supplied by the Utah DWR and knowledge of the hunting economies in these areas. See attached, any comments welcome. Very important to the American Sportsmen

**Subject: Economic and Hunting Interest In Monuments**

Just north of Lake Powell, a cross from the Bears Ears Border, lies the magnificent Henry Mountains, with mountain peaks reaching 10,000 plus feet

The mountain Range is home to the only free ranging, disease free Bison herd in North America. The Bison herd, and restoration of what now many consider the best mule deer herd in North America, are examples of Modern day Sportsmen and state agency Conservation efforts. More than \$1 Million of private sportsmen funds have been invested in the last ten years to grow and expand these herds. The Dept. of Interior recognized the Bison efforts last year.

There are opportunities to further expand these herds, and make this a Zinke and Interior Legacy project for elk, Mule Deer and Bison. Desert bighorn are scheduled to be added to the mountain as well.

This is a microcosm for the west. Massive habitat restoration, impacts of fires, finding win win solutions for conflicts between wildlife and domestic livestock, sportsmen funding, state wildlife agencies working cooperatively with Federal Agencies.

And in the end, healthy watersheds, local economic growth, and incredible hunting on Americas great public lands!

.....

Don Peay

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

**To:** Katharine MacGregor[katharine\_macgregor@ios.doi.gov]  
**From:** Hawks, Robin  
**Sent:** 2017-07-11T17:07:28-04:00  
**Importance:** Normal  
**Subject:** Fwd: Cascade-Siskiyou briefing paper update  
**Received:** 2017-07-11T17:09:33-04:00  
[CSNM Briefing Paper+BP agm\\_no track changes.docx](#)  
[CSNM Briefing Paper+BP agm\\_track changes.docx](#)

Katharine, I am re-sending this because I misspelled your name first time around. v/r Robin

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

**From:** **Hawks, Robin** <[rhawks@blm.gov](mailto:rhawks@blm.gov)>  
**Date:** Tue, Jul 11, 2017 at 5:00 PM  
**Subject:** Cascade-Siskiyou briefing paper update  
**To:** "[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>, Randal Bowman <[randal\\_bowman@ios.doi.gov](mailto:randal_bowman@ios.doi.gov)>, [katherine\\_macgregor@ios.doi.gov](mailto:katherine_macgregor@ios.doi.gov), John Ruhs <[jruhs@blm.gov](mailto:jruhs@blm.gov)>, Aaron Thiele <[aaron\\_thiele@ios.doi.gov](mailto:aaron_thiele@ios.doi.gov)>, Kathleen Benedetto <[kathleen\\_benedetto@ios.doi.gov](mailto:kathleen_benedetto@ios.doi.gov)>, Peter Mali <[pmali@blm.gov](mailto:pmali@blm.gov)>, Theresa Hanley <[thanley@blm.gov](mailto:thanley@blm.gov)>, Christopher McAlear <[cmcalear@blm.gov](mailto:cmcalear@blm.gov)>

Please find attached an updated briefing paper on Cascade-Siskiyou that incorporates the additional information on acres and percent of private lands that was requested in last night's briefing.

v/r Robin Hawks

Robin D. Hawks, Ph.D.  
Acting Deputy Assistant Director  
National Conservation Lands and Community Partnerships  
Bureau of Land Management  
Desk Phone: 202-219-3180  
Cell Phone: 202-713-8141  
[rhawks@blm.gov](mailto:rhawks@blm.gov)



**BRIEFING MEMORANDUM FOR THE ACTING DEPUTY  
CHIEF OF STAFF FOR THE SECRETARY**

**DATE:** July 8, 2017  
**FROM:** Mike Nedd, Acting Director  
**SUBJECT:** Cascade-Siskiyou National Monument

The purpose of this briefing memorandum is to provide an overview of the Cascade-Siskiyou National Monument in preparation of Secretary Zinke's upcoming site visit.

**KEY POINTS**

*Stakeholder Positions*

- Senators Ron Wyden (D-OR) and Jeff Merkley (D-OR) introduced the *Oregon and California Land Grant Act of 2015* (S. 132), where a portion of the CSNM expansion area was under a forest emphasis designation and a portion was under a conservation designation, and where timber harvest would take place within both designations.
  - For the conservation designation the bill would take half of eligible acres off the table and spread them out over 50 years for the purpose of commercial thinning (in stands less than 150 years in age).
- A public meeting was held in October 2016 in Ashland, OR, to hear public opinions about the CSNM expansion proposal. Approximately 500 people attended the meeting; the majority in support of the expansion proposal. The counties of Jackson (OR), Klamath (OR), and Siskiyou (CA) also hosted public input meetings for the monument expansion proposal. Collectively, approximately 600 people attended these county meetings.
- A written comment period was sponsored by Senators Wyden and Merkley. A total of 5,488 comments were received; approximately three-fourths were in favor of the expansion for scientific, recreational, environmental and economic reasons.
- State Representatives Peter Buckley and Kevin Talbert, and the late State Senator Alan Bates, publicly endorsed the expansion. The two closest cities in OR, Ashland and Talent (City Councils, Mayors, and Chambers of Commerce), all formally endorsed expanding the Monument.
- The Klamath Tribes submitted a letter of support, noting that the expansion area is "critical to provide for more appropriate watershed scale management..." (November 2016).

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- Opponents expressed concern that a larger Monument would hurt the region's economy with limits on logging and grazing.
- The Jackson County Board of Commissioners, Klamath County Board of Commissioners, Medford/Jackson County Chamber of Commerce, and Siskiyou County Supervisors expressed opposition to expansion. The objections included legal and economic impacts, as well as a lack of consensus on the scientific merits.

*Timber Harvest*

A substantial number of acres within both the original Monument and the expansion area are designated as Oregon and California Revested (O&C) Railroad Lands. These lands are covered by the O&C Act of 1937, which mandates that those lands determined to be suitable for timber production shall be managed for, “permanent forest production and the timber shall be sold, cut and removed in conformity with the principal [stet] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing the economic stability of local communities and industry, and providing recreational facilities.” The original Monument designation and the expansion prohibit commercial timber harvest, but allow certain types of non-commercial, restoration vegetation management.

- There are currently three lawsuits alleging the designation of the expansion area violates the O&C Act by prohibiting commercial timber harvest. (Association of O&C Counties. v. Trump, No. 1:17-cv-00280-RJL (D.D.C. filed on February 13, 2017); Murphy Co. v. Trump, No. 1:17-cv-00285-CL (D. Or. filed on February 17, 2017); AFRC v. United States, No. 1:17-cv-00441-RJL (D.D.C. filed on March 10, 2017)).
- Within the original CSNM designation, 36,000 (0.036 million) board feet have been harvested; timber was removed only for the purposes of public safety.
- Within the Monument expansion, approximately 310,000 (0.310 million) board feet have been harvested from within the OR portion of the expansion area under timber sale contracts that were entered into prior to January 12, 2017. The contracts are considered valid existing rights and will be completed, including the approximately 2.9 million board feet of timber that remain to be harvested. (The Howard, South Fork Little Butte and Pine Plantation thinning Sales, and the Surveyor Salvage, Jigsaw, and Mid-Spencer timber sales were under contract at the time of the CSNM Expansion on January 12, 2017).
- About 238 acres and 1,212 thousand board feet of the Howard Timber Sale, and 191 acres and

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1,600 thousand board feet of the South Fork Little Butte Timber Sale is located within the expansion boundary. The Pine Plantation sale (82 acres and 121 thousand board feet) is located entirely within the CSNM expansion area.

- Under the 1995 Medford District Resource Management Plan, approximately 19,400 acres of BLM-administered lands (of the roughly 52,000 acres originally designated in 2000) were allocated to Southern General Forest Management Area with a primary objective of providing a sustainable supply of timber and other forest products. No current information is readily available regarding the amount of volume that may have been produced from these acres since the monument was designated, though the area is characterized as having low site capabilities, and relative to other areas in the Medford District, is considered a low timber production area.

**Commented [BP8]:** Did the 2008 CSNM RMP change this land use allocation at all? If these were "lower timber production" areas—what was the impact, if any on Medford's harvest opportunities? Did Medford adjust its ASQ downward?

- The monument designation within the OR portion of the expansion likely reduces sustained yield timber production opportunities in the harvest land base by 4-6 million board feet per year, and commercial harvest in reserved land use allocations by 400,000 (0.400 million) board feet per year. Over a 50-year period in the harvest land base, annual sustained-yield timber harvest is projected to be 200-300 million board feet less than it would have been without the designation. This is a result of the proclamation prohibiting commercial timber harvest. Over the same 50-year period in reserve land use allocations, commercial harvesting would likely be reduced by 20 million board feet.

**Commented [BP9]:** I'd start this bullet by referencing the 2016 RMP and how many acres of the monument expansion are in the harvest land base (and reiterate the fact that NONE of the original CSNM acres are in the harvest land base).

**Commented [BP10]:** This needs to come much earlier in the BP.

- The Harvest Land Base within in the Oregon expansion area were estimated under the recently signed 2016 Southwest Oregon RMP to produce approximately 1-2 million board feet per year in the Medford sustained yield unit, and 3-4 million board feet per year in the Klamath Falls sustained yield unit. An additional 400 thousand board feet of timber was projected to come from restorative commercial harvests in lands allocated to reserves in Medford.

**Commented [BP11]:** This should be melded with the bullet above and presented first, before the long-term figures.

- The site conditions of the California portion of the expansion area do not support commercial-grade timber resources.

### *Grazing*

The Omnibus Public Land Management Act of 2009 enabled grazing leases within the CSNM to be voluntarily retired.

- The Soda Mountain, Keene Creek, and Jenny Creek leases administered by the Medford District BLM in the monument were voluntarily relinquished by the lessees, and after a third party bought out the leases, were permanently retired.
- A small lease (5 AUM) on the Box R Ranch was voluntarily relinquished and retired as part of a congressionally-authorized land exchange within the CSNM. Two allotments were vacant at the time of designation (Agate and Siskiyou), and the Proclamation

directed voluntarily relinquished allotments not be reallocated for forage.

*Tribal*

- The CSNM is culturally significant to the Grand Ronde, Siletz, Shasta and Klamath Tribes. There are 214 cultural resource sites recorded within the Monument. Many historic sites are related to early 18th century homesteading and livestock rearing activities.
- Klamath Tribal members participate in a Pan-Indian Sundance Ceremony that is held annually within Monument. The ceremony attracts up to 500 people of both native and non-native ancestry that participate in the Sundance.
- The Maka Oyate Sundance event is not officially associated with a Federally Recognized Tribe; however, participants in the ceremony include members of the Klamath Tribes which is a Federally Recognized Tribe.

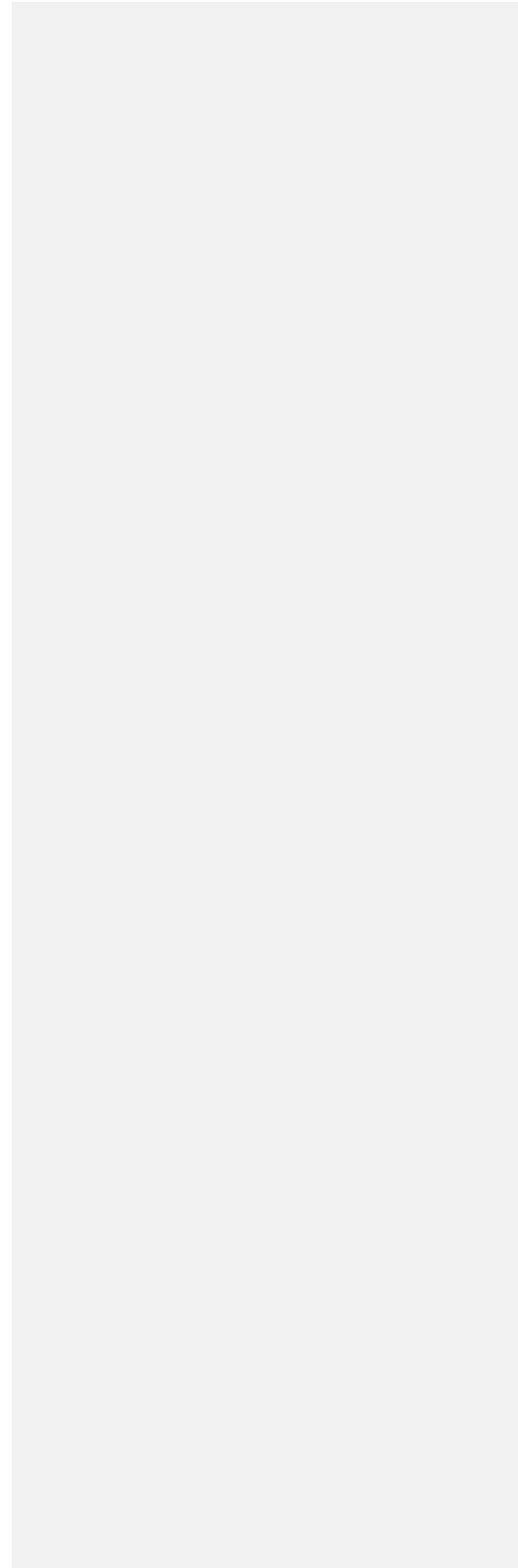
(b)(5)

BACKGROUND

- The Cascade-Siskiyou National Monument (CSNM) was established by Presidential Proclamation 7318 on June 9, 2000 as an 85,145 acre Monument, of which 65,269 were BLM-managed. It was the first such area to be established primarily to protect biodiversity.
- On January 12, 2017 the Monument was expanded by 85,264 acres, of which 47,660 acres were BLM-managed.
- The original Monument included 19,818 private acres (23.2%) and the 2017 extension included 32,677 private acres (38.3), for a total of 52,485 (30.7%) private acreage.
- The CSNM accommodates hunting, fishing, recreation, grazing, and valid existing rights such as leases and rights-of-way, among other activities, while protecting the historic and scientific resources identified in the Proclamation as well as providing opportunities for scientific study.
- The Monument contains rare and endemic plants such as Greene's Mariposa lily, Gentner's fritillary, and Bellinger's meadowfoam. It also includes 38 miles of the Pacific Crest National Scenic Trail and the 24,707-acre Soda Mountain Wilderness Area.
- Only the original CSNM has a stand-alone Resource Management Plan (RMP), which was completed in August 2008. The expansion is currently covered by two existing RMP's. The Oregon portion of the expansion area is covered by the 2016 Southwest Oregon RMP and the California portion of the expansion by the 1993 Redding RMP.
- The potential for coal, oil, gas and renewables in this area and within the Monument is low to non-existent.
- Since FY2010, 12,288 acres inside the Monument have been acquired, primarily through use of

(b)(5)

the Land and Water Conservation Fund (LWCF).



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- About 238 acres and 1,212 thousand board feet of the Howard Timber Sale, and 191 acres and

1,600 thousand board feet of the South Fork Little Butte Timber Sale is located within the expansion boundary. The Pine Plantation sale (82 acres and 121 thousand board feet) is located entirely within the CSNM expansion area.

- Under the 1995 Medford District Resource Management Plan, approximately 19,400 acres of BLM-administered lands (of the roughly 52,000 acres originally designated in 2000) were allocated to Southern General Forest Management Area with a primary objective of providing a sustainable supply of timber and other forest products. No current information is readily available regarding the amount of volume that may have been produced from these acres since the monument was designated, though the area is characterized as having low site capabilities, and relative to other areas in the Medford District, is considered a low timber production area.
- The monument designation within the OR portion of the expansion likely reduces sustained yield timber production opportunities in the harvest land base by 4-6 million board feet per year, and commercial harvest in reserved land use allocations by 400,000 (0.400 million) board feet per year. Over a 50-year period in the harvest land base, annual sustained-yield timber harvest is projected to be 200–300 million board feet less than it would have been without the designation. This is a result of the proclamation prohibiting commercial timber harvest. Over the same 50-year period in reserve land use allocations, commercial harvesting would likely be reduced by 20 million board feet.
- The Harvest Land Base within in the Oregon expansion area were estimated under the recently signed 2016 Southwest Oregon RMP to produce approximately 1-2 million board feet per year in the Medford sustained yield unit, and 3-4 million board feet per year in the Klamath Falls sustained yield unit. An additional 400 thousand board feet of timber was projected to come from restorative commercial harvests in lands allocated to reserves in Medford.
- The site conditions of the California portion of the expansion area do not support commercial-grade timber resources.

### *Grazing*

The Omnibus Public Land Management Act of 2009 enabled grazing leases within the CSNM to be voluntarily retired.

- The Soda Mountain, Keene Creek, and Jenny Creek leases administered by the Medford District BLM in the monument were voluntarily relinquished by the lessees, and after a third party bought out the leases, were permanently retired.
- A small lease (5 AUM) on the Box R Ranch was voluntarily relinquished and retired as part of a congressionally-authorized land exchange within the CSNM. Two allotments were vacant at the time of designation (Agate and Siskiyou), and the Proclamation



directed voluntarily relinquished allotments not be reallocated for forage.

### *Tribal*

- The CSNM is culturally significant to the Grand Ronde, Siletz, Shasta and Klamath Tribes. There are 214 cultural resource sites recorded within the Monument. Many historic sites are related to early 18th century homesteading and livestock rearing activities.
- Klamath Tribal members participate in a Pan-Indian Sundance Ceremony that is held annually within Monument. The ceremony attracts up to 500 people of both native and non-native ancestry that participate in the Sundance.
- The Maka Oyate Sundance event is not officially associated with a Federally Recognized Tribe; however, participants in the ceremony include members of the Klamath Tribes which is a Federally Recognized Tribe.

### BACKGROUND

- The Cascade-Siskiyou National Monument (CSNM) was established by Presidential Proclamation 7318 on June 9, 2000 as an 85,145 acre Monument, of which 65,269 were BLM-managed. It was the first such area to be established primarily to protect biodiversity.
- On January 12, 2017 the Monument was expanded by 85,264 acres, of which 47,660 acres were BLM-managed.
- The original Monument included 19,818 private acres (23.2%) and the 2017 extension included 32,677 private acres (38.3), for a total of 52,485 (30.7%) private acreage.
- The CSNM accommodates hunting, fishing, recreation, grazing, and valid existing rights such as leases and rights-of-way, among other activities, while protecting the historic and scientific resources identified in the Proclamation as well as providing opportunities for scientific study.
- The Monument contains rare and endemic plants such as Greene's Mariposa lily, Gentner's fritillary, and Bellinger's meadowfoam. It also includes 38 miles of the Pacific Crest National Scenic Trail and the 24,707-acre Soda Mountain Wilderness Area.
- Only the original CSNM has a stand-alone Resource Management Plan (RMP), which was completed in August 2008. The expansion is currently covered by two existing RMP's. The Oregon portion of the expansion area is covered by the 2016 Southwest Oregon RMP and the California portion of the expansion by the 1993 Redding RMP.
- The potential for coal, oil, gas and renewables in this area and within the Monument is low to non-existent.
- Since FY2010, 12,288 acres inside the Monument have been acquired, primarily through use of the Land and Water Conservation Fund (LWCF).



**To:** Downey Magallanes[downey\_magallanes@ios.doi.gov]; Kathleen Benedetto[kathleen\_benedetto@ios.doi.gov]  
**Cc:** Edwin Roberson[eroberso@blm.gov]  
**From:** Bilbao, Anita  
**Sent:** 2017-05-01T23:38:29-04:00  
**Importance:** Normal  
**Subject:** Updated BLM Input  
**Received:** 2017-05-01T23:39:19-04:00  
MonticelloFieldOffice\_SanJuanCounty\_FieldTrip (v4).docx

Downey and Kathy,

Thank you both for your time today. Attached is an updated outline with the 3 partner visits we discussed. I'll be at Main Interior tomorrow at 10:30 to walk through details with Kathy and identify any questions/logistics for attention. If possible I'd like to get the go ahead by mid-day to reach out to extend invitations so folks can plan.

Also, here are the Dept of Ag and Forest Service contacts. Both Dan and Glenn are familiar with the issues and have been out on the ground in Utah

***US Forest Service:*** Glenn Casamassa, Acting Associate Chief (202-205-3171)

***Dept of Agriculture:*** Dan Jiron, Acting Deputy Undersecretary for Natural Resources & Environment (NRE)

*\*Dan is on detail in the Deputy Undersecretary role - he is usually the USFS Associate Chief*

On Mon, May 1, 2017 at 1:16 PM, Edwin Roberson <[eroberso@blm.gov](mailto:eroberso@blm.gov)> wrote:

Downey, here is the itinerary I sent to Kathy last week. I have copied Anita and provided her your contact information. She will reach out to you shortly and should be a MIB soon. Ed

--

**Anita Bilbao**  
**Associate State Director**  
**Bureau of Land Management - Utah**  
801-539-4010 (o)  
385-315-1211 (c)  
<https://www.blm.gov/utah>

## Monticello Field Office/San Juan County Field Trip

### Monday, May 8 – Friends of Cedar Mesa

#### Option 1- Edge of the Cedars State Park

Located in Blanding, Utah, just outside of the Bears Ears National Monument, the Edge of the Cedars State Park includes the largest collection of Ancestral Puebloan (Anasazi) pottery on display in the Four Corners Region. The State Park also includes an Ancestral Puebloan village.

*Estimated Time: 90 minutes meeting plus additional free time to view collections*

#### Option 2- Moki Dugway

The Moki Dugway is a graded switchback road carved into the face of the cliff edge of Cedar Mesa. It consists of 3 miles of steep, unpaved, but well-graded switchbacks (11% grade), which wind 1,200 feet from Cedar Mesa to the valley floor near Valley of the Gods. This route provides excellent views of some the southern portion of the Bears Ears National Monument.

*Estimated Time: 3 hours total. 2-hour round-trip through southern portion of the Bears Ears National Monument plus a 1-hour field meeting.*

**Non-Agency Participants:** Josh Ewing, Executive Director; Amanda Podmore, Assistant Director; other Friends of Cedar Mesa Board of Directors and staff as appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

*\*Meeting times to be determined when additional schedule details are provided. The BLM Utah State Office will extend invitations to meeting guest.*

### Tuesday, May 9 – The Nature Conservancy

Dugout Ranch is a working ranch in the Indian Creek corridor owned by the Nature Conservancy that includes the private residence of ranch lessee, Heidi Redd. Indian Creek is scenic corridor and global climbing destination with spectacular rock art. The area is also the gateway to Canyonlands National Park Needles District.

7:30-8:30 AM                                      Travel to Newspaper Rock

8:00-8:30 AM                                      Newspaper Rock

8:30-9:00 AM	Shay Canyon Rock Art
9:00-9:30 AM	Donnelly Canyon Recreation Site
9:30-11:00 AM	Dugout Ranch
11:00-12:00 AM	Travel to Blanding

**Non-Agency Participants:** Heidi Redd, Manager, Dugout Ranch; Tom Cors, Director, Lands, Nature Conservancy; other Nature Conservancy Representatives as determined appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

*\*Meeting invitations to be extended by Department of Interior.*

### **TBD -- Bears Ears Commission**

To reflect tribal expertise and traditional and historical knowledge, the proclamation established a Bears Ears Commission. The commission is composed of one elected officer from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe. The proclamation requires the BLM and the USFS to “meaningfully engage the Commission...in the development of the management plan and to inform subsequent management of the monument.”

#### Option 1- Bureau of Land Management Utah State Office- Salt Lake City, UT

*Estimated Time: 120 minutes meeting time*

#### Option 2- Bluff Community Center-Bluff, UT

*Estimated Time: 3 hours. 1-hour round-trip, and a 2-hour meeting*

#### Option 3- Cedar Mesa

*Estimated Time: 3-4 hours. 90 minute round-trip and 2-3 hours field tour of cultural sites.*

**Bears Ears Commission Representatives:** Alfred Lomahquahu, Vice Chairman, The Hopi Tribe, Kykotsmovi, AZ; James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation, Fort Defiance, AZ; Davis Filfred, Navajo Nation Council, Window Rock, AZ; Shaun Chapoose, Chairman, Ute Indian Tribe, Ft. Duchesne, UT; Carleton Bowekaty, Councilman, Zuni Tribe, Zuni, NM; Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute, Towaoc, CO

**Bears Ears Commission Support Staff:** Natasha Hale, Native American Program Director, Grand Canyon Trust; Charles Wilkinson, Legal Advisor, University of Colorado; Leland Begay, Legal Advisor, Ute Mountain Ute; Gavin Noyes, Utah Dine Bikeyah, Executive Director; other Commission support staff as determined appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

**USFS Regional Participants:** Nora Rasure, Regional Forester, Brian Mark Pentecost, Forest Supervisor, Manti La-Sal National Forest, Mike Deim, District Ranger, Moab/Monticello District

*\*The BLM-Utah State Office recommends a closed-door session between the Bears Ears Commission and the abovementioned agency personnel to honor the government-to-government consultation process.*

*\*Total participation in Bears Ears discussion is approximately 25 people.*

*\* The BLM-Utah State Office will extend invitations to the Bears Ears Commission.*

*\* Meeting location to be determined when additional schedule details are provided.*

**To:** Tom Cors[tcors@tnc.org]  
**Cc:** Timothy Williams[timothy\_williams@ios.doi.gov]; Mark Aagenes[mark.aagenes@tnc.org]  
**From:** Caroline Boulton  
**Sent:** 2017-05-03T12:42:46-04:00  
**Importance:** Normal  
**Subject:** Re: Dugout Ranch  
**Received:** 2017-05-03T12:42:53-04:00

Tom-

Rusty and I left you a voicemail earlier. When would be a good time this afternoon for us to give you a call?

Caroline

Sent from my iPhone

On May 3, 2017, at 12:37 PM, Tom Cors <[tcors@tnc.org](mailto:tcors@tnc.org)> wrote:

Saw Mr. Zinke this morning and he said we are still on for Tuesday afternoon at Dugout. He also asked if he might be able to spend the night Tuesday at our ranch which would be great.

Tom Cors  
Director, Lands  
US Government Relations  
The Nature Conservancy  
[tcors@tnc.org](mailto:tcors@tnc.org)  
919-636-2297

On May 3, 2017, at 6:48 AM, Tom Cors <[tcors@TNC.ORG](mailto:tcors@TNC.ORG)> wrote:

Tim and Caroline,

I hope you both are doing well. I saw this article that Secretary Zinke is set to be in San Juan County on Monday and I'm hoping to hear from you all whether we are going to catch him while he is out there. Last week in DC, I spoke with Secretary Zinke, explained The Nature Conservancy's interests within the monument, and he said he could afford time with us on Tuesday, as he thought he would be in Salt Lake City Monday.

The Nature Conservancy's is the largest private landowner within the monument and we own 5,280 acres in fee and 350,000 acres of grazing allotments.

I've attached the meeting request form that hopefully you both have seen. Give me a ring when you have a chance.

Thanks,

Tom

Tom Cors  
Director, Lands  
US Government Relations  
The Nature Conservancy  
[tcors@tnc.org](mailto:tcors@tnc.org)  
919-636-2297

SALT LAKE CITY — Interior Secretary Ryan Zinke will fly into Salt Lake City on Sunday and is set to tour spots in the controversial Bears Ears National Monument Monday — on horseback, San Juan County Commissioner Bruce Adams said Tuesday.

Adams said he and the other San Juan County commissioners, Phil Lyman and Rebecca Benally, met with Zinke Tuesday.

"It was amazing. It went incredibly well," he said. "It couldn't have gone better."

Zinke, a Western outdoorsman from Montana who was elected as a GOP congressman for that state, began his first day on the job as new head of the Department of Interior by riding a horse to the office.

Adams said San Juan County officials are rustling up a mount for Zinke so he can see portions of the 1.35 million-acre monument from the ground up.

On Tuesday, Zinke will also visit the Grand Staircase-Escalante National Monument, a sore spot for Utah's elected GOP leaders who complained — and sued — over its designation in 1996 by then-President Bill Clinton. Garfield County commissioners want the monument rescinded like their counterparts in San Juan County — or the size of the monument greatly reduced.

### [2comments on this story](#)

The Utah Legislature has passed and Utah Gov. Gary Herbert signed resolutions against both monuments.

Zinke is visiting Utah as part of a 45-day review directed by an executive



order on national monument designations issued by President Donald Trump last week.

The order directs an Interior Department review of all monument designations of 100,000 acres or more since 1996.

The Bears Ears National monument was designated in the final days of President Barack Obama's administration at the urging of the Bears Ears Inter-Tribal Coalition and multiple conservation groups.

*Andrew Harnik, Associated Press*

*FILE— Newly sworn in Interior Secretary Ryan Zinke speaks, Wednesday, March 1, 2017, in the Eisenhower Executive Office Building on the White House complex in Washington.*

<May DugoutTNC Meeting Request.final.docx>

**To:** Paul Edwards[[paulewards@utah.gov](mailto:paulewards@utah.gov)]; Heather Swift[[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)]  
**From:** Roddy, Russell  
**Sent:** 2017-05-08T02:43:13-04:00  
**Importance:** Normal  
**Subject:** Re: Upcoming visit to Utah  
**Received:** 2017-05-08T02:43:20-04:00

Hey, Paul. I am driving to Monticello with Cody Stewart tomorrow and meeting with the Nature Conservancy folks at the Dugout Ranch at 4:00 p.m. in case you want to join. I would like to make it out to the horseback riding site to check out where the press availability site is but just realized it is a LONG drive to get there to do so. Tying in Heather to this as she is on the ground in Monticello now and am assuming she may have a plan to make it out there at some point ahead of time, but not sure.

On Fri, May 5, 2017 at 10:00 AM, Paul Edwards <[paulewards@utah.gov](mailto:paulewards@utah.gov)> wrote:

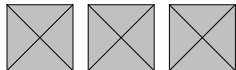
Russell,  
Justin Harding, chief of staff for Gov. Gary Herbert, asked me to reach out to you. I will be providing support for Interior's communications team while they are in Utah and will be traveling with my own vehicle on the trip (with capacity to carry other passengers). My contact information appears below. Please do not hesitate to be in touch with questions, concerns or ways that I can help.

Paul Edwards

--

**Paul S. Edwards**

Deputy Chief of Staff, Communications & Policy  
Governor Gary R. Herbert  
State of Utah  
[paulewards@utah.gov](mailto:paulewards@utah.gov)  
office: (801) 538-1503  
mobile: (801) 946-0847



**To:** Howarth, Robert[Robert\_Howarth@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-05-05T13:05:35-04:00  
**Importance:** Normal  
**Subject:** Fwd: KWW monument review  
**Received:** 2017-05-05T13:06:13-04:00  
[Business List.pdf](#)

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

From: **Maine Woods Coalition** <[mainewoodscoalition@gmail.com](mailto:mainewoodscoalition@gmail.com)>  
Date: Fri, May 5, 2017 at 12:57 PM  
Subject: KWW monument review  
To: [timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Dear Mr. Williams and Secretary Zinke,

Our opposition to a national park or monument in Maine's north woods has been ongoing since 2000 when RESTORE.org announced their plan for a 3.2 million acre park in northern Maine. This has been a long battle and now our grassroots organization has been outmaneuvered by great wealth and connections in Washington. We want to take this opportunity to ask for review of what this monument is and how it came to be.

We believe this monument designation should be overturned because it clearly fails to meet the letter and the intent of the Antiquities Act.

- The properties that comprise the Katahdin Woods and Waters National Monument (KWWNM) are not of special historic, scientific, or scenic value. The president's proclamation establishing the Monument dwells at some length on the geological history of the region, the Indians who once inhabited it, and the region's common flora and fauna. If these are justification for a National Monument, then much of our country qualifies. In fact, the word "unique" appears only one time in the entire proclamation and that is to assert that the monument land "*provides a unique and important opportunity for scientific investigation of the effects of climate change across ecotones.*" That is surely inadequate scientific justification for a national monument designation.

- These properties are not endangered. Ironically, the greatest threat to such values as they do possess, would come from a futile attempt to make them into a popular monument or park. It is wishful thinking to believe that monument designation will significantly benefit the local economy. In fact, it is already a detriment to logging operations on private roads which have

been taken over by the NPS for access to the monument lands.

- The wording of the Antiquities Act does not admit a collection of (thirteen) scattered parcels such as comprise this monument and the proclamation makes no distinction as to special characteristics of each parcel. Inasmuch as the Act requires that a national monument be defined by the smallest possible footprint, if these parcels qualified (which they do not), it would seem a national monument would have to be limited to the smallest of them. In-holders whose timber land lies between these parcels of the monument face the threat of condemnation and eminent domain as the monument expands in size, as most have done.

In addition, these monument lands have no direct access and the NPS is using the deeded right of ways for each parcel, using privately owned roads and turning them into public ways in order to gain access for visitors. This traffic is causing problems for logging operations already and can only get worse.

The Executive Order directs the Department of the Interior to review monuments designated using the Antiquities Act since January 1, 1996, that are in excess of 100,000 acres *“or that were expanded without adequate public outreach and coordination with relevant stakeholders.”* The KWW monument qualifies for several reasons.

There were three referendum votes in local towns (Patten, Medway, and East Millinocket) with results showing overwhelming opposition to a park or monument. The town of Millinocket passed a resolution opposing a park/monument. The Maine Legislature passed a resolve opposing a park or monument, and the Governor (s) have also been opposed. Attached is a list of 225 local businesses totaling 5,000+ employees opposing the park/monument, and in addition to the Maine Woods Coalition, other organizations including the Sportsman’s Alliance of Maine, the Maine Snowmobile Association, and the Fin & Feathers Club of Millinocket all oppose it.

In addition, and just as significantly, I speak from personal knowledge. There was absolutely no coordination with relevant stakeholders (abutting landowners and businesses) at all. Landowners whose roads have been taken over by the NPS were not contacted in any way. Not even a phone call before the NPS started doing what they wanted with the road and bridges they are using as an entrance to the land-locked monument lands. I know this because my family is directly involved. The NPS has taken over our roads and our bridge across the East Branch of the Penobscot.

We ask that this sham be abolished or it be turned over to the State of Maine for management.

Thank you for your consideration.

Anne Mitchell

Maine Woods Coalition

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

Tel. 207-685-4545

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**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

Cell: (202) 706-4982

# 227 Maine businesses with 5000+ jobs oppose the proposed national park

4 Girlz Truckin', Mars Hill	C.T. Sides LLC, Patten	Eyeball Engineering, Skowhegan	J.W. Low Impact Logging, Wells
4 Seasons Disposal, Sanford	Caron Sign Co., Hermon	Farley & Son Inc., Rockport	Jackman Powersports, Jackman
A-1 Paving Co., Sanford	Castonguay Sand & Gravel, Livermore Falls	Fernalds Tree Farm, Troy	Jamie Hardwood, New Portland
Allens Logging, Carmel	Central Maine Fire Pros, Belgrade	Fike's Custom Cutting, Readfield	Jarvis Forest Management, Jackman
American Forest Management, Milford	Charles McLaughlin Guide Service, Patten	Folsom's Gunsmithing, Mapleton	Jean Castonguay Logging, Livermore Falls
Anderson Family Tree Farms, Inc., Crystal	Cheryl's Tax Service, Patten	Ford Enterprise, Hope	Jeffrey Cross Logger, Dover-Foxcroft
Andrews Timber, Atkinson	Chops Ahoy Farm, Woodland	Forest Diversity Services, Cross Lake	Jerry Harriman Farrier Service, Stetson
Andy's Auto Detailing, Sanford	Cianbro, Pittsfield	Franklin Forest Products, Inc., Canaan	Jerry's Market, Sanford
Armstrong Family Industries, Hermon	Clint Cote Forestry, Bowdoin	Freightliner of Maine, Bangor	John A Gray Consulting, Bethel
ATL Tree Service, Readfield	Colton Property Maintenance, Sanford	G & C Trucking LLC, Oakfield	Johnny Castonguay Logging & Trucking, Livermore
B & C Logging & Excavation, Greenville Junction	Conservative Construction, Waldoboro	G. E. Strout Heating, Charleston	Katahdin Cedar Log Homes, Oakfield
Balanced Engineering, Hampden	Crockett Contractors, Farmingdale	G.A. Clark Construction, Holden	Katahdin Gardens, Patten
Bald Rock Property Management, Lincolnville	D N Watson, Denmark	Gander Hill Woodworks, Sidney	Katahdin Welding, Patten
Bamford's Garage, Fayette	Dale Choate Construction, Farmingdale	Gateway Inn, Medway	Kennebec Electric, Fayette
Bangor Truck & Trailer, Hermon	Daniel Sadowski, Monticello	Gerald Poulin & Sons, Readfield	Kenricks Logging, Rumford
Beans & Sons Custom Sawing, Sidney	Dave & Denise Aggregate, Sanford	Gilpatrick & Sons, Richmond	Keystone Management, Sanford
Bernard Ginn & Sons, Winterport	Dave's Curbside Pickup, East Millinocket	Good Measure Custom Sawing, Dixfield	Kokadjo Trading Post, Frenchtown Twp.
Best-Way Wood Heat Inc., Readfield	Dickison & London, Houlton	Gray Marketing, Bethel	L. E. Taylor & Sons, Porter
Big Boy's Toy Box, Springvale	Diesel Fuel Systems, Bangor	Grignon Logging, Pittsfield	L.J. Jandreau Trucking, Fort Kent
Bigge Defense, Millinocket	Dineen Logging, Meddybemps	Guillemette Plumbing & Heating, Sanford	Land & Sea Storage, Hampden
Bill Bougie Flatworks, Springvale	Dirigo Waste Oil, Waterville	Heavy Machines Inc., Skowhegan	Laverta Bros. Property Maintenance, Sanford
Bill Taylor Logging, Gray	DOC's Logging, Clinton	Hilton Timberlands, Jackman	Lee Jay Mac Logging, Medway
Black Bear Automotive, Springvale	Dysarts Srevice, Bangor	Hotel Terrace, Millinocket	Levesque Excavation, Sanford
Boelsma Logging, Gilead	E. J. Carrier Inc., Jackman	Huber Resources Corp., Old Town	Lincoln Paper and Tissue, Lincoln
Bowden's Tree Care, Penobscot	East Coast Mini Classics, Sanford	J F Larrabee Forest Products, Jackson	Linkletter & Sons, Inc., Athens
Brett Morse Trucking, Patten	East Road Electric, Greenville	J. E. Shelley Jr. Trucking, Jackman	Little Oak Farm, Wesley
Bull Brock Enterprises, Windsor	Eco-Analysts, Inc., Bath	J.V. Hurd Logging, Morrill	Lumbra Hardwoods, Inc., Milo
	Edgar Clark & Son, Readfield		
	Engstroms Logging, Dover-Foxcroft		

Lynox Welding Supply, Hermon	North Ridge Logging, Greenbush	Roger Berube Builders, Shapleigh	T.S. Timber, Hancock
M. H. Seavey Trucking, Porter	Northeastern Lumber Manufacturers Association, Cumberland	Rotta's & Son Logging, Brewer	The Leen Corp., Bangor
M.L. Pelletier Trucking, Inc., St. John Plt.	O'Connor Auto Group, Augusta	S. Richer Concrete, Sanford	The Northern Maine Land Man, Lee
M.W. Davenport Treework & Excavation, Livermore	Orion Timberlands LLC, Ashland	Safe Arbor Tree Service, Penobscot	Thomas Firewood, Ripley
Madison Paper Industries, Madison	Palmer Lane Upholstery, Springvale	Salt Pond LLC, Bangor	Thorndike & Sons Inc., Strong
Magic Falls Rafting Co., West Forks	Pampered & Polished Nail Salon, Millinocket	Sawyers Custom Sawing, Stockton Springs	Tide Mill Enterprises, Edmunds
Maine Antler Art, Frankfort	Parker Lumber Co. Inc., Bradford	Sawyer's Maple Farm, Jackman	Timber Meadow Forestry, Dixfield
Maine Grilling Woods, Searsmont	Parkview Salon, Porter	Scotty's Flying Service, Mt. Chase	Timber Resource Group, Stratton
Maine Woods Company, Portage Lake	Paul Bean & Sons Logging & Firewood, Levant	Seven Islands Land Company, Bangor	Tired Iron Trucking, Guilford
Mainely Logging, New Portland	Paul N. Foulkes Inc., Williamsburg Twp.	Shackley Hill Orchard, Livermore Falls	Tom Bourgoin Logging, St. John Plt.
Mainely Trees Inc., Strong	Pelletier & Pelletier, Fort Kent	Sheridan D. Smith Inc., Chester	Tony Nightingale Logger, Garland
Marcel Payeur Inc., Sanford	Penobscot Pyrographics, Lincoln	Smith & Sons Logging & Firewood, Newfield	Top Notch Logging, Levant
Mark Beaudoin Logging, Hanover	Pepin Precast, Sanford	Soules Auto Supply, Chelsea	Tourcotte's Carpentry, Presque Isle
Maurice Labreque Construction, Alfred	Percy Crawford Trucking, West Enfield	Southern Maine Forestry Services, Windham	Trees For Tomorrow, Minot
McKenna Logging, Rumford	Pine Lumber, Corinth	Spencer Clan Construction, Rome	Troy Rideout Logging, Winn
Memories By Nancy, Sanford	Pine Tree Pest Solutions, New Gloucester	Steel Magnolias Hair Nail Skincare Salon, Millinocket	Varney Agency, Bangor
Midcoast Custom Repairs, Hope	Pingree Associates, Bangor	Steve D'Arrigo, Lebanon	Verso Corp., Jay
Mike Halacy Logging, Lovell	Pleasant River Lumber, Dover-Foxcroft	Steve Grady Forest Products, Whitefield	Village Cut & Style Shop, Lincoln
Milner Trucking, Lincoln	Portable Welding & Repair, Sebec	Steven C. Horne LLC, Sanford	Vitale Forestry, Albion
Moonshine Transport, Hancock	Portage Wood Products, Portage	Stevens Construction & Landscaping, Whitneyville	W.T. Gardner & Sons, Inc., Lincoln
Moose Wood Millworks, Ashland	Premium Choice Broadband, Brewer	Stevens Logging, Edmunds	W.W. Davenport Treework, Livermore
Moosehead LLC, Greenville	Qualey Logging, Inc., Benedicta	Stratton Lumber Inc., Stratton	Wade Rideout Logging, Winn
Moosehead Motor Sports, Greenville Junction	R. Pepin & Sons, Sanford	Sullivan Enterprises, Hermon	Walter Hinchs, Orrington
Morton's Landscaping, Wells	R.C. McLucas Trucking, Porter	T & D Equipment Repair, Glenburn	WC Tripp Forest Products, Frankfort
Motor Medic, Newport	RCNO Logging, Mexico	T C Hafford Basement Systems, Wells	West Mount Inc., Farmington
Nathan Northrop Forest Products, Jefferson	Richard Emerson Construction, Kennebunk	T. Raymond Forest Products, Lee	Whited Ford, Bangor
New England Steel Fabricators, Alfred	Robbins Lumber Inc., Searsmont	T. W. Clark, Newport	Wilderness Variety Store, Mt. Chase
Nickerson Construction, Ludlow		T. Condon Timber Harvesting, Portage	Wiles Brook Logging, Inc., Allagash
Niles Hay Co. of Central Maine, Edinburg		T.J. Glidden Logging, Millinocket	Willard Hannington & Son, Wytopotlock
			Woodland Pulp & Paper, Baileyville
			Yoder's Sawmill, Corinna
			Zuk Construction, Sanford

**To:** Bowman, Randal[[randal\\_bowman@ios.doi.gov](mailto:randal_bowman@ios.doi.gov)]; Timothy Williams[[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)]  
**From:** Chambers, Micah  
**Sent:** 2017-05-24T14:15:32-04:00  
**Importance:** Normal  
**Subject:** Fwd: FW: NRCM Comments on Katahdin Woods and Waters to DOI  
**Received:** 2017-05-24T14:16:23-04:00  
[Comments on Katahdin Woods and Waters to DOI 5.23.17.pdf](#)

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

From: **Cashwell, Morgan (King)** <[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)>  
Date: Wed, May 24, 2017 at 2:03 PM  
Subject: FW: NRCM Comments on Katahdin Woods and Waters to DOI  
To: "Chambers, Micah" <[micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)>, Downey Magallanes <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>

Hi Micah and Downey – I wanted to pass along these comments that were submitted in response to the monument review open comment period from the Natural Resources Council of Maine. Please let me know if you have any questions.

Thanks a lot,

Morgan

Direct: 202-224-3832

**Morgan Cashwell**

**Legislative Assistant**

**Office of Senator Angus S. King, Jr., Maine**

133 Hart Senate Office Building | Washington, D.C. 20510

Office: 202-224-5344 | [morgan\\_cashwell@king.senate.gov](mailto:morgan_cashwell@king.senate.gov)





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**From:** Cathy Johnson [mailto:[cjohnson@nrcm.org](mailto:cjohnson@nrcm.org)]  
**Sent:** Tuesday, May 23, 2017 3:45 PM  
**To:** Rand, Kay (King) <[Kay\\_Rand@king.senate.gov](mailto:Kay_Rand@king.senate.gov)>; Cashwell, Morgan (King) <[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)>  
**Subject:** NRCM Comments on Katahdin Woods and Waters to DOI

Hi Kay and Morgan – Attached you will find NRCM’s comments on the review of KWWNM. They were filed today. Let me know if you have any questions.

Cathy

Catherine B. Johnson, Esq.

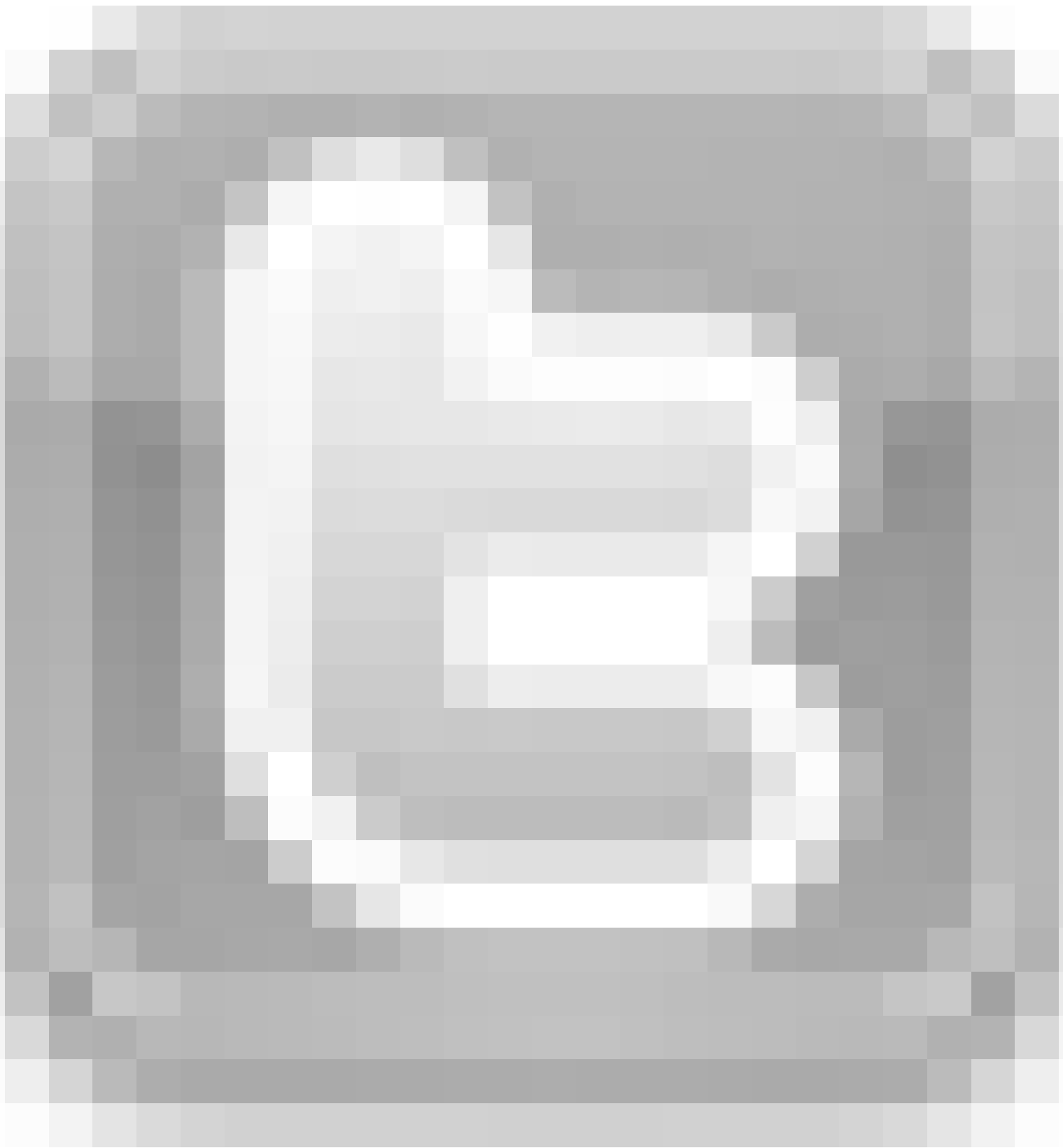
Senior Staff Attorney & Forests and Wildlife Project Director

(207) 430-0109 office (207) 462-2164 cell

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Micah Chambers  
Acting Director  
Office of Congressional & Legislative Affairs  
Office of the Secretary of the Interior









Monument Review, MS-1530  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

**Comments of the Natural Resources Council of Maine on DOI-2017-0002  
Katahdin Woods and Waters National Monument  
May 23, 2017**

The Natural Resources Council of Maine (NRCM) is a statewide, member-supported conservation organization established in 1959 and located in Augusta, Maine. We have 20,000 members and supporters located in all sixteen counties of Maine, including Penobscot, Piscataquis, and Aroostook counties, all of which include portions of the Katahdin region.

NRCM was instrumental in the establishment of the Allagash Wilderness Waterway, the restoration of fisheries in the Penobscot River through the removal of three major dams, the adoption of the state's Forest Practices Law, Liquidation Harvesting Law, Land For Maine's Future program, Billboard Law, and Bottle Bill, all of which directly affect the Katahdin region, and a wide variety of other statewide policies affecting forests and wildlife, healthy waters, climate and clean energy, and sustainable communities. Information on all of our work can be found at [www.nrcm.org](http://www.nrcm.org).

**Katahdin Woods and Waters National Monument was the product of a large-scale, statewide, multi-year dialogue with key stakeholders who shaped the ultimate outcome.**

For the past decade, Maine people have been discussing, learning about, and debating various proposals related to lands purchased by Elliotsville Plantation, Inc. (EPI), which EPI wanted to donate to the American people to be enjoyed in perpetuity. This very public and inclusive process can be measured through literally thousands of news articles, editorials, letters to the editor, meetings, presentations, and public and private events.

During the five years leading up to the August 24, 2016 establishment of Katahdin Woods and Waters National Monument (the Monument), NRCM staff were involved in hundreds of presentations, meetings, debates, hearings, listening sessions, and one-on-one conversations with residents of the Katahdin region, interest groups, and local, state, and federal elected officials about the initially proposed national park, and eventually about the Monument. To suggest that this Monument had insufficient public input prior to its designation is patently absurd. This has been one of the most discussed and debated land conservation-related topics in Maine over the past 10 years.

The proposal for a national park made in 2011 evolved significantly as a result of those hundreds of discussions. Areas where hunting and snowmobiling would be permanently guaranteed were added. The proposal increased in size when it evolved to include both a national park and national recreation area (during 2014-15 discussions), but then was significantly decreased in size when it was designated a Monument in 2016, although the areas open to snowmobiling and hunting remained.

Although there was significant opposition to the original proposal for a national park in 2011, over the years of discussions and changes to the proposal based on input received, the Monument now has very broad support in the Katahdin region and across the state of Maine. Already, just nine months after designation, businesses have seen an increase in economic activity and are expanding, reservations are up, new businesses are opening, visitation is increased, and real estate prices (which had been significantly depressed over years of economic downturn) have begun to rise. The people in the region have a sense of hope and opportunity that they have not experienced in decades.

Former opponents are now some of the most outspoken supporters of the Monument. Elected officials, grocery store owners, and snowmobile rental and lodge owners are just some of the former opponents who are now speaking up in support. They are joined in support by the Katahdin Area Chamber of Commerce, the Bangor Region Chamber of Commerce, the Houlton Chamber of Commerce, the Maine Innkeepers Association, and hundreds of businesses statewide, all of whom recognize that the Monument will benefit the entire state. The most recent poll shows 72% support for the Monument statewide, including 66% support in the 2<sup>nd</sup> Congressional District.

Demonstrating the extent to which Maine people have been following this issue, a May 2015 poll by Moore Research, a year prior to designation, found 67% support vs. 25% opposed to establishment of a national park, *with only 8% choosing a "Don't Know" response*. In the October 2016 Critical Insights poll mentioned above conducted two months after designation, *only 6% responded "Don't Know"* to a question that found 72% support and 22% opposition to the new Monument. Clearly, Maine people had a good understanding of and well established positions on this matter well in advance of designation. To suggest that there has not been sufficient awareness, engagement, involvement, and dialogue on this subject statewide and among key stakeholders is not accurate. (Copies of these poll questions are attached as Exhibit C.)

The Monument is also supported by recreational users of all types from hunters and snowmobilers to hikers, anglers, wildlife watchers, and bicyclists. Because the land was previously private, there was no guarantee that it would be open for recreational uses prior to the establishment of the Monument. The Monument permanently guarantees snowmobile corridors and the opportunity to hunt on the eastern portion. It also provides the opportunity for scenic drives, fishing, hiking, camping, cross-country skiing, and other recreational activities.

### **There were hundreds of public outreach events over five years.**

Since early 2011, NRCM staff have been involved in a multi-year, statewide effort to connect with members of the public to discuss and promote dialogue about EPI's proposal to protect their privately-owned lands by transferring them to the federal government. We participated in literally hundreds of public outreach events and meetings to foster conversation, gather reactions and input, and provide that information to EPI to reflect in modifications to their proposal.

Meetings ranged from informal one-on-one meetings with residents of the Katahdin region to official meetings hosted by Secretary of the Interior Ken Salazar, National Park Service Director Jon Jarvis, Senator Angus King, Congressman Rob Bishop (Utah), and Congressman Bruce Poliquin. At the official event in Orono in May 2016 hosted by Director Jarvis and Senator King, almost 1400 people attended, of whom 1200 were supporters of the proposed Monument. We believe this is the largest number of people to attend a public hearing on a conservation issue in Maine history. At the field hearing two

weeks later hosted by Rep. Bishop, and the public meeting immediately thereafter hosted by Rep. Bruce Poliquin in East Millinocket, about 200 people attended. Supporters outnumbered opponents 4 to 1.

NRCM staff participated in at least 71 meetings attended by hundreds of residents of the Katahdin region. Those meetings included one-on-one meetings with municipal and civic leaders and business owners in the region. In each of these meetings, we shared information about the proposal and solicited feedback. That feedback was shared with EPI, and over time changes were made to the proposal to respond to the comments received.

Additional public outreach events in the Katahdin region included focus groups, a telephone town hall in which 5000 people participated, and evening open houses at East Millinocket and Medway public schools in 2015.

In addition to those meetings with residents of the Katahdin region, NRCM staff made at least 72 public presentations about the proposal across the state. These were attended by thousands of people. Every presentation included an opportunity for questions and answers. In Nov. 2015, a petition in support of Katahdin Woods and Waters was signed by 13,500 individuals living in 371 Maine towns, all 50 states, and 53 countries. (A news release announcing this support and a list of the 371 Maine towns represented is attached as Exhibit E.)

Finally, although we were not present at the meetings, we are aware that Lucas St. Clair also had hundreds of separate meetings and conversations with residents of the Katahdin region and across the state between 2011 and August 2016.

A partial list of these public outreach events is attached as Exhibit A.

### **There were dozens of consultations with relevant stakeholders over five years.**

Over the course of five years, there were multiple meetings with a wide variety of relevant stakeholders to solicit their input about the proposal. Types of stakeholders consulted included federal, state, regional, and local officials; recreational users including hunting, fishing, hiking, camping, snowmobiling, guiding, cross-country skiing, and biking groups; forest products industry-related entities including landowners, paper mill operators, paper mill workers and loggers; business-related groups including multiple chambers of commerce and hundreds of individual businesses; and others. A partial list of those with whom NRCM staff or EPI and its representatives met includes:

#### Federal, state, regional, and local officials:

- Maine's Congressional Delegation, including Sen. Angus King, Sen. Susan Collins, Rep. Mike Michaud, Rep. Bruce Poliquin, Rep. Chellie Pingree
- The Governor of Maine and his staff
- Members of the Millinocket Town Council
- Members of the Selectboards of East Millinocket, Medway, Sherman, Stacyville, Patten, and Mt. Chase
- Members of the Penobscot County Commissioners
- Members of the Maine Legislature, both House and Senate
- Members of the Bangor City Council
- Lincoln Town Manager

Recreational users:

- Snowmobile clubs in the Katahdin region including the Bowlin Matagamon, Twin Pines, Jo Mary Riders, Northern Timber Cruisers, and East Branch Sno-Rovers Snowmobile Clubs
- Hunting, fishing, and guiding groups including Trout Unlimited, Maine Wilderness Guides Organization, Sportsman’s Alliance of Maine, and Maine Professional Guides Association
- Hiking, camping, wildlife watching, cross-country skiing, and biking groups including Appalachian Mountain Club, Sierra Club, Maine Audubon, New England Mountain Bike Association, The Wilderness Society, and National Parks and Conservation Association

Forest products industry:

- All of the major landowners owning land adjacent to the Monument
- The manager of the East Millinocket paper mill
- The head of the union representing the paper mill workers at the East Millinocket paper mill and a group of workers
- Maine Forest Products Council
- Hard wood manufacturing businesses in the Katahdin region including Maine Heritage Timber, Larry’s Wood Products, Inc., and Sherman Wood Works, Inc.
- The New England Forestry Foundation

Business related entities:

- Katahdin Area Chamber of Commerce
- Katahdin Area Rotary Club
- Houlton Chamber of Commerce
- Bangor Region Chamber of Commerce
- Maine State Chamber of Commerce
- Maine Innkeepers Association
- 200 Maine businesses that endorsed EPI’s proposal (See attached list, Exhibit D)

Others:

- Penobscot Indian Nation
- Millinocket AARP
- East Millinocket and Medway Seniors groups
- Patten Women’s Group
- Superintendents of Schools in Millinocket, East Millinocket, and Medway
- Millinocket Regional Hospital

In addition to these meetings, we know that EPI and its representatives had numerous other meetings with stakeholders in each of these categories.

With many of these stakeholders, there were multiple meetings as we worked to incorporate their ideas into the proposal and resolve concerns. After coordination with these stakeholders, the overwhelming majority of them supported the Monument.

There are no relevant stakeholders of whom we are aware with whom there were no consultations.



## **The Monument is already providing significant economic benefit to the Katahdin region.**

In 2013, an independent consulting firm, Headwaters Economics, conducted two studies analyzing the likely economic impact of a new national park in the Katahdin region. Those reports can be found at <http://headwaterseconomics.org>. Those studies found that, based on the experience of other national park units in other similar areas, the Katahdin region was likely to experience a net positive impact in jobs, personal income, and population.

More than 3,000 copies of those studies were widely shared in the Katahdin region and across the state. No credible alternative analysis disputed those findings. In fact, a group of highly respected Maine economists, including the former Maine State Economist, reviewed the report and signed a positive letter about its findings.

Nine months after designation (and before the major summer season has even started), the positive economic impacts of the Monument are already being felt. Businesses, including lodges, restaurants, grocery stores, and hardware stores, have seen increased business and are expanding to service new visitors. New businesses including snowmobile, canoe, and bicycle rentals and new lodging and eating facilities are opening. Real estate businesses report a significant jump in real estate sales. All of these businesses have added employees to serve the increased demand.

## **Former opponents have now embraced the Monument.**

Many former opponents of the Monument have now embraced it. They are seeing the positive economic impact on the region. And perhaps just as important, they are seeing the hope and optimism the designation has brought to the region.

Rep. Steve Stanley, the Maine legislator who represents the Katahdin region and who sponsored a bill opposed to the Monument one year ago, is now an outspoken supporter. He has joined local residents in trying to ensure that there are adequate signs for visitors to find the Monument. Other local officials, including Millinocket Town Councilor Jesse Dumais and Patten Selectman Richard Schmidt, are now publicly talking about how they can best position their communities to take economic advantage of the Monument.

NRCM has surveyed local newspaper coverage on this issue and found that there has been an overwhelming volume of engagement and public support. In the three years prior to designation of the Monument, by our count, at least 257 letters to the editor and op-eds in support of the Monument were printed in Maine newspapers. Since Aug. 24, 2016, an additional 92 letters and opinion pieces supporting the Monument have been printed. Attached to these comments as Exhibit B is a list of those letters to the editor and opinion pieces. This is likely the largest number of letters to the editor and opinion pieces submitted to Maine newspapers about any conservation issue in the state's history.

## **The Monument permanently guarantees access for recreational uses.**

Prior to designation of the Monument, the land comprising the Monument was privately owned by EPI. Under Maine law, members of the public have no legal right to cut timber, hunt, snowmobile, camp, or drive on privately owned land. After closing their privately owned land to public access for a period of

time after purchasing the land, EPI opened their land and gave permission for some types of public access. They allowed public vehicle use in limited areas, and hiking, wildlife watching, fishing, biking, and camping. In addition, they allowed hunting on the east side of the Monument, and they allowed snowmobile use on defined trails.

With the designation of the Monument, all of those uses that were previously allowed only by the permission of the landowners have been permanently guaranteed. Any suggestion that traditional uses on the land have been limited by the Monument is false. The public previously had no legal rights to many uses on EPI's privately owned lands, but now the public has permanently protected rights for a broad range of uses on this public land in perpetuity.

**Pursuant to the Executive Order dated April 26, 2017, Katahdin Woods and Waters does not meet the criteria for review by the Secretary of the Interior.**

Because it underwent extensive public outreach and coordination with relevant stakeholders as outlined above prior to designation, Katahdin Woods and Waters National Monument does not meet the criteria justifying review by the Secretary of the Interior. Therefore, factors (i) through (vii) in the Executive Order are irrelevant to Katahdin Woods and Waters National Monument.

Based on this summary of the broad-based, multi-year public dialogue that occurred prior to designation of the Monument, with targeted engagement with relevant stakeholders, we conclude that the Secretary of Interior's review of Katahdin Woods and Waters should be promptly terminated following closure of the public comment period. This review process is discouraging investment and jobs in the Katahdin region as the major summer tourist season approaches. A public statement announcing the end of the review process should be immediately issued so that this cloud of uncertainty currently hanging over the Katahdin region can be removed and the communities in the region can get on with their business of promoting this remarkable Monument as an asset for the region, the state of Maine, and the nation.

Respectfully submitted,



Catherine B. Johnson  
Senior Staff Attorney and Forests and Wildlife Project Director

# EXHIBIT A

<b>Public Outreach Event Name</b>	<b>Location</b>	<b>Date</b>
Meeting With Secretary Salazar and Director Jarvis	Millinocket	8.18.2011
Medway Town Meeting	Medway	8.18.2011
Meeting between Roxanne Quimby, Dave Edson and Gov. LePage	Augusta	11.1.2011
Panel on North Woods issues at Franco American Center	Lewiston	11.7.2011
Meeting with Katahdin region residents	Millinocket	8.2.2012
Meeting with Friends of Baxter	Hope	8.8.2012
Meeting with Penobscot Indian Nation	Old Town	8.15.2012
Meeting with Trout Unlimited	New Gloucester	8.15.2012
Meeting with Maine Professional Guides Association	Augusta	9.18.2012
Meeting with Maine Pulp and Paper Association	Augusta	9.19.2012
Meeting with Bangor Chamber of Commerce	Bangor	9.19.2012
Meeting with Forest Society of Maine	Bangor	9.19.2012
Meeting with Baxter State Park Superintendent	Millinocket	10.4.2012
Meeting with Millinocket School Superintendent	E. Millinocket	10.4.2012
Meeting with Medway residents	Medway	10.4.2012
Meeting with Millinocket residents	Millinocket	10.4.2012
Meeting with Millinocket business owner	Millinocket	10.24.2012
Meeting with East Millinocket teacher	E. Millinocket	10.24.2012
Meeting with East Millinocket School Superintendent	Millinocket	10.24.2012
Meeting with Medway business owner	Medway	10.24.2012
Meeting with Millinocket Real Estate Company	Millinocket	11.1.2012
Meeting with snowmobile club official	Millinocket	11.1.2012
Two meetings with Millinocket business owners	Millinocket	11.1.2012
Meeting with Millinocket Town Councilor	Millinocket	12.12.2012
Meeting with Millinocket Regional Hospital	Millinocket	12.12.2012
Meeting with Millinocket business owner	Millinocket	12.12.2012
Meeting with Katahdin region State Representative	Augusta	12.13.2012
Meeting with group of Millinocket residents	Millinocket	12.13.2012
Multiple Individual Meetings - Katahdin region	Millinocket	1.23.2013
East Millinocket Mill Manager and Union employees Meeting	E. Millinocket	1.23.2013
Katahdin Forest Management President Meeting	Millinocket	1.24.2013
Three meetings with Millinocket business owners	Millinocket	6.26.2013
Meeting with Millinocket Town councilor	Millinocket	6.26.2013
Meeting with Patten business owner	Patten	6.26.2012
Large meeting of Katahdin region residents	Millinocket	8.13.2013
Tabled at Oquossoc Outdoor Sporting Heritage Day	Oquossoc	8.13.2013
Meeting with Penobscot County Commissioner	Bangor	9.10.2013
Meeting with Sen. King's staff	Bangor	9.10.2013
Meeting with East Millinocket Selectman	E. Millinocket	9.11.2013
Meeting with Upper Valley Economic Commission; Sherman Selectman	Sherman	9.11.2013
Meeting with Stacyville Selectmen	Stacyville	9.12.2013
Meeting with Patten business owner	Patten	9.24.2013
Art and the National Park	Bath	3.7.2014
Meeting with Millinocket Town Councilor	Millinocket	4.16.2014
Meeting with Upper Valley Economic Commission; Sherman Selectman	Sherman	4.15.2014
National Park Presentation	Bangor	4.15.2014
Meeting with Millinocket Town Manager and Town Councilor	Millinocket	4.16.2014

Meeting with Lincoln former official	Augusta	4.23.2014
Meeting with Lincoln business owner	Lincoln	4.28,2014
Meeting with Penobscot County Commissioner	Bangor	4.28.2014
Meeting with Lincoln Town Manager	Lincoln	5.7.2014
Meeting with Lincoln business owner	Lincoln	5.7.2014
Meeting with Medway business owner	Medway	5.7.2014
Meeting with East Millinocket business owner	E. Millinocket	5.7.2014
Meetings with 11 separate business owners	Millinocket	5.8.2014
Meeting with Lincoln Lakes Chamber of Commerce	Lincoln	5.20.2014
Meetings with 8 separate business owners	Millinocket; Medw	5.21.2014
Presentation at Woods at Canco	Portland	5.27.2014
Meetings with 7 business owners	Millinocket	6.4.2014
National Park Presentation	Hampden	6.25.2014
Bird the Park event	KWWNM	6.28.2014
Meeting with Chair Millinocket Town Council	Millinocket	7.11.2014
Meetings with 9 business owners	Millinocket	7.11.2014
National Park Presentation	Freeport	7.16.2014
Bike the Park event	KWWNM	7.19.2014
National Park booth at Bangor Folk Festival	Bangor	8.22-24.2014
Paint the Park event with Marsha Donahue	KWWNM	8.24.2014
Hidden Valley Nature Center Field Day - tabled re: national park	Jefferson	9.6.2014
National Park talk at Moosehead Historical Society	Greenville	9.8.2014
Meeting with Penobscot Indian Nation	Old Town	9.12.2014
National Park Presentation	Bangor	9.16.2014
Meetings with 9 business owners	Millinocket	9.17.2014
Meeting with Millinocket Regional Hospital	Millinocket	9.17.2014
National Park talk at Common Ground Country Fair	Unity	9.19.2014
National Park presentation at East Sangerville Grange	E. Sangerville	9.23.2014
Meetings with 10 businesses	Millinocket	10.6.2014
Hike the Park event	KWWNM	10.11.2014
Bangor Greendrinks	Bangor	10.14.2014
Meetings with 3 Sherman businesses	Sherman	10.23.2014
Meeting with Upper Valley Economic Commission; Sherman Selectman	Sherman	10.23.2014
Pecha Kucha presentation on National Park	Portland	10.30.2014
Presentation to AARP	Millinocket	11.3.2014
Meeting with Lincoln Town Manager	Lincoln	12.8.2014
Meeting with Lincoln Chamber	Lincoln	12.8.2014
Meeting with Chair, East Millinocket Selectboard	E. Millinocket	12.8.2014
Presentation in Island Falls	Island Falls	12.15.2014
Meeting with Sherman Business owner	Sherman	12.16.2104
Multiple meetings with Bangor and Millinocket residents	Bangor, Millinocke	1.8.2015
Meeting with Millinocket School Superintendent	Millinocket	1.8.2015
Presentation at Stearns Senior Center	Millinocket	2.26.2015
Katahdin region residents large group meeting	Millinocket	2.19.2015
Katahdin region residents large group meeting	Millinocket	3.19.2015
NRCM Rising presentation at Paddy Murphy's	Bangor	3.19.2015
Presentation for seniors	Medway	3.31.2015

National Park information open house in E. Millinocket	E. Millinocket	4.16.2015
Katahdin region residents large group meeting	Millinocket	5.7.2015
National Park Presentation	Blue Hill	6.4.2015
National Park debate	Millinocket	6.6.2015
National Park information open house in Medway	Millinocket	6.10.2015
National Park Presentation at Curtis Memorial Library	Brunswick	6.25.2015
National Monument display at Patagonia in Freeport	Freeport	Jul & Aug 2015
Katahdin region residents large group meeting	Millinocket	7.22.2015
National Park Presentation Orono Library	Orono	7.23.2015
National Park Presentation Belfast Library	Belfast	7.28.2015
Presentation at PechaKucha	Waterville	7.9.2015
Presentation at PechaKucha	Kennebunkport	8.27.2015
Barnard Mountain Hike	KWWNM	8.29.2015
National Park Presentation	Rockland	9.14.2015
National Park Presentation	Damariscotta	9.22.2015
National Park Presentation at CGCF	Unity	9.25.2015
National Park Presentation	Sanford	9.3.2015
Colby forum on conservation in Maine	Waterville	9.30.2015
Katahdin region residents large group meeting	Millinocket	10.12.2015
Greendrinks	Bangor	10.13.2015
Presentation Hammond St Senior Center	Bangor	10.14.2015
Presentation at York Audubon event	Wells	10.20.2015
National Monument Presentation at UU Church	Belfast	10.21.2015
Presentation	Kennebunkport	10.22.2015
Presentation at Dirigo Pines	Orono	10.22.2015
Presentation at UU Church	Bangor	11.1.2015
Katahdin region residents large group meeting	Millinocket	12.15.2015
Presentation at Avalon Village	Hampden	1.21.2016
Presentation at UU Church	Pittsfield	2.11.2016
Tabling at Banff Mtn film festival re: National Park	Bangor	2.2-3.2016
Presentation House Party	Belfast	2.6.2016
NRCM Rising ski the park event	KWWNM	3.12.2016
Presentation at Skowhegan Library	Skowhegan	3.24.2016
National Park presentation for COA students only	Bar Harbor	4.12.2016
Talk in Mt. Vernon	Mt. Vernon	4.12.2016
National Monument Presentation at UU Church	Rockland	4.13.2016
National Monument Presentation House Party	Brunswick	4.14.2016
National Monument talk in Wiscasset	Wiscasset	4.14.2016
National Monument Presentation House Party	Bar Harbor	4.16.2016
Talk with Umaine class re: National Monument	Orono	4.19.2016
Presentation	Blue Hill	4.22.2016
Presentation at UMF	Farmington	4.7.2016
Meeting with Sen. King and Katahdin Area Chamber of Commerce	Millinocket	5.16.2016
Meeting for municipal officials with Sen. Angus King and Director Jon Jarvis	East Millinocket	5.16.2016
Meeting with Sen. Angus King and Director Jon Jarvis	Orono	5.16.2016
Field Hearing with Congressman Rob Bishop	East Millinocket	6.1.2016
Public Meeting with Congressman Bruce Poliquin	East Millinocket	6.1.2016

Presentation at Kittery Land Trust	Kittery	6.2.2016
Lunch and Learn at Laudholm Farm - National Monument	Wells	5.4.2016
Ellsworth Garden Club Presentation	Ellsworth	7.26.2016
Spectrum Generations Presentation	Damariscotta	8.17.2016

# EXHIBIT B



<b>Opinion Pieces</b>	<b>Publication</b>	<b>Author</b>	<b>Date</b>
	KJ	Lois Winter	Oct. 16, 2013
	PPH	Alan Caron	Oct. 31, 2013
	BDN	Anita Mueller & Mark Picard	Nov. 25, 2013
	BDN	Charlie Cirame	Nov. 26, 2013
	PPH	Glenn Vaillancourt	Mar. 12, 2014
	BDN	Sue French	Mar. 24, 2014
	PPH	Gordon Glover	Apr. 15, 2014
	BDN	Michael & Wanda Curtis	Apr. 28, 2014
	BDN	Carol Howell	5/19/14
	BDN	Georgia Manzo	6/17/14
	BDN	Diana Bell	6/21/14
	BDN	Peter Crockett	6/23/14
	BDN	Liz Hays	6/23/14
	BDN	Paul Corrigan	6/23/14
	BDN	Rod Williams	6/23/14
	BDN	Marilyn Tardy	7/1/14
	BDN	Deb King	7/4/14
	Lincoln News	Paul Corrigan	July, 2014
	BDN	Milton Gross	7/29/14
	BDN	Carly Andersen	Aug. 2, 2014
	PPH	Anita Jones	Aug. 13, 2014
	PPH	Jim Donoghue	Aug. 23, 2014
	PPH	Paul Corrigan	Aug. 23, 2014
	PPH	Cody Ray McEwen	Aug. 30, 2014
	BDN	Bonnie Wood	Sept. 15, 2014
	BDN	Richard Jagels	Sept. 16, 2014
	Presque Isle Star Herald	Bonnie Wood	Sept. 17, 2014
	Lincoln News	Katahdin Area Chamber of Commerce	Sept. 18, 2014
	BDN	Samuel Gath	Oct. 2, 2014
	BDN	Steve Barker	Nov. 4, 2014
	BDN	Cloe Chunn	Nov. 5, 2014
	BDN	Alice White	Nov. 6, 2014
	BDN	Bonnie Smith	Nov. 12, 2014
	BDN	Wendy Wieger	Nov. 13, 2014
	BDN	Allen (Rod) Williams	Nov. 24, 2014
	BDN	Steve Bien	Nov. 24, 2014
	BDN	Tom Chasse	Dec. 4, 2014
	BDN	Sue & Victor Borko	Dec. 5, 2014
	BDN	Terri McLellan	Dec. 6, 2014
	BDN	Bronda Neise	Dec. 8, 2014
	BDN	Joyce Transue	Dec. 10, 2014
	BDN	Kat Gagnon	Dec. 12, 2014
	BDN	Sean Faircloth	Dec. 17, 2014
	BDN	Jym St. Pierre	Dec. 21, 2014
	BDN	Kirk Francis	Jan. 1, 2015

	BDN	Kathy Rimmel	Jan. 10, 2015
	BDN	Steve Jacques	Jan. 13, 2015
	PPH	Dan Blickensderfer	Jan. 18, 2015
	BDN	Rob Lilieholm	Jan. 19, 2015
	BDN	Cody McEwen	Jan. 27, 2015
	BDN	Brad Ryder	Feb. 3, 2015
	BDN	Amy Hughes	5/18/15
	BDN	Irvin Dube	6/11/15
	Lincoln News	Group	6/16/15
	PPH	Ryan Linn	6/21/15
	BDN	Avern Danforth	6/22/15
	BDN	Michael Enos	6/24/15
	BDN	Lester Martin Sr.	6/25/15
	BDN	Michael Boland	6/27/15
	PPH	Eleanor Archer	6/28/15
	BDN	Milton Gross	7/22/15
	BDN	Jaime Renaud	7/28/15
	BDN	Nancy Moscone	7/30/15
	OpEd	Editorial Board	6/14/2015
LETTER TO THE EDITOR	BDN	Jaime Renaud	7/29/2015
LETTER TO THE EDITOR	BDN	Nancy Moscone	7/31/2015
LETTER TO THE EDITOR	BDN	John Hafford	8/4/2015
LETTER TO THE EDITOR	PPH	Carrie Donoghue	8/4/2015
LETTER TO THE EDITOR	BDN	Charles Cirame	8/6/2015
LETTER TO THE EDITOR	BDN	Gail Fanjoy	8/7/2015
OpEd	BDN	Anita Mueller	8/11/2015
LETTER TO THE EDITOR	BDN	Wayne Curlew	8/17/2015
LETTER TO THE EDITOR	BDN	Colleen McLaughlin	8/19/2015
OpEd	BDN	Lisa Pohlmann and Ken Olson	8/24/2015
LETTER TO THE EDITOR	KJ	Marsha Donahue	8/24/2015
LETTER TO THE EDITOR	KJ	Jesse Masse	8/25/2015
LETTER TO THE EDITOR	BDN	Paul Renaud	8/27/2015
LETTER TO THE EDITOR	KJ	Anita Mueller	8/29/2015
LETTER TO THE EDITOR	PPH	Steve Wolfson	9/8/2015
LETTER TO THE EDITOR	LSJ	Ted Walworth	9/8/2015
LETTER TO THE EDITOR	BDN	Carly Anderson	9/16/2015
LETTER TO THE EDITOR	Star	Herald Gary	9/16/2015
LETTER TO THE EDITOR	BDN	Andrew Cadot	9/29/2015
LETTER TO THE EDITOR	Times Record	Jake Plante	9/29/2015
LETTER TO THE EDITOR	BDN	Avern Danforth	10/5/2015
OpEd	BDN	Alexandra Connover Bennet	10/5/2015
LETTER TO THE EDITOR	BDN	Sam Gath	10/9/2015
LETTER TO THE EDITOR	KJ	Jon Lund	10/10/2015
LETTER TO THE EDITOR	PPH	Robyn McCutcheon	10/18/2015
OpEd	BDN	Editorial Board	11/6/2015
OpEd	BDN	Jim Glavine	11/9/2015
LETTER TO THE EDITOR	BDN	Shelley Farrington	11/10/2015

LETTER TO THE EDITOR	BDN	Steve Cartwright	11/12/2015
LETTER TO THE EDITOR	BDN	Paul Corrigan	11/13/2015
LETTER TO THE EDITOR	BDN	Charlie Cirame	11/14/2015
LETTER TO THE EDITOR	BDN	Michelle Sweetman	11/16/2015
LETTER TO THE EDITOR	Journal Tribune	Vicki Adams	11/17/2015
OpEd	BDN	Jym St. Pierre	11/24/2015
LETTER TO THE EDITOR	BDN	Edith Manns	11/25/2015
LETTER TO THE EDITOR	TR	Evelyn Dunphy	11/25/2015
OpEd	BDN	Editorial Board	11/25/2015
OpEd	KJ	Doug Rooks	11/26/2015
LETTER TO THE EDITOR	BDN	Anita Mueller	11/26/2015
LETTER TO THE EDITOR	PPH	Evelyn Dunphy	11/28/2015
Oped	BDN	Lisa Pohlmann	12/1/2015
LETTER TO THE EDITOR	BDN	Cody McEwan	12/7/2015
LETTER TO THE EDITOR	BDN	Sam Bass	12/9/2015
LETTER TO THE EDITOR	BDN	David Vail	12/10/2015
LETTER TO THE EDITOR	BDN	Lyndsay Downing	12/10/2015
LETTER TO THE EDITOR	BDN	Debbie Gilmer	12/19/2015
LETTER TO THE EDITOR	BDN	Wayne Curlew	12/26/2015
LETTER TO THE EDITOR	BDN	Maria Gifford	12/28/2015
LETTER TO THE EDITOR	BDN	Robin Burgess	12/29/2015
OpEd	BDN	Sheridan Steele and Ken Olson	12/29/2015
LETTER TO THE EDITOR	BDN	Sally Jones	12/30/2015
LETTER TO THE EDITOR	BDN	Stephen Porter	1/1/2016
LETTER TO THE EDITOR	PPH	Maria Gifford	1/1/2016
LETTER TO THE EDITOR	PPH	Ron Barry	1/1/2016
LETTER TO THE EDITOR	PPH	Michael Downing	1/3/2016
LETTER TO THE EDITOR	BDN	Andrew Hansen	1/6/2016
OpEd	BDN	David Fogg	1/6/2016
LETTER TO THE EDITOR	BDN	Sharon Fiedler	1/14/2016
OpEd	BDN	Georgia Manzo	1/14/2016
LETTER TO THE EDITOR	LSJ	Wanda Sprague	1/15/2016
LETTER TO THE EDITOR	BDN	Kathy Rimmel	1/18/2016
LETTER TO THE EDITOR	BDN	Harold Waltz	1/25/2016
LETTER TO THE EDITOR	BDN	Jon Luoma	2/1/2016
LETTER TO THE EDITOR	BDN	Melissa Ossanna	2/1/2016
LETTER TO THE EDITOR	BDN	Jennifer Curtis	2/2/2016
LETTER TO THE EDITOR	BDN	Ann Mullen	2/3/2016
LETTER TO THE EDITOR	BDN	Dan Corcoran	2/5/2016
LETTER TO THE EDITOR	PPH	Pamela Fischer	2/7/2016
OpEd	BDN	Mary Foley and Michael Soukup	2/8/2016
LETTER TO THE EDITOR	PPH	Jesse Nankin	2/15/2016
OpEd	PPH	Editorial Board	2/16/2016
LETTER TO THE EDITOR	BDN	Alan Pooley	2/17/2016
LETTER TO THE EDITOR	LSJ	Alicia Rea	2/17/2016
OpEd	BDN	Editorial Board	2/18/2016
LETTER TO THE EDITOR	PPH	Paul Corrigan	2/20/2016

LETTER TO THE EDITOR	PPH	Douglas N. Johnson	2/21/2016
LETTER TO THE EDITOR	PPH	Gretchen Kamilewicz	2/22/2016
LETTER TO THE EDITOR	PPH	Rob Stevens	2/22/2016
LETTER TO THE EDITOR	PPH	Rob Stevens	2/22/2016
LETTER TO THE EDITOR	BDN	Benjamin Shambaugh	2/24/2016
LETTER TO THE EDITOR	Lincoln County News	County News	3/2/2016
LETTER TO THE EDITOR	Lincoln News	Harold Waltz	3/3/2016
LETTER TO THE EDITOR	BDN	Kathy VanGorder	3/7/2016
LETTER TO THE EDITOR	BDN	Dan Casarella	3/9/2016
LETTER TO THE EDITOR	BDN	Edith Manns	3/9/2016
OpEd	PPH	Adam Lee	3/12/2016
LETTER TO THE EDITOR	PPH	Robin Burgess	3/13/2016
LETTER TO THE EDITOR	BDN	AJ Callahan	3/14/2016
LETTER TO THE EDITOR	BDN	Jessica Masse	3/15/2016
LETTER TO THE EDITOR	BDN	Tya Haman	3/17/2016
OpEd	BDN	Editorial Board	3/18/2016
LETTER TO THE EDITOR	PPH	Steve Case	3/24/2016
LETTER TO THE EDITOR	Free Press	Doug Johnson	3/25/2016
LETTER TO THE EDITOR	PPH	John Bernier	3/28/2016
OpEd	BDN	Editorial Board	3/29/2016
LETTER TO THE EDITOR	BDN	Janessa Leger	3/31/2016
OpEd	BDN	Erik Stumpfel	3/31/2016
LETTER TO THE EDITOR	BDN	Kurt Steiner	4/8/2016
LETTER TO THE EDITOR	BDN	Andrew Edwards	4/9/2016
LETTER TO THE EDITOR	BDN	Patricia Horine	4/9/2016
LETTER TO THE EDITOR	PPH	David H. Brown	4/11/2016
LETTER TO THE EDITOR	PPH	Jenessa Leger	4/23/2016
OpEd	BDN	Scott Fraser	4/23/2016
LETTER TO THE EDITOR	BDN	Irvin Dube	4/27/2016
OpEd	BDN	Kate Rush	4/27/2016
OpEd	PPH	Gail Fanjoy	4/27/2016
LETTER TO THE EDITOR	PPH	Avern Danforth	5/1/2016
LETTER TO THE EDITOR	BDN	Marjorie Monteleon	5/4/2016
LETTER TO THE EDITOR	BDN	Lea Savarese	5/7/2016
OpEd	PPH	Daniel Kleban	5/7/2016
LETTER TO THE EDITOR	BDN	Anne Winchester	5/9/2016
OpEd	BDN	Abe Miller-Rushing and Kristi Rugg	5/9/2016
OpEd	BDN	Editorial Board	5/13/2016
OpEd	BDN	Terry Tempest Williams	5/13/2016
Editorial	PPH	Editorial Board	5/16/2016
LETTER TO THE EDITOR	BDN	Pam and	5/17/2016
LETTER TO THE EDITOR	BDN	Phil Stack	5/18/2016
OpEd	BDN	Richard Schmidt III	5/18/2016
LETTER TO THE EDITOR	BDN	William 'Bill'	5/19/2016
Editorial	BDN	Editorial Board	5/20/2016
LETTER TO THE EDITOR	BDN	Bill Carpenter	5/20/2016
LETTER TO THE EDITOR	BDN	Tom Hennessey	5/20/2016

LETTER TO THE EDITOR	BDN	Margaret Nagle, Sr Dir of PR, U. of Maine	5/22/2016
LETTER TO THE EDITOR	BDN	Sandra Lane	5/22/2016
LETTER TO THE EDITOR	BDN	Stephen Porter	5/22/2016
OpEd	PPH	Alan Caron	5/22/2016
LETTER TO THE EDITOR	BDN	Alan Clemence	5/23/2016
OpEd	Forecaster	Orlando E. Delogu	5/23/2016
LETTER TO THE EDITOR	PPH	Liz Armstrong	5/26/2016
OpEd	Central Maine Today	Doug Rooks	5/26/2016
LETTER TO THE EDITOR	PPH	Jessica Masse	5/29/2016
OpEd	BDN	Carrie Hamblen, Las Cruces, NM Chamber	5/29/2016
LETTER TO THE EDITOR	BDN	Dick Brooks	5/30/2016
OpEd	Central Maine Today	Richard Schmidt III	5/30/2016
OpEd	BDN	Samuel Winch	5/31/2016
OpEd	PPH	Richard Schmidt III	5/31/2016
Editorial	PPH	Editorial Board	6/1/2016
LETTER TO THE EDITOR	BDN	Stephen R.J. Castner	6/1/2016
LETTER TO THE EDITOR	BDN	Jayne Lello	6/3/2016
Editorial	PPH	Editorial Board	6/5/2016
LETTER TO THE EDITOR	PPH	Douglas Posson	6/5/2016
LETTER TO THE EDITOR	PPH	Rol Fessenden	6/5/2016
LETTER TO THE EDITOR	PPH	Tom Johnson	6/5/2016
OpEd	BDN	Don Edwards	6/5/2016
LETTER TO THE EDITOR	BDN	Steve Brooke	6/7/2016
OpEd	BDN	Anita Mueller	6/7/2016
LETTER TO THE EDITOR	BDN	Jordan Bell	6/8/2016
LETTER TO THE EDITOR	BDN	Donna Sewall	6/9/2016
LETTER TO THE EDITOR	BDN	Judi Ekholm	6/9/2016
OpEd	PPH	David Rolloff	6/10/2016
LETTER TO THE EDITOR	PPH	Sam Mullen	6/13/2016
LETTER TO THE EDITOR	BDN	Shelley Farrington	6/15/2016
OpEd	BDN	Roger Milliken	6/15/2016
LETTER TO THE EDITOR	BDN	Jamie Gaudion	6/16/2016
LETTER TO THE EDITOR	Boothbay Register	Bill Hammond	6/17/2016
OpEd	Mt.Desert Islander	Ken Olson	6/17/2016
LETTER TO THE EDITOR	BDN	Alice Morgan	6/18/2016
OpEd	BDN	Richard Schmidt III	6/19/2016
OpEd	BDN	Rick Levasseur	6/21/2016
LETTER TO THE EDITOR	BDN	Carol Cuddy	6/22/2016
LETTER TO THE EDITOR	BDN	Maria Gifford	6/22/2016
LETTER TO THE EDITOR	BDN	Sam Horine	6/25/2016
LETTER TO THE EDITOR	PPH	Joanne Putnam	6/26/2016
LETTER TO THE EDITOR	BDN	Kevin Boyle	6/27/2016
OpEd	BDN	Stuart Kelley	6/29/2016
LETTER TO THE EDITOR	BDN	Nancy Moscone	7/4/2016
LETTER TO THE EDITOR	BDN	Debbie Gilmore	7/5/2016
Editorial	BDN	Editorial Board	7/7/2016
LETTER TO THE EDITOR	BDN	Marsha Donahue	7/7/2016

LETTER TO THE EDITOR	PPH	David O. Solmitz	7/10/2016
OpEd	Sun Journal	Steve Wight	7/10/2016
LETTER TO THE EDITOR	PPH	Charlie Cirame	7/12/2016
LETTER TO THE EDITOR	Cape Courier	Denney Morton	7/15/2016
LETTER TO THE EDITOR	PPH	Walden S. Morton	7/17/2016
LETTER TO THE EDITOR	BDN	Georgia Manzo	7/19/2016
LETTER TO THE EDITOR	KJ	Buddy Doyle	7/20/2016
LETTER TO THE EDITOR	BDN	Jamie Renaud	7/22/2016
OpEd	BDN	Eric Hendrickson	7/22/2016
LETTER TO THE EDITOR	PPH	Georgia Manzo	7/24/2016
LETTER TO THE EDITOR	PPH	Buddy Doyle	7/25/2016
LETTER TO THE EDITOR	BDN	Irvin Dube	7/26/2016
LETTER TO THE EDITOR	Free Press	Leslie C. Hyde, Professor Emeritus, University of	7/28/2016
LETTER TO THE EDITOR	Lincoln News	Georgia Manzo	7/28/2016
LETTER TO THE EDITOR	BDN	Skip Mohoff	7/30/2016
LETTER TO THE EDITOR	PPH	Charles Remmell II	7/30/2016
Editorial	BDN	Editorial Board	8/1/2016
LETTER TO THE EDITOR	KJ	Central Maine	8/1/2016
LETTER TO THE EDITOR	BDN	Royce Sposato	8/3/2016
LETTER TO THE EDITOR	BDN	John Burgess	8/6/2016
LETTER TO THE EDITOR	PPH	Bruce Moore	8/8/2016
OpEd	BDN	David Jenkins	8/12/2016
OpEd	BDN	Steve Kahl	8/17/2016
OpEd	BDN	Bucky Owen	8/23/2016

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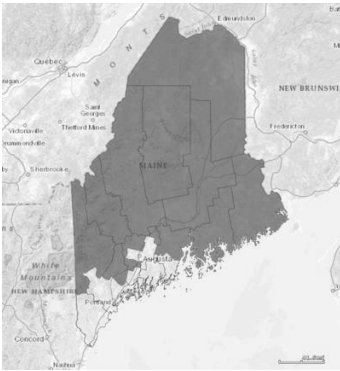
Editorial	BDN	Editorial Board	8/24/2016
Editorial	KJ	Editorial Board	8/25/2016
OpEd	BDN	Gail Fanjoy	8/25/2016
OpEd	Boston Globe	Lou Ureneck	8/25/2016
Editorial	New York Times	Editorial Board	8/26/2016
OpEd	BDN	Lucas St. Clair	8/26/2016
OpEd	PPH	Cynthia Dill	8/26/2016
Letter to the Editor	BDN	Emily Parker	8/27/2016
Letter to the Editor	BDN	Glen Beane	8/27/2016
Letter to the Editor	BDN	Matthew Leahy	8/27/2016
Letter to the Editor	PPH	Trudy Ferland	8/27/2016
OpEd	PPH	Jolene McGowan	8/27/2016
OpEd	BDN	Rev. Dr. Mark Allen Doty	8/28/2016
Letter to the Editor	BDN	John Rush	8/29/2016
Letter to the Editor	BDN	Paul Corrigan	8/29/2016
Letter to the Editor	BDN	Susan Burgess	8/29/2016
Editorial	Boston Globe	Editorial Board	8/31/2016
Letter to the Editor	BDN	Mary Taylor	8/31/2016
OpEd	BDN	Heather Haskell	8/31/2016
Editorial	The Times Argus	Editorial Board	9/1/2016
OpEd	BDN	Richard Schmidt III	9/1/2016

Letter to the Editor	BDN	Jim Mroch, Master Maine Guide	9/2/2016
Letter to the Editor	BDN	Julie Ashland	9/2/2016
Letter to the Editor	PPH	William Laidley	9/2/2016
Editorial	The Milford Daily Nev	Rick Holmes	9/3/2016
Letter to the Editor	PPH	John Bernier	9/4/2016
Letter to the Editor	BDN	Dick Brooks	9/5/2016
Letter to the Editor	BDN	Billy Duke	9/6/2016
Letter to the Editor	BDN	James McDonald and Ressa Greenberg	9/6/2016
Letter to the Editor	BDN	Rick Brown	9/8/2016
OpEd	BDN	Mike Wilson	9/8/2016
OpEd	BDN	Tom Secunda	9/12/2016
Letter to the Editor	BDN	Bob Carr	9/14/2016
Letter to the Editor	BDN	Peter Duston	9/17/2016
Editorial	BDN	Editorial Board	9/19/2016
Letter to the Editor	BDN	Richard Berry	9/30/2016
Editorial	Central Maine Today	Editorial Board	10/11/2016
Letter to the Editor	BDN	Liz Armstrong	10/19/2016
OpEd	NYT	Murray Carpenter	10/31/2016
Letter to the Editor	PPH	William Holt	11/8/2016
Letter to the Editor	BDN	Jesse McMahon	11/9/2016
OpEd	BDN	Lindsay Downing	11/9/2016
Editorial	PPH	Editorial Board	11/16/2016
Letter to the Editor	PPH	Tracy Floyd	11/18/2016
OpEd	PPH	Jym St. Pierre	11/22/2016
Letter to the Editor	BDN	Richard Hesslein	11/23/2016
Letter to the Editor	BDN	Barry Davis	12/6/2016
OpEd	BDN	Michelle Moody	12/8/2016
Letter to the Editor	BDN	Eryn Schmidt	12/15/2016
Letter to the Editor	Down East Magazine	Nadia Nichols	1/2/2017
OpEd	BDN	Dan Corcoran	1/2/2017
OpEd	Washington Herald ar	Stephen Trimble	1/10/2017
Letter to the Editor	BDN	Paul Corrigan	1/27/2017
OpEd	BDN	Richard Schmidt III	1/29/2017
Letter to the Editor	BDN	Glen Beane	2/7/2017
OpEd	BDN	Terry Hill	2/12/2017
Letter to the Editor	BDN	Penny Dunning	2/22/2017
Editorial	BDN	Editorial Board	2/24/2017
Editorial	PPH	Editorial Board	2/24/2017
Letter to the Editor	BDN	Jenny Davis	3/3/2017
OpEd	MDI	Zack Klyver	3/3/2017
Letter to the Editor	PPH	John Loyd	3/6/2017
OpEd	BDN	Gail Fanjoy	3/6/2017
Letter to the Editor	BDN	Mary Alice Mowry	3/7/2017
Letter to the Editor	PPH	Mike Hubbard	3/10/2017
Letter to the Editor	BDN	Robert Chaplin	3/13/2017
OpEd	BDN	Yvon Chouinard	3/14/2017
Letter to the Editor	BDN	Allison Jones	3/18/2017

Letter to the Editor	PPH	Roger Renfrew	3/19/2017
Letter to the Editor	BDN	Arden Carlisle	3/20/2017
Letter to the Editor	BDN	Shelley Farrington	3/21/2017
Letter to the Editor	BDN	Debbie Gilmer	3/23/2017
OpEd	BDN	Theodore Roosevelt IV	4/11/2017
Letter to the Editor	BDN	Paul Johnson	4/14/2017
OpEd	BDN	Gabriel Perkins	4/16/2017
OpEd	BDN	Matthew Polstein	4/29/2017
Editorial	BDN	Editorial Board	5/1/2017
OpEd	PPH	Alan Caron	5/1/2017
Letter to the Editor	BDN	David Frasz	5/2/2017
Letter to the Editor	BDN	Nancy Sullivan	5/2/2017
OpEd	PPH	Bill Nemitz	5/4/2017
OpEd	Forecaster	John Balentine	5/8/2017
Editorial	PPH	Editorial Board	5/9/2017
Letter to the Editor	BDN	Christine Parker	5/9/2017
Letter to the Editor	BDN	Jim Harnedy	5/10/2017
OpEd	Clare County Review	Catherine Loeb	5/12/2017
Letter to the Editor	BDN	Nathan Richardson	5/13/2017
Letter to the Editor	PPH	Caroline Knight	5/14/2017
Letter to the Editor	BDN	Andrew Eyck	5/19/2017
OpEd	BDN	Kathy Scott	5/21/2017
Letter to the Editor	Central Maine Today	Michael Degnan	5/22/2017
Letter to the Editor	BDN	Jerry Stelmok	5/23/2017



# EXHIBIT C



**MOORE INFORMATION**  
OPINION RESEARCH • STRATEGIC ANALYSIS

# **Maine C.D. 2 Voters and the North Woods National Park & Recreation Area**

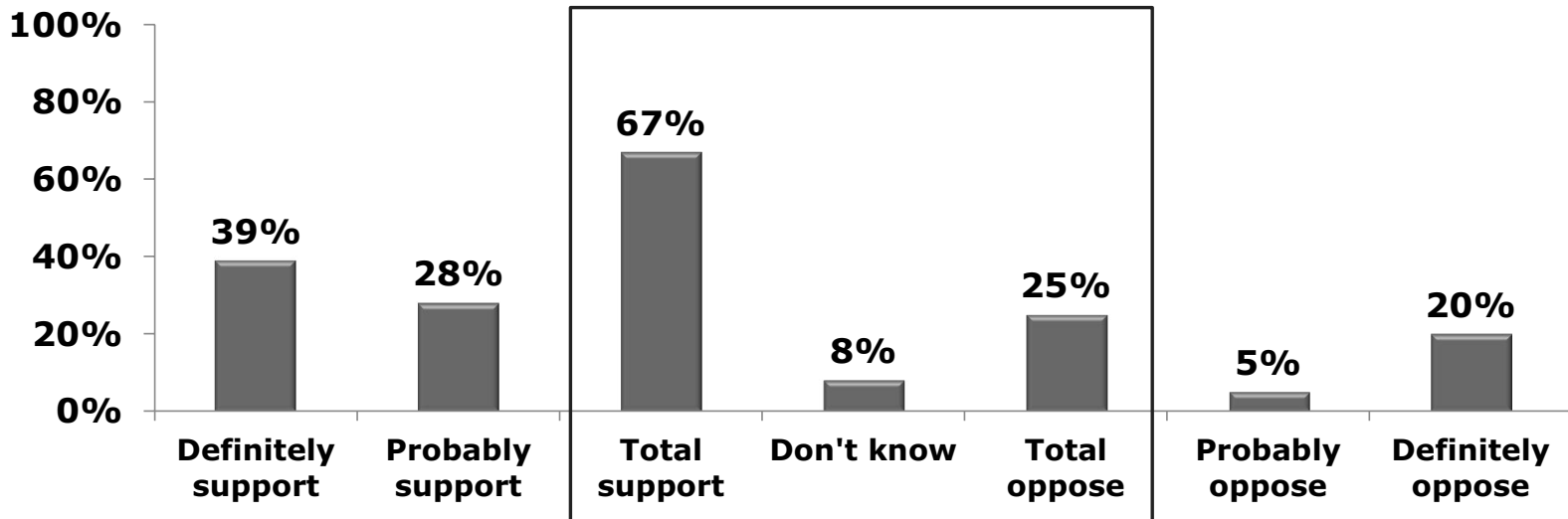
May 2015

# Views on North Woods National Park and Recreation Area

"I'd like to read you some information about a proposal to create a national park and national recreation area near Baxter State Park in Maine's North Woods.

The proposed national park and recreation area would include no more than 150,000 acres of donated forestland adjacent to Baxter State Park with half of the land designated as a national park and the other half designated as a multi-use national recreation area.

Based on this, do you support creating a national park and recreation area in Maine's North Woods or do you oppose it?" (Q1)



**Two-thirds of District Two voters support a North Woods National Park and Recreation Area.**



# **Natural Resources Council of Maine ~ Maine Voter Issues Poll ~**

**October 2016**

Market Research, Public Opinion Polling

172 Commercial Street, 2<sup>nd</sup> Floor ♦ Portland, Maine 04101

[www.criticalinsights.com](http://www.criticalinsights.com)

# About the Survey

## Background

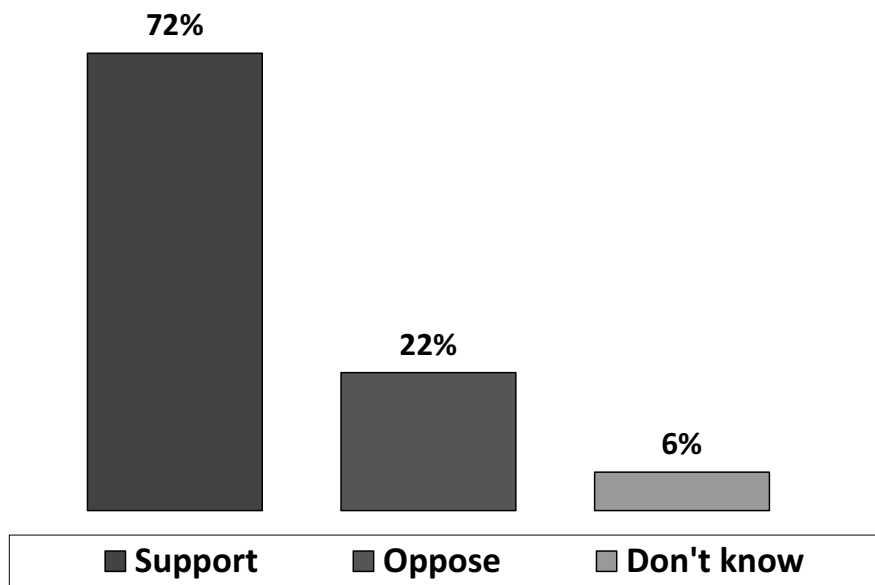
- In the Fall of 2016, the Natural Resources Council of Maine (“NRCM”) contracted with Critical Insights (Portland, Maine) to conduct an exploratory issues poll of Maine voters.
- The intent of the effort was to document the attitudes and beliefs of a cross-section of voters on a range of issues of interest to NRCM.

## Data Collection Overview

- Critical Insights completed a total of 405 random telephone interviews across the state between September 23<sup>rd</sup> and October 5<sup>th</sup> of 2016.
  - All interviews were conducted with self-reported registered voters; final data was statistically weighted according to relevant demographic and voter registration figures to reflect the voter base in Maine.
  - Interviews were conducted via both landline and mobile phone.
  - With a sample of 405 interviews across Maine, results presented here have an associated margin of error of  $\pm 4.9$  percentage points at the 95% confidence level.
  - On average, the entire survey instrument – including demographic items employed in sample balancing and weighting – was 10 minutes in administrative length.

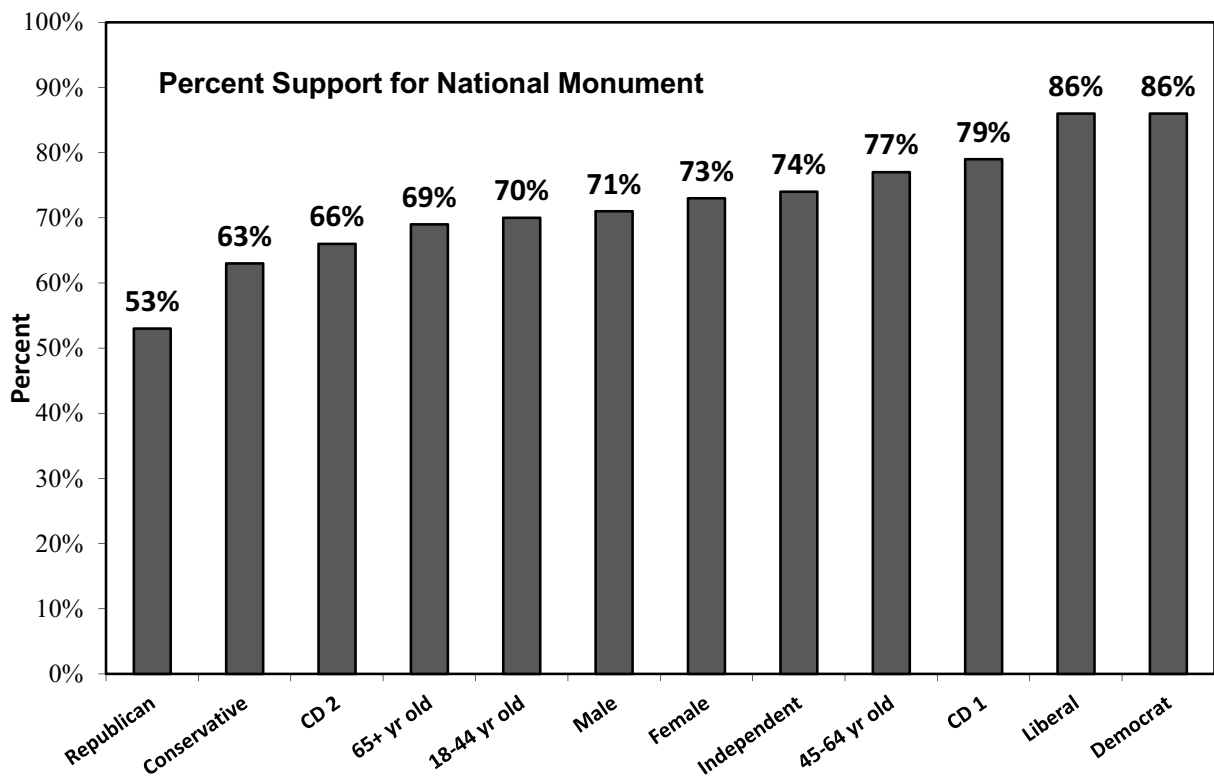
# Voters Strongly Support New National Monument

Last month, 87,500 acres of land near Baxter State Park was donated to the American public and designated as "Katahdin Woods and Waters National Monument." This land will be managed similar to a national park, for hiking, camping, paddling, fishing, and other recreational purposes, with some of the land open for hunting and snowmobiling. Do you support or oppose the establishment of the National Monument with guaranteed public access forever?



# Majority Support for National Monument in All Subgroups

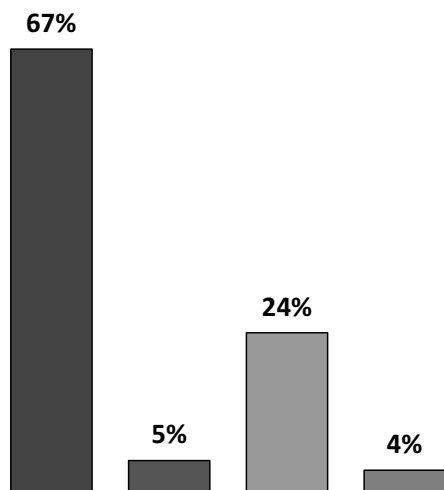
Do you support or oppose the establishment of the National Monument with guaranteed public access forever?



# Most Voters Believe National Monument will Increase Tourism and Create Jobs

## Tourism

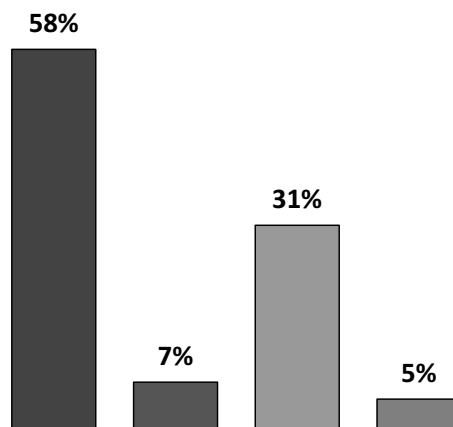
Do you believe that the National Monument will increase, decrease, or have no effect on tourism in nearby communities?



■ Increase ■ Decrease ■ Have no effect ■ Don't know

## Jobs

Do you believe that the National Monument will result in an increase in jobs, decrease in jobs, or have no net impact on the number of jobs in nearby communities?



■ Increase ■ Decrease ■ Have no net impact ■ Don't know



# Sample Profile

<b>Gender</b>	<b>Percent</b>
Female	52%
Male	48%

<b>Age</b>	<b>Percent</b>
18 to 34	19%
35 to 44	21%
45 to 54	23%
55 to 64	17%
65 or older	18%

<b>Annual Income</b>	<b>Percent</b>
Less than \$50,000	32%
\$50,000 to just under \$75,000	23%
\$75,000 or more	36%
Refused	10%

<b>Party Registration</b>	<b>Percent</b>
Democrat	36%
Republican	30%
Unenrolled/Independent	26%
Green/Other	4%

<b>Political Leanings</b>	<b>Percent</b>
Conservative	46%
Liberal	33%
Neither conservative or liberal	17%
Refused	3%

**NORTHERN:** Aroostook, Penobscot, Piscataquis, Somerset.  
**CENTRAL:** Androscoggin, Franklin, Kennebec, Oxford.  
**COASTAL:** Hancock, Knox, Lincoln, Sagadahoc, Waldo, Washington.  
**SOUTHERN:** Cumberland, York.

# EXHIBIT D

## **Businesses That Support the Proposed National Park & National Recreation Area**

January 28, 2015

### **Katahdin Region**

5 Lakes Lodge, *Rick LeVasseur* – Millinocket  
Appalachian Trail Café, *Jaime Renaud* – Millinocket  
AT Lodge/Ole Man's Gear Shop, *Paul Renaud* – Millinocket  
Baxter Park Inn, *Anne & Tim Darling* – Millinocket  
Central Street Market, *Anne & Tim Darling* – Millinocket  
Crandall's Hardware, *Katie Crandall* – East Millinocket  
Ice Fish Inn, *Sean & Catie Clark* – Millinocket  
Jason Campbell, MD – Millinocket  
Katahdin Cabins, *Michael & Nicole Mohoff* – Millinocket  
Katahdin Friends, Inc., *Gail Fanjoy* – Millinocket  
Lamson Funeral Home, *Chip Lamson*, Millinocket  
Larry's Wood Products, Inc., *Larry MacArthur* – Millinocket  
Levasseur Hardware, *Stephen Cullen* – Millinocket  
Mark Picard Wildlife Photography, *Mark Picard* – Millinocket  
Moose Prints Gallery, *Anita Mueller* – Millinocket  
New England Outdoors Center, *Matt Polstein* – Millinocket  
Nicatou Outfitters, *Galen Hale* – Medway  
North Light Gallery, *Marsha Donahue* – Millinocket  
North Woods Real Estate, *Daniel Corcoran* – Millinocket  
North Woods Trading Post, *Sandra Bell* – Millinocket  
On the Edge Vacation Rentals, *Dennis Smith* – Millinocket  
Oscar's Tea Room/Wilbur's Antiques, *Dennis Smith* – Millinocket  
Red Moose Gift Shop, *Rhonda Brophy* – Patten  
R&C In Home Care, *Rick McLaughlin* – East Millinocket  
Sherman Woodworks, *Joe Pratt* – Sherman  
Shin Pond Village, *Terry Hill* – Mt. Chase

The Wreath Factory, *Jerri Cohen* – Millinocket  
The Young House Bed & Breakfast, *Michelle Schumacher* – Millinocket  
Thyme & Moss Publishing, *Georgia Manzo* – Millinocket  
Twin Pine Camps, LLC, *Matt Polstein* – Millinocket  
Two Rivers Canoe & Tackle, *Lowell Davis* – Millinocket  
Wilderness Edge Campground, *Anna Hallett* – Millinocket

### **Bangor Area**

A Straight Stitch, *Jeff Norton* – Brewer  
Acme Pizza & Wing Co., *Steve Kilmurran* – Orono  
Aqua Pura, *Bernadette Gaspar* – Bangor  
Attitudes Salon, *Ann Lucas* – Bangor  
Bagel Central, *Sonja Eldridge* – Bangor  
Bahaar Pakistani Restaurant, *Farzana Khan* – Bangor  
Bangor Travel Services, *Cindy Hardy* – Bangor  
Bangor Wine & Cheese Co., *Christine Mihan* – Bangor  
Between Friends, Inc., *Tracy Marceron* – Brewer  
Big J's Pizza, *Jolena Glidden* – Bangor  
Blue Heron, *Chelsea Brown* – Bangor  
Body Graphics Tattoo Studio, *Sydney Winship* – Brewer  
Bumpy Road Studio, *Rosalita Feero* – Eddington  
Celtic Moon Rising, *Lorie Garnett* – Brewer  
Charlotte Lorraine's Consignment, *Betty McCarty* – Bangor  
Choppin' Cotton Quilts, *Barbara Ewing* – Bangor  
Cigar & Smoke Shoppe, *Frank Coglitore* – Bangor  
Corner Store, *Barbara Cyr* – Bangor  
Diana Country Craft & Gift Shop, *Diane Richard* – Old Town  
Dick's Barber Shop, *Deidra Fournier* – Orono  
Downeast Coins & Collectibles, *Dixie Barone* – Bangor  
Dream Dress Bridal, *Holli Owsley* – Brewer  
Edge Video, *Dawn Godin* – Bangor

Epic Sports, *Brad Ryder* – Bangor  
Fago Electric, *Robert Fago Jr.* – Brewer  
Fetch Grooming, *Sherri Therrien* – Brewer  
Frank's Bake Shop, *Bernadette Gaspar* – Bangor  
Fringe, *Emily Herlihy* – Orono  
Generations Boutique, *Roxanne Noddin* – Brewer  
Harvest Moon Deli, *Meg Philippon* - Orono  
House of Brides, *Jill Hunter-Smith* – Bangor  
Ichiban, *Ruai Luie* – Bangor  
Ipanema Bar & Grill, *Megan Marquis* – Bangor  
Jason's Pizza, *Sandra Olmstead* – Brewer  
Knapps Music, *Daniel Meck* – Bangor  
Lebreeze Delivery Service, *Timothy Richard* – Old Town  
Lougee & Fredrick's, *Linda Murphy* – Bangor  
Main St. Barber & Beauty, *Coleen Patterson* – Brewer  
Maine Discovery Museum, *Niles Parker* – Bangor  
Mark's Music, *Mark Braremon* – Brewer  
Metropolitan Soul, *Tracy Monaghan* – Bangor  
Mexicali Blues, *Pete Erskine* – Bangor  
Nocturnem Draft Haus, *Bryan Young* – Bangor  
Northeast Reprographics, *Benjamin Metzger* – Bangor  
One Lupine Fiber Arts, *Jodi Clayton* – Bangor  
Orono Pharmacy, *Ali Ashamoussa* – Orono  
Orono Thriftway, *Khan Mohmand* - Orono  
Pat's Bike Shop, *Scott Seymore* – Brewer  
Pet Pro, *Alex Young* – Bangor  
Raegamuffins Bakery, *Rachel Eugley* – Veazie  
Rebecca's Gift Shop, *John Spellman* – Bangor  
Reboot Computer Services, *Gerald Jenkins* – Brewer  
Rose Bike, *Jim Rose* – Orono  
Salon Bonifacio, *Guy Ortega* – Brewer

Shoestring Thrift Shop, *Cheryl Huskins* – Brewer  
Short Fuse Fireworks, *Ronald Farwell* – Old Town  
State Wide Distributers, *Michael Rodrigues* – Bangor  
Super Star Nails, *Jimmy Pham* – Bangor  
Syncopation Software, *Chris Dalton* – Bangor  
Tesoro Pizzeria & Restaurant, *R. Agrusa* – Bangor  
Thai Siam, *Chinda Rustanavibul* – Bangor  
The Charles Inn, *Connie Boivin* – Bangor  
The Family Dog, *Robert Cutler* – Orono  
The Growing Place, *Sara Rice* – Bangor  
The Rock & Art Shop, *Annette Dodd* – Bangor  
The Roost, *Jim Coleman* – Orono  
The Ruhlin Corporation, *Chris Ruhlin* – Bangor  
University Inn, *Tracey Whitten* – Orono  
Valentine Footwear, *Summer Allen* – Bangor  
Verve Burritos, *Ara Foster* – Orono  
Verve Burritos, *Tabitha Johnson* – Bangor  
Wagner Forest Management, Ltd., *Tom Colgan* – Bangor  
What's the Scoop? Café, *Melissa Howard* – Bangor  
Zen Asian Bistro, *Chinda Rustanavibul* – Bangor

### **Aroostook County**

Bike, Board & Ski, *Thomas Chase* – Presque Isle  
Bread of Life Bulk Foods, *Cheryle Matowitz* – Presque Isle  
Country North Gifts, *Shannon Cibic* – Houlton  
Hand Me Down Antiques, *Eva Kirk* – Presque Isle  
Heads Up, *Tish Tuttle* – Presque Isle  
Jean's Serendipity, *Richard Slout* – Houlton  
Merchants on the Corner, *Chantel Graves* – Presque Isle  
Mini Music & Tack Shop, *Cheryl Tarly* – Houlton

Modern Beauty Salon, *Linda Pilsbury* – Houlton  
Mojo Outdoor Sports, *Mark Fullen* – Presque Isle  
Morning Star Art & Framing, *Brian Brissette* – Presque Isle  
Oasis Salon, *Jean Brawn* – Presque Isle  
re-Imagined, *Jamie McKay* – Houlton  
Sandra Qualey, LCPC-C – Houlton  
Shelley's Cafe & Bakery, *Michelle Williams* – Houlton  
Star City Cafe & Bistro, *Dwayne Singletary* – Presque Isle  
The Courtyard Café, *Joyce Transue* – Houlton  
Threads to Beads, *Sherri Theriault* – Presque Isle  
Uncle Willy's Candy Shoppe, *Matt Sutton* – Houlton  
Virtual Tech, *Doug Boreland* – Houlton  
Volumes Book Store, *Gerry Berthette* – Houlton  
Wilder's Jewelry, *Cathy Beaulieu* – Presque Isle

### **Acadia Region**

86 This, *Jeffrey Kelly-Lokocz* – Ellsworth  
Bar Harbor Bicycle Shop, *Albert Minutolo* – Bar Harbor  
Cara Romano Studio Jewelry, *Cara Romano* – Ellsworth  
Cherrystones Restaurant, *Meghan Bishop* – Bar Harbor  
Chocolatte, *Christopher Marcial* – Bar Harbor  
Cottage Street Restaurant & Bakery, *Richard Baker* – Bar Harbor  
Dream Catcher Antiques, *Thomas Sawyer* – Ellsworth  
Echo Salon, *Jefferson De Lima* – Bar Harbor  
Eclipse Gallery, *Ruddy C.* – Bar Harbor  
Eden Rising, *Delia Cyanic* – Bar Harbor  
Evergreen Pottery, *H. Scott Stevens* – Bar Harbor  
Finback Ale House, *Evelina Kacprzykowska* – Bar Harbor  
Finn's Irish Pub, *Lorena Sterns* – Ellsworth  
Grasshopper Shop of Ellsworth, *Linda Beauvais* – Ellsworth

J + B Atlantic Company, *Aziza Daigle* – Ellsworth  
Maine State Sea Kayak, *Robert Aho* – Southwest Harbor  
Morton's Moo, *Kirsten Henry* – Ellsworth  
National Park Sea Kayak Tours, *Robert Aho* – Bar Harbor  
Old Creamery Antique Shop, *Timmy Torrey* – Ellsworth  
Peekytoe Provisions, *Drew Smith* – Bar Harbor  
Queen Anne Flower Shop, *Maureen McGuire* – Bar Harbor  
Richard Park's Furniture, *Aaron Piacentini* – Ellsworth  
Riverside Café, *Leon Herrington* – Ellsworth  
Salt Boutique, *Melissa Walls* – Bar Harbor  
Sand Castle Hands Gallery, *Jess Morehouse* – Ellsworth  
Second To None Thrift Store, *Lass King* – Ellsworth  
Seven Arts, *Rebecca Krupke* – Ellsworth  
Siam Orchard, *Hatsana Hanthan* – Bar Harbor  
Tangled Web, *Leslie Jones* – Southwest Harbor  
The Cellar, *Aaron Porter* – Ellsworth  
The Independent Café, *Tim Rich* – Bar Harbor  
Thirsty Wale Tavern, *Heather Surokan* – Bar Harbor  
Union River Book and Toy Company, *Michael Curtis* – Ellsworth  
Washing Baby Elephants, *Wendy Preston-Ward* – Ellsworth

### **Greater Maine, Etc.**

Allspeed Cyclery, *Mike Davies* - Portland  
Attitudes Salon, *Naomi Plourde* – Waterville  
Back Country Excursions, *Clifford Krolick* – Parsonfield  
Bam Bam Bakery, *Bevin McNulty* – Portland  
Berry's Stationary, *Michael Givone* – Waterville  
Black Point Surf Shop, *Crystal Ouimette* – Scarborough  
Busytown Bikes, *Francois Jalbert* – Lewiston  
Children's Book Cellar, *Ellen Richmond* – Waterville  
Cyclemania, *Eddie Quinn* – Portland



Downtown Smoothie, *Mark Cunningham* – Waterville  
Harraseeket Inn, *Rodney Gray* – Freeport  
Horny Toad, *Ponch Membreno* – Freeport  
Island Falls Canoe, *Jerry Stelmok* – Atkinson  
Larsen's Jewelry, *Mark Larsen* – Waterville  
Loyal Biscuit Co., *Chelsie Herrin* – Waterville  
Madlyn's, *Melissa Holmwood* – Waterville  
Maine Made And More, *Emilos Zirtidis* – Waterville  
Maple Hill Farm Inn & Conference Center, *Scott Cowger* – Hallowell  
Nomads, *Kelly Fernald* – Portland  
Orvis Freeport Outlet, *Aly Fox* – Freeport  
Patkus Guitars, *Dennis Patkus* – Waterville  
Personal Hair Styles, *Beverly Kelly* – Waterville  
Pine State Trading Co., *Nick Alberding* – Gardiner  
Rainbow Bicycles, *John Grenier* – Lewiston  
Remedy Salon + Sap, *Kelly Paquette* – Waterville  
Roy's Bike Shop, *Mariel Roy* - Lewiston  
SBS Carbon Copy, *Martha Stevenson* – Waterville  
Sebasco Harbor Resort, *Bob Smith* – Sebasco  
Sign of the Sun, *James Egerton* – Waterville  
Silver Street Tavern, *Andrea Shorty* – Waterville  
The Tackle Shop, *Dana Eastman* – Portland

### **Organizational Endorsements**

Friends of Baxter State Park  
Greater Houlton Chamber of Commerce  
Katahdin Area Chamber of Commerce  
Katahdin Rotary Club  
Maine Innkeepers Association  
Twin Pines Snowmobile Club, Millinocket

# EXHIBIT E

# PRESS RELEASE

For Immediate Release      November 10, 2015

Contact: Judy Berk, 207.462.2192

## **Widespread Support in Maine, Across U.S. for New National Park Petition Signers in 80% of Maine Towns, 50 States, and 53 Nations**

Bangor, ME—Today a group of citizens called on Maine’s Congressional delegation to help create a new National Park and National Recreation Area in the Katahdin region that could generate hundreds of new jobs in towns where mill closures have had a widespread economic impact. Members of the group today will deliver petitions to Congressional offices in Bangor, Waterville, and Augusta.

The petition was signed by more than 13,500 individuals living in 371 Maine towns, all 50 states, and 53 countries. The group also released a list of endorsements from groups, businesses, and individuals, and a compilation of public opinion surveys documenting overwhelming statewide support for a new National Park and National Recreation Area in Maine. The *Bangor Daily News* [endorsed the proposal](#) in an editorial published on Friday, November 6, 2015.

**Gail Fanjoy, President of the Katahdin Area Chamber of Commerce**, said, “I am heartened and moved to be here today to bring attention to the widespread support that we are now seeing for an important economic development proposal for the Katahdin region—the creation of a new National Park and National Recreation Area. As a lifelong citizen of Millinocket, with deep roots in the community, I am intimately familiar with the challenges we are facing on a daily basis. The Millinocket mill is gone for good and the East Millinocket mill has been sold for salvage. The Old Town mill is closed and the Lincoln mill has filed for bankruptcy. For many in our communities, despair has settled in as the situation has gone from bad to worse. We absolutely will continue to work hard to maintain as many forest products jobs as possible, but we also need economic diversification—which a National Park can provide.”

In March 2014, the Board of Directors of the Katahdin Area Chamber of Commerce voted to endorse the proposed National Park and National Recreation Area that would be established on up to 150,000 acres east of Baxter State Park. Elliotsville Plantation Inc. would donate land and a \$40 million endowment toward establishment of the park, amounting to a \$100 million total investment.

The proposal also has been endorsed by the Bangor City Council, Katahdin Area Rotary Club, Greater Houlton Chamber of Commerce, Maine Innkeepers Association, and more than 200 individual businesses, including Wagner Forest Management, Pine State Trading Company, Epic Sports, and many more.

Notably, the petition released today includes signatures from 80 percent of Maine's 458 towns, including the Katahdin region towns of Millinocket, East Millinocket, Medway, Mount Chase, Patten, Sherman, Island Falls, Linneus, Houlton, Indian Purchase, Chester, Lincoln, Brownville, and Springfield. Of the 13,580 petition signatures, 330 are from individuals living in 53 other countries—demonstrating that the concept of creating a new National Park in Maine could tap into the broad market of international visitors who come to the U.S. to visit national parks.

**Lindsay Hill Downing of Mt. Chase** said, “As a student at Katahdin High School, I never imagined that I would return to the Katahdin region because there was so little opportunity. But the prospect of a National Park and Recreation Area in my backyard has opened up a great new opportunity. A National Park will bring people to the Katahdin region and they will spend money. They will buy groceries at the family-owned grocery store, rent outdoor equipment for their adventures, and they will want exceptional lodging. Northern Maine is an astonishing place to visit; it has just gone unrecognized. A National Park will put Mt. Chase and the Katahdin region on the map. And I just know that once people have visited, they will return. This part of Maine is a treasure, worthy of national recognition.”

**Allan Hewey, owner of The Charles Inn** said, “Creating this new National Park seems like a ‘no brainer’ to me. I have been in the hospitality business for a long time and I know that people love to visit Maine. The National Park Service’s unparalleled brand recognition will attract people to interior and northern Maine who have never visited that area before, and they will love what they see. Most of those people will pass through Bangor, which will be good for our hotels, restaurants, retail stores, conference facilities, and airport. I look forward to hosting guests at The Charles Inn and giving them information about the nation’s newest National Park. We urge our Congressional delegation to help find a path to make this proposal a reality.”

**Ken Olson**, retired President and CEO of Friends of Acadia, said, “Today we’re here to demonstrate the strong support for creation of a new National Park and National Recreation Area east of Baxter State Park. The proposal still faces some opposition—as did Acadia National Park, Baxter State Park, the Allagash Wilderness Waterway, and the Bigelow Preserve. But in each of those cases, the proposals moved forward on their merits. Proponents successfully made the case that protected parklands are, among other things, desirable community assets. They make nearby towns more economically vital and more attractive as places to visit, live, and start a business. I believe that supporters of this new National Park and National Recreation Area are on the right side of history. If this opportunity is seized, economic and other benefits will start flowing into a region that desperately needs this kind of investment. Let’s get this done in 2016, the 100th birthday of both Acadia National Park and the National Park Service.”

The news conference also featured speakers from communities around the state who signed the petition in support of the National Park and National Recreation Area. Each person explained why they believe the proposal will benefit Maine today and in the future.

The petition released today reinforces the results of numerous public opinion surveys conducted over the past five years.

**Gail Fanjoy** said, “It’s clear to me that the overwhelming majority of Maine people understand the economic and recreation benefits that would flow from a new National Park in the Katahdin region. The people who have signed this petition are but a small sampling of the tens of thousands of people who live right here in Maine who think creation of a new National Park and National Recreation Area is a good idea.”

The group released opinion survey data from October 2011 and from April, May, and October 2015 showing overwhelming support. One survey conducted earlier this year, by a national recognized Republican Polling Firm, found that voters in Maine’s 2<sup>nd</sup> Congressional District support creation of a new National Park and National Recreation Area by 67% to 25%.

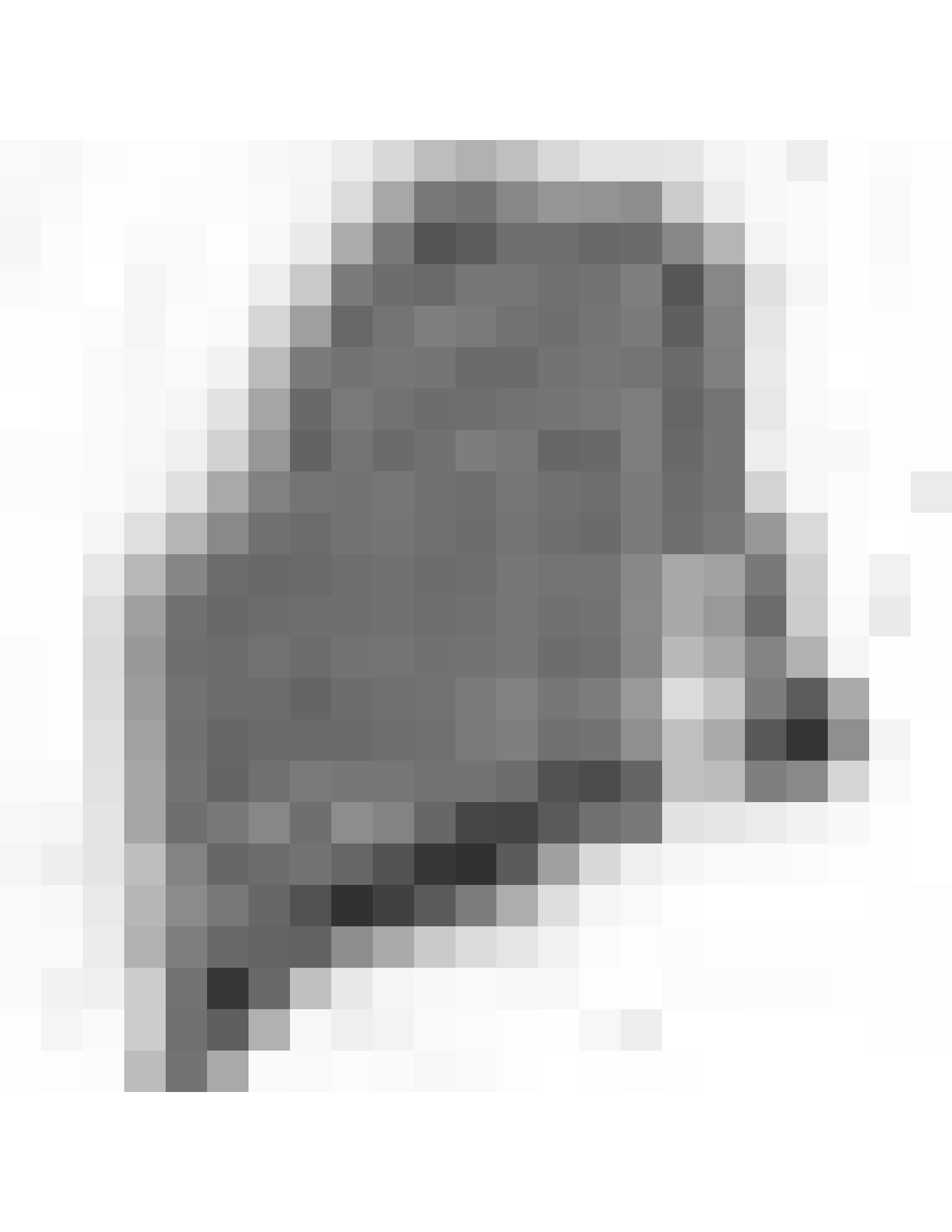
The petition to Maine’s Congressional delegation—signed by 13,580 people, including 2,750 from Maine—reads:

“I urge Maine's Congressional delegation to support the creation of a new National Park and National Recreation Area east of Baxter State Park, as proposed by Elliotsville Plantation, Inc. The proposed National Park and National Recreation Area would have significant conservation and recreation benefits, and would stimulate much-needed economic development in the Katahdin region and beyond. That is why the proposal has earned the endorsement of the Katahdin Area Chamber of Commerce and Katahdin Rotary Club, among others. I urge Maine's Congressional delegation to support legislation in Washington, D.C. to establish the new National Park and National Recreation Area.”

###

# Mainers in 371 Towns Have Already Signed Petition for National Park

Acton	Calais	Falmouth	Jonesboro	Mount Vernon	Randolph	Swans Island
Addison	Cambridge	Farmingdale	Jonesport	New Gloucester	Rangeley	Swanville
Albion	Camden	Farmington	Kenduskeag	New Limerick	Raymond	Sweden
Alexander	Canaan	Fayette	Kennebunk	New Portland	Readfield	Temple
Alfred	Cape Elizabeth	Fort Fairfield	Kennebunkport	New Sharon	Richmond	Thomaston
Alna	Caribou	Fort Kent	Kingfield	New Sweden	Ripley	Thorndike
Alton	Carmel	Frankfort	Kittery	New Vineyard	Robbinston	Topsham
Andover	Carrabassett Valley	Franklin	Knox	Newburgh	Rockland	Trenton
Anson	Casco	Freedom	Lamoine	Newcastle	Rockport	Troy
Appleton	Castine	Freeport	Lebanon	Newfield	Rome	Turner
Arrowsic	Castle Hill	Frenchville	Leeds	Newport	Roque Bluffs	Union
Arundel	Charleston	Friendship	Levant	Newry	Roxbury	Unity
Athens	Chebeague Island	Fryeburg	Lewiston	Nobleboro	Rumford	Van Buren
Atkinson	Chelsea	Gardiner	Liberty	Norridgewock	Sabattus	Vassalboro
Auburn	Cherryfield	Garland	Limerick	North Berwick	Saco	Veazie
Augusta	Chester	Georgetown	Limestone	North Haven	Saint Agatha	Verona Island
Baileyville	Chesterville	Gilead	Limington	North Yarmouth	Saint George	Vienna
Baldwin	China	Glenburn	Lincoln	Northfield	Sanford	Vinalhaven
Bangor	Clifton	Gorham	Lincolnville	Northport	Sangerville	Waldo
Bar Harbor	Clinton	Gouldsboro	Linneus	Norway	Scarborough	Waldoboro
Bath	Corinna	Grand Isle	Lisbon	Oakland	Searsmont	Wales
Beddington	Corinth	Gray	Litchfield	Ogunquit	Searsport	Waltham
Belfast	Cornish	Greenbush	Littleton	Old Orchard Beach	Sebago	Warren
Belgrade	Cornville	Greene	Livermore	Old Town	Sebec	Washburn
Belmont	Cranberry Isles	Greenville	Livermore Falls	Orland	Sedgwick	Washington
Benton	Cumberland	Greenwood	Long Island	Orono	Shapleigh	Waterboro
Berwick	Cushing	Guilford	Lovell	Orrington	Sherman	Waterford
Bethel	Damariscotta	Hallowell	Lubec	Otis	Shirley	Waterville
Biddeford	Deblois	Hampden	Ludlow	Otisfield	Sidney	Wayne
Bingham	Dedham	Hancock	Lyman	Owls Head	Skowhegan	Weld
Blue Hill	Deer Isle	Hanover	Machias	Oxford	Smithfield	Wells
Boothbay	Denmark	Harpswell	Machiasport	Palermo	Solon	West Bath
Boothbay Harbor	Dexter	Harrington	Madawaska	Palmyra	Somerville	West Gardiner
Bowdoin	Dixfield	Harrison	Madison	Paris	Sorrento	West Paris
Bowdoinham	Dixmont	Hartford	Manchester	Parkman	South Berwick	Westbrook
Bowerbank	Dover-Foxcroft	Hartland	Mariaville	Parsonsfield	South Bristol	Westfield
Bradford	Dresden	Hebron	Mars Hill	Passadumkeag	South Portland	Westport Island
Bremen	Durham	Hermon	Mechanic Falls	Patten	South Thomaston	Whitefield
Brewer	East Machias	Hiram	Medford	Pembroke	Southport	Whiting
Bridgewater	East Millinocket	Holden	Medway	Penobscot	Southwest Harbor	Whitneyville
Bridgton	Eastbrook	Hollis	Mercer	Perham	Springfield	Willimantic
Bristol	Easton	Hope	Mexico	Perry	Standish	Wilton
Brooklin	Eastport	Houlton	Milbridge	Peru	Starks	Windham
Brooks	Eddington	Hudson	Milford	Phillips	Stetson	Windsor
Brooksville	Edgecomb	Indian Twp Res	Millinocket	Phippsburg	Steuben	Winslow
Brownfield	Eliot	Industry	Milo	Pittsfield	Stockton Springs	Winter Harbor
Brownville	Ellsworth	Island Falls	Minot	Pittston	Stoneham	Winterport
Brunswick	Embden	Isle au Haut	Monmouth	Plymouth	Stonington	Winthrop
Buckfield	Enfield	Islesboro	Monroe	Poland	Stow	Wiscasset
Bucksport	Etna	Jackman	Monson	Porter	Strong	Woodland
Burlington	Eustis	Jackson	Montville	Portland	Sullivan	Woolwich
Burnham	Exeter	Jay	Morrill	Pownal	Sumner	Yarmouth
Buxton	Fairfield	Jefferson	Mount Desert	Presque Isle	Surry	York



**To:** Williams, Timothy[timothy\_williams@ios.doi.gov]  
**From:** Bowman, Randal  
**Sent:** 2017-06-07T12:06:01-04:00  
**Importance:** Normal  
**Subject:** Re: National Monument Reviews - The Katahdin Woods and Waters National Monument  
**Received:** 2017-06-07T12:06:11-04:00

Thanks, will put it with other public comments

On Wed, Jun 7, 2017 at 8:20 AM, Williams, Timothy <[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)> wrote:

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

**From:** <[wpeet@wpeet.com](mailto:wpeet@wpeet.com)>  
**Date:** Tue, Jun 6, 2017 at 6:28 PM  
**Subject:** National Monument Reviews - The Katahdin Woods and Waters National Monument  
**To:** [Timothy\\_Williams@ios.doi.gov](mailto:Timothy_Williams@ios.doi.gov)

Dear Mr. Williams:

At the suggestion of Anne Williams of the Maine Woods Coalition, I am attaching a copy of the letter I had earlier sent to Secretary Zinke. Thank you for your help in getting this information to others who are concerned.

Sincerely,  
William Peet

--

**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

Cell: (202) 706-4982



**To:** James Schindler[james\_schindler@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Landon Davis[Landon\_davis@ios.doi.gov]  
**From:** Roddy, Russell  
**Sent:** 2017-06-23T21:23:35-04:00  
**Importance:** Normal  
**Subject:** Fwd: New Bedford Meeting Follow Up - BOEM issues  
**Received:** 2017-06-23T21:23:39-04:00  
[Squid fishing density 2014 LT 4knots.jpg](#)  
[NY Proposed Lease Area Revised.jpg](#)  
[Comment on EA.docx](#)  
[Trump Talking Points Fishing Industry Short.docx](#)  
[Signed Fisheries Support RI Republicans.pdf](#)

Hey, guys. Not sure who would like to handle this. If neither of you, please share with the appropriate person. As an fyi, I apparently am now going by "Randy" based on the salutation.  
----- Forwarded message -----

**From:** **Meghan Lapp** <[Meghan@seafreezeltd.com](mailto:Meghan@seafreezeltd.com)>  
**Date:** Tue, Jun 20, 2017 at 5:10 PM  
**Subject:** New Bedford Meeting Follow Up - BOEM issues  
**To:** "[russell\\_roddy@ios.doi.gov](mailto:russell_roddy@ios.doi.gov)" <[russell\\_roddy@ios.doi.gov](mailto:russell_roddy@ios.doi.gov)>

Hi Randy,

Thank you and Secretary Zinke for taking the time to come to Boston on Friday to meet with the fishing industry about the National Monuments. Please convey our sincere appreciation to Secretary Zinke for his work on this issue for us. It is HUGE. I know we talked briefly about scheduling a follow up for another issue that is looming over our heads, also within the Secretary's purview, which is offshore wind. Just for you to get a quick idea of what we need to discuss, I attached my company's comments on just one of BOEM's offshore wind farm leases-our fishing grounds that BOEM leased out from under us, after we provided extensive confidential business data, facts, catch/harvest/income data, safety, operational constraints, etc. The economic implications to the fishing industry are substantial. I also attached a couple of visuals. The second attachment is a chart of squid fishing activity. The blob directly south of western Long Island between the purple lines (traffic lanes) is intense squid fishing activity. If you look at this as a revenue chart, imagine how financially important that area is to us. It can represent 8% of all the squid revenue for just Rhode Island alone in any given year. The last attachment is a chart of the wind lease that BOEM gave to Statoil right on top of these fishing grounds.

The whole process is out of hand and punitive towards our industry. We risk losing thousands of US jobs and small businesses (every fishing vessel is a small corporation) as we lease our productive fishing grounds to foreign wind developers. It is outrageous.

The fourth document is a document we are trying to get to President Trump, which is signed by fishing organizations from NH to NC voicing various concerns, and BOEM's offshore wind development is one of them. There is solidarity coastwide in preventing offshore wind, so I want you to know it is not just a handful of us! Finally, I have a letter to Secretary Zinke signed by my Rhode Island state House Republicans requesting a reversal of the offshore wind development on our fishing grounds. They are fully behind us on this.

If you want to pass these along to the appropriate staffer on this matter, please feel free as long as they are part of the new Administration. The Obama Administration actively worked against us. If you would be able to arrange a meeting with myself and Bonnie Brady from the Long Island Commercial Fishing Association, whom you also met in Boston, to discuss this issue we would greatly appreciate it. The Secretary seemed to think that Cape Wind was the only problem we had- but it's much more than that.

Thank you and have a great evening,

Meghan

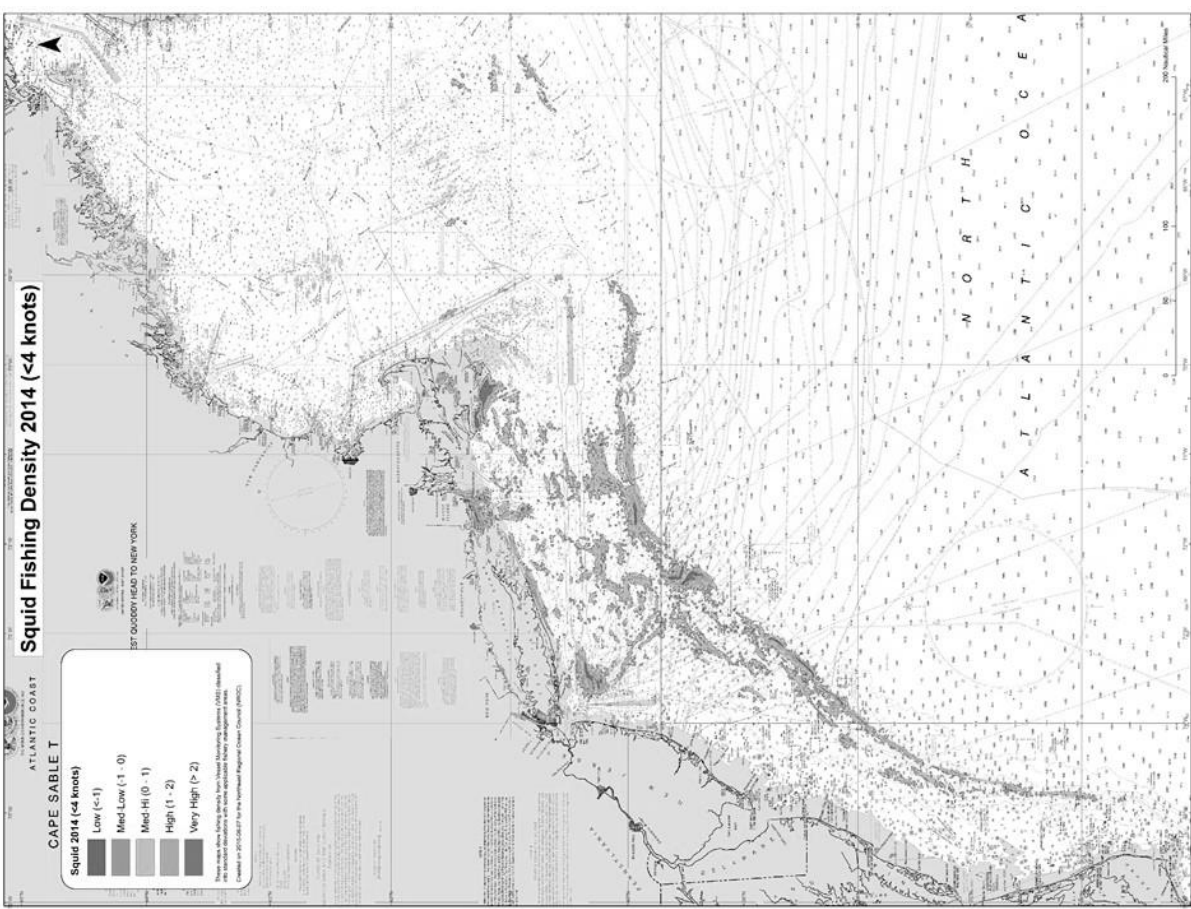
Meghan Lapp

Fisheries Liaison, Seafreeze Ltd.

Tel: (401) 295-2585, Ext. 15

Cell: (401) 218-8658

[Meghan@seafreezeltd.com](mailto:Meghan@seafreezeltd.com)





### Greater Atlantic Region Commercial Fishing Industry Needs

According to National Marine Fisheries Service's 2014 Fisheries Economics of the United States report, New England and Mid Atlantic commercial fisheries landed over 1.2 billion lbs of finfish and shellfish, generating over \$1.6 billion in landings revenue.<sup>i</sup> U.S. commercial fishing supports tens of thousands of direct jobs, which provide exponential indirect jobs and billions of dollars in revenue, income and sales. However, currently the United States imports well over 90% of its seafood, and U.S. commercial fisheries have correspondingly been overregulated to the point of economic frailty.

Each fishing vessel is a small corporation and a small business. Under the Obama Administration, 20% of all commercial fishing vessels, i.e. small corporations, on the East Coast from Maine to North Carolina were lost due to anti-fishing government policies.<sup>ii</sup> The U.S. government has been managing for economic failure and caused the rapid loss of many fishing businesses. The commercial fishing industry should be viewed as an economic asset, not an entity to be regulated into non-profitability. We need President Trump's help to save our industry by addressing these issues:

1. Reverse and Repeal President Obama's anti-fishing Executive Orders.
  - In the last days of his administration, President Obama created Marine National Monuments on highly productive traditional, historic commercial fishing grounds, eliminating all

commercial fishing in these areas. U.S. fishermen are already losing money. We need President Trump to reverse this policy by allowing commercial fishing in the Northeast Canyons and Seamounts National Monument and prevent the Antiquities Act from being misused in the future.

- President Obama created National Ocean Policy through Exec. Order 13547, a previously failed Congressional bill crafted by environmental special interest groups. This Policy has created numerous layers of additional federal and regional bodies, bureaucracy and policy that threaten the long term viability of commercial fishing businesses.<sup>iii</sup> It was designed to be completed and made “irreversible” by the end of 2016. The public has been told the Policy does not create new regulations; however, federal agencies are required to implement the Policy through their regulations. The Policy leads to regulatory uncertainty for state and federal agencies, and especially private businesses. Furthermore, the Policy is currently being used to create “Ecologically Rich Area” and Ecologically Important Area” designations via Regional Planning Bodies that may be used to close commercial fishing grounds <sup>iv</sup>in the future.

2. Appointment of National Marine Fisheries Service leadership that will support commercial fishing businesses and an immediate freeze on/reversal of anti-business Obama Administration NMFS policies.

- NMFS leadership under the Obama Administration was staffed by former environmental NGO group personnel that enforced an anti- commercial fishing policy agenda from the top down. Fishery management plans crafted by environmental NGOs continue to become regulation, and have drastically reduced commercial fishing businesses in a short amount of time.<sup>v</sup> Priority and leadership changes are necessary.
- Catch share policy enacted in the Northeast groundfish fishery has resulted in a declared federal fishery disaster, a decline from 72 to 39 active groundfish vessels between 2010-2013 in one port alone, and a harvest of less than 30% of the quota in the year 2015.<sup>vi</sup> Yet, NMFS issued a continuation of this policy as a national policy on January 4, 2017.
- Industry funded monitoring policy in the Northeast is currently being fast tracked by NMFS. Industry funded monitoring forces fishing vessels- individual small businesses- to pay for on board government enforcement/monitoring agents or enforcement cameras, even at a net loss or threat of bankruptcy. It allows the government to create new regulations that it does not have the funding to enforce, and then pass these costs on to small business owners.<sup>vii</sup> These programs must be fully discontinued.

3. Reverse the Obama Administration’s Offshore Wind Development Policy and prevent construction of planned sites.

- Under the Obama Administration, the Bureau of Ocean Energy Management (BOEM), pressed forward on an aggressive offshore wind policy. Several wind farm sites have already been sited on important commercial fishing grounds, i.e., our place of business. This will

result in permanent loss of commercial fishing business area, destruction of productive commercial fish habitat, and loss of local fishing communities.<sup>viii</sup>

- Despite extensive input from the commercial fishing industry as to the economic harm wind farms will cause fishing businesses, BOEM has refused to even analyze the economic consequences of its leases until a wind farm developer submits its Construction and Operations Plan and is ready to begin construction. Wind developers are not required to compensate fishing businesses for economic damage resulting from the loss commercially important fishing grounds. On the East Coast, millions of acres of fishing grounds are up for lease and/or have been leased.
  - Offshore wind will permanently sacrifice hundreds of American small businesses for a handful of companies which cannot operate without massive taxpayer subsidies.
4. Enact H. R. 200, the “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act”.
- This bill provides much common-sense flexibility in fisheries management, which would lead to greater economic sustainability, and has generated support from the commercial fishing industry, recreational fisheries, and many national associations.
  - The bill in its previous introduction as H.R. 1335 passed the House of Representatives, but never moved forward because the Obama Administration threatened to veto it.
5. Return to the Goals of Optimum Yield (OY) and Maximum Sustainable Yield (MSY) embodied in the Magnuson Stevens Act as our national fisheries policy to correct our national seafood trade deficit.
- Environmental organizations and conservationist philosophies have driven fishery management priorities in recent years, resulting in our fisheries no longer being managed for OY and MSY. These harvest targets have been watered down through overly precautionary management, “intrinsic value” of being left in the water, and over-burdensome regulations. Many outdated regulations continue to restrict commercial fishing unnecessarily because Agency and management personnel refuse to repeal them due to “precautionary” policy regardless of factual information.
  - Fishing area closures are incompatible with OY and MSY. U.S. fisheries are among the most strictly managed in the world, with Regional Fishery Management Councils having enacted more than 1,000 individual spatial habitat and fisheries conservation measures that “protect” more than 72% of U.S. ocean waters.<sup>ix</sup> Yet, environmental interests continue to advocate for more closures on top of productive fishing grounds, taking historic access away from U.S. fishing businesses.<sup>x</sup> Whether promoted at a national level through National Marine Sanctuaries, or through a Council level as precautionary “essential fish habitat (EFH)” or other measures, traditional fishing grounds cannot continue to be retracted if U.S. fisheries are to survive.
  - Good science is necessary for setting accurate harvest levels. This science is derived from NMFS fishery surveys. Not all regions conduct these surveys on actual fishing vessels by

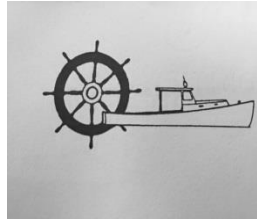
captains with fishing expertise. In the Northeast, the survey is conducted on an oversized government vessel captained by those without any commercial fishing experience. When survey results are poor and inaccurate due to lack of government fishing expertise, the science does not reflect the actual stock abundance and can lead to drastic quota cuts. Only when NMFS collaborates with industry expertise can its science be accurate, and promotion of cooperative research as a top Agency priority is necessary.

- Unjustified quota cuts based on poor science, and unnecessary harvest restrictions cause bankruptcy, market collapses, and loss of demand for U.S. seafood.

6. Restore the Saltonstall Kennedy Act money to the fishing industry and development of U.S. fishery products.

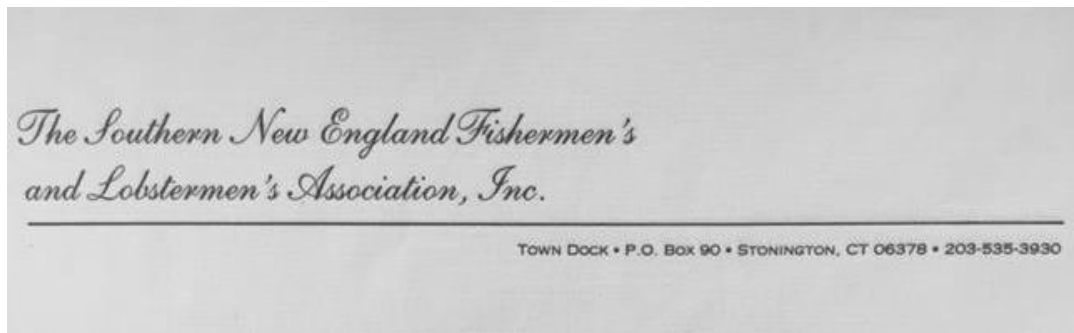
- The Saltonstall Kennedy Act was designed to take money from seafood imports and turn it around to make U.S. fisheries and businesses competitive. It dictates that 30% of all tariffs on imported seafood shall only be used for developing U.S. fisheries and making their product competitive on the market through research and development on harvesting, processing, marketing and infrastructure.
- Of this 30%, 60% must go to “make direct industry assistance grants to develop the United States fisheries and to expand domestic and foreign markets for United States fishery products.” The remaining 40% is to be used by NMFS for a national program of fisheries research and development to address issues not covered by the industry projects.<sup>xi</sup>
- National Marine Fisheries Service has never used this money for its intended purpose. Instead NMFS takes the majority of the money for its own internal operations.
- Until the issue is addressed, NMFS has a vested interest in increasing seafood imports, and the US commercial fishing industry continues to be placed at a greater disadvantage.

Signed,



**NEW HAMPSHIRE COMMERCIAL FISHERMENS ASSOCIATION**

Northeast Fisheries Sector 13  
Dartmouth, MA



**Rhode Island Fisherman's Alliance**



**Long Island Commercial Fishing Association**





Virginia Waterman's Association



**North Carolina Fisheries Association**

## Endnotes:

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<sup>i</sup> See full report at [https://www.st.nmfs.noaa.gov/economics/publications/feus/fisheries\\_economics\\_2014/index](https://www.st.nmfs.noaa.gov/economics/publications/feus/fisheries_economics_2014/index); for New England statistics see <https://www.st.nmfs.noaa.gov/Assets/economics/publications/FEUS/FEUS-2014/Report-and-chapters/FEUS-2014-FINAL-06-NewEng-V2.pdf> p. 65; for Mid Atlantic statistics see <https://www.st.nmfs.noaa.gov/Assets/economics/publications/FEUS/FEUS-2014/Report-and-chapters/FEUS-2014-FINAL-07-MidAtl-V2.pdf>, p 95.

<sup>ii</sup> According to NMFS' Greater Atlantic Region commercial permit database, the number of registered commercial fishing vessels declined from 5,522 in 2008 to 4,526 in 2016. See <https://www.greateratlantic.fisheries.noaa.gov/aps/permits/data/index.html>.

<sup>iii</sup> The Policy creates a National Ocean Council, as well as Regional Planning Bodies. The Northeast and Mid Atlantic Regional Planning Bodies have already finalized Ocean Plans that have been crafted without any representation from industry members, and which have repeatedly ignored the concerns of industry members. Certain aspects of these Ocean Plans have been drafted with the input of anti-commercial fishing environmental groups and create the potential for new fisheries closures in the future.

<sup>iv</sup> See Mid Atlantic Regional Ocean Action Plan at [http://midatlanticocean.org/wp-content/uploads/2016/12/MidARegionalOceanActionPlan\\_November20161.pdf](http://midatlanticocean.org/wp-content/uploads/2016/12/MidARegionalOceanActionPlan_November20161.pdf) and Northeast Ocean Plan at [http://neoplan.org/wp-content/uploads/2016/10/Northeast-Ocean-Plan\\_Full.pdf](http://neoplan.org/wp-content/uploads/2016/10/Northeast-Ocean-Plan_Full.pdf).

<sup>v</sup> One such regulation, National Marine Fisheries Service's catch share policy/regulation in New England, caused a decline of groundfish revenue from \$31 million to \$19 million from 2011-13 in the port of New Bedford alone- a decline of 44% in two years, according to an economic analysis by UMASS Dartmouth. Numbers of active New Bedford groundfish vessels affected by the program went from 72 vessels in 2010 to 39 in 2013. This policy has resulted in less than 30% of the annual groundfish quota being harvested as of 2015. Report available at: <http://archives.lib.state.ma.us/bitstream/handle/2452/208697/ocn881681247.pdf?sequence=1&isAllowed=y>. This regulatory policy was championed by various environmental organizations, which dedicated millions of dollars for its adoption.

<sup>vi</sup> Ibid.

<sup>vii</sup> In the New England groundfish fishery, industry funded monitoring is already in place, and according to an economic analysis completed by NMFS will make 60% of groundfish vessels operate at a net loss. See [http://s3.amazonaws.com/nefmc.org/150626\\_NEFSC\\_updated\\_asm\\_report\\_Demarest.pdf](http://s3.amazonaws.com/nefmc.org/150626_NEFSC_updated_asm_report_Demarest.pdf). This estimate is conservative, as it does not take into account the overhead cost of leasing quota. Although the New England Council voted for an emergency suspension of the industry funded program once presented with this information, NMFS disallowed the suspension. The Agency, not the Council, is now the lead entity on developing and implementing an Omnibus Industry Funded Monitoring Amendment, for implementation in all Northeast fisheries. See <http://www.mafmc.org/actions/omnibus-observer-funding>.

<sup>viii</sup> See for example, the Rhode Island Department of Environmental Management Division of Fish and Wildlife report, "Rhode Island Stakeholder Concerns Regarding the New York Wind Energy Area": "Based on the in depth literature review, fisheries exclusion, safety problems, habitat loss, and negative impacts of anthropogenic noise and sediment dispersal are all possible outcomes of development in the NY WEA. Fishermen may be prohibited from fishing in the NY WEA due to safety zones/closures, or simply due to the wind farm structures making operating certain gear types impossible or unsafe. Wind turbines may also create navigational hazards due to possible radar interference or proximity to shipping lanes. Soft bottom substrate may be eliminated by construction activities; creation of turbine foundations may serve as artificial reefs, but reefs are a different habitat type that will not benefit squid or scallop. Anthropogenic noise produced by construction activities

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(geophysical surveys and pile driving) or wind farm operation may cause injury to or decrease recruitment of commercially important species including squid and scallops...sediment dispersal caused by construction has the potential to smother squid eggs and other benthic organisms.”

See also the Scottish Government at <http://www.gov.scot/Publications/2011/03/22104736/8> : “Based on consultation and previous studies of offshore wind farm impacts, the construction and operation of offshore wind farms has the potential to impact on commercial fishing through:

- \* Disturbance of mobile species and disruption or damage to habitats, nursery and spawning grounds, direct damage to sessile species, leading to displacement of or reduction in fish and shellfish resources;

- \*Reduction in or loss of access to traditional fishing grounds;

- \*Displacement of activity to existing (less profitable) fishing grounds;

- \*Consequent increase in fishing pressure and competition on alternative available grounds;

- \*Obstruction of navigation routes to and from fishing grounds leading to increased steaming times;

- \*Fouling of fishing gear on cables and seabed infrastructure;

- \*Safety issues for fishing vessels in transiting wind farm arrays or in diverting around them; and

- \*Potential reduced Catch Per Unit Effort (which is exacerbated by cumulative effects of other pressures on fishing areas, including other offshore wind farm, Marine Protected Areas, oil and gas, aggregate extraction, dredging and port developments) and consequential loss of profit.”

<sup>ix</sup> See Letter from Regional Councils to President Trump at

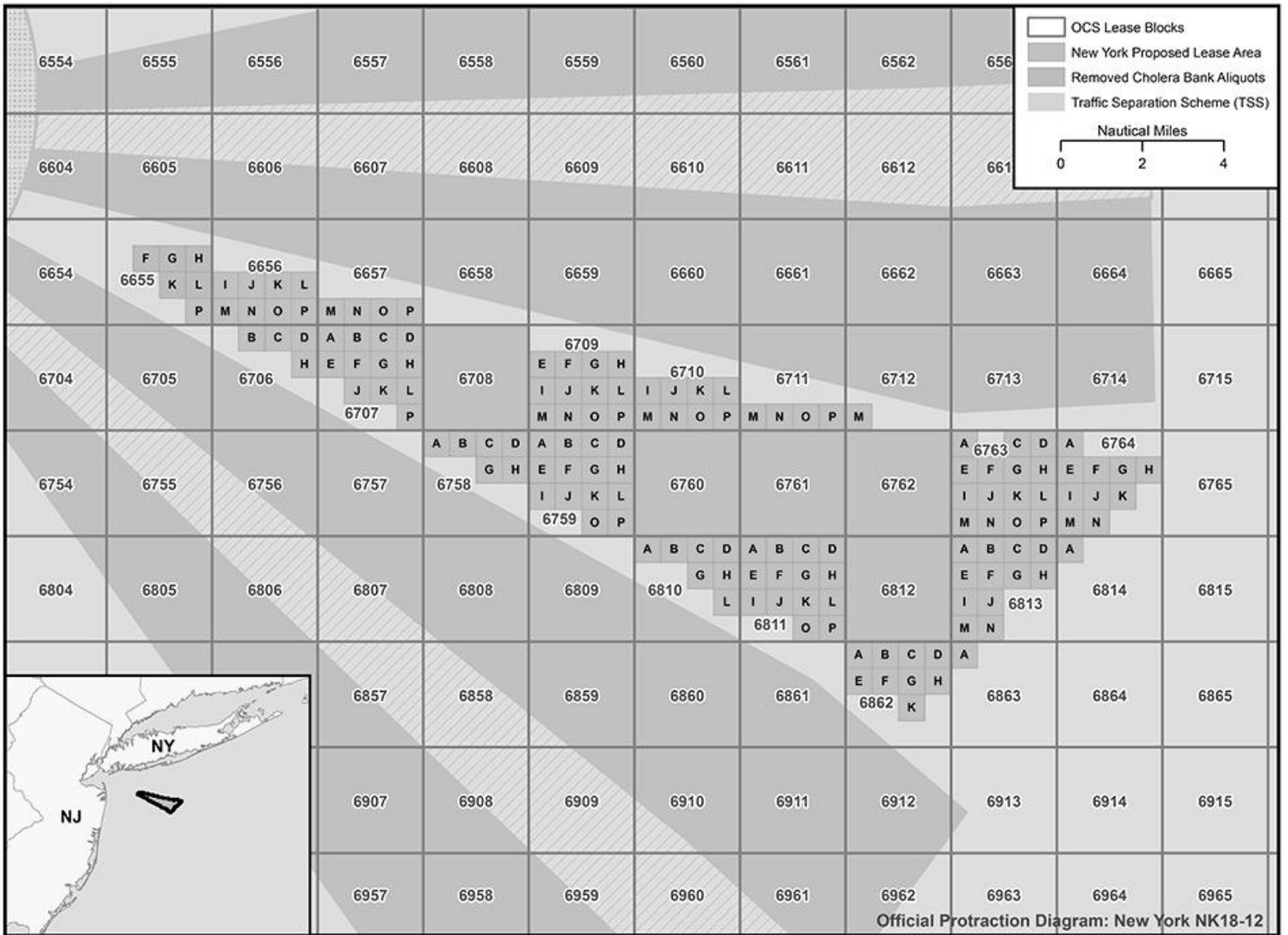
[http://www.savingseafood.org/wp-content/uploads/2017/03/170301\\_Regional.Councils.to\\_President.Trump\\_-\\_re-Natl.Monuments.pdf](http://www.savingseafood.org/wp-content/uploads/2017/03/170301_Regional.Councils.to_President.Trump_-_re-Natl.Monuments.pdf).

<sup>x</sup> See for example, closures of squid grounds at <http://www.pewtrusts.org/en/research-and-analysis/blogs/compass-points/2017/03/01/northeast-squid-deserve-a-summer-break>, or nomination of Hudson and Norfolk Canyons, extremely productive fishing areas, as a National Marine Sanctuaries at <https://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/9397/Little-known-Underwater-Canyon-off-New-York-and-New-Jersey-Nominated-as-National-Marine-Sanctuary.aspx> and [http://pilotonline.com/news/local/environment/out-in-the-atlantic-a-canyon-named-norfolk-could-be/article\\_c45364fa-c9fb-5267-a4b2-6f91c03219c6.html](http://pilotonline.com/news/local/environment/out-in-the-atlantic-a-canyon-named-norfolk-could-be/article_c45364fa-c9fb-5267-a4b2-6f91c03219c6.html).

<sup>xi</sup> See <https://www.gpo.gov/fdsys/pkg/STATUTE-96/pdf/STATUTE-96-Pg2097.pdf> and

<http://congressionalresearch.com/RS21799/document.php?study=Saltonstall-Kennedy+Fishery+Funding>. In NMFS’ 2017 budget, although over \$145 million of Saltonstall Kennedy money was transferred to NMFS, only \$15.6 million is going towards industry projects while over \$130 million is going into the Agency’s general fund. See [http://www.corporateservices.noaa.gov/nbo/fy17\\_bluebook/NOAA\\_FY17\\_CJ\\_508.pdf](http://www.corporateservices.noaa.gov/nbo/fy17_bluebook/NOAA_FY17_CJ_508.pdf) at NMFS 129. Furthermore, in 2016, out of the \$11 million dedicated to industry projects, the Agency approved over \$2 million for projects which prioritized “Adapting to Climate Change and other Long Term Ecosystem Change”, while only \$565,349 was actually used for funding projects for “Promotion, Development and Marketing”. See [http://www.nmfs.noaa.gov/mb/financial\\_services/fy16\\_sk\\_grants\\_successful\\_applicants.htm](http://www.nmfs.noaa.gov/mb/financial_services/fy16_sk_grants_successful_applicants.htm).

## New York Proposed Lease Area



Official Protraction Diagram: New York NK18-12

July 1, 2016

100 Davisville Pier  
North Kingstown, R.I. 02852 U.S.A.  
Tel: (401)295-2585

**Comment on BOEM EA for NY Wind Area**

Our concerns as a fishing industry are not being addressed at all by BOEM at this stage. Although the EA states that “BOEM identified the WEA through extensive collaboration and consultation with stakeholders” (page 1-8), this is not true of fishing industry stakeholders. We have protested this wind area siting from day one but been repeatedly dismissed, with assertions that BOEM will “continue to engage stakeholders” and “identify conflicts”. Fishing industry stakeholders have participated in public hearings, public comment periods, stakeholder conference calls, industry outreach meetings, Regional Fishery Management Council meetings, and NY Task Force meetings on the project. We have identified the many conflicts. However all of our concerns have been ignored and BOEM has not taken any action to protect our rights and fishing grounds, in accordance with federal law under the Energy Policy Act. This is also contrary to the agency’s own precedence, during which they amended the MA/RI wind energy area prior to lease, after receiving stakeholder data proving that part of the area in consideration was an important fishing ground. In the NY wind area, BOEM has done the complete opposite, and has proceeded to consider the whole area for lease despite even more detailed stakeholder information being submitted with regards to the NY area than the MA/RI area. On page 2-6 of the EA, “Exclusion of areas from leasing due to conflicts between commercial scale wind facility and fishing” is an “Alternative Considered but Not Analyzed in Detail”. This is not consistent with previous BOEM practices.

A NEPA analysis, as required by the EA, is restricted to a 5 year timeline, concurrent with “site assessment” purposes. This short timeline, which excludes actual wind farm construction, is the reason that BOEM has stated that socioeconomic and cumulative impacts to commercial fisheries would be “minor” and an Alternative to exclude fishing areas from the lease was rejected. Therefore, BOEM has not looked at a potential future wind farm as a “future reasonably foreseeable activity” or “impact producing factor” or “cumulative impact” at this time, with regards to impacts on commercial fisheries. We disagree with this assumption and dismissal of our concerns. In other sections of the EA, BOEM *has* considered construction of a potential wind farm as a future reasonably foreseeable activity and has considered future siting of wind turbines as a factor in selection of their preferred Alternative. In defense of its Proposed Action, Alternative A, “Leasing of the Whole Wind Energy Area Restricting Site Assessment Structure Placement Within 1 Nautical Mile of a TSS”, over Alternative B, “Leasing of the Whole Wind Energy Area Restricting Site Assessment Structure Placement Within 2 Nautical Miles of a TSS”, BOEM states on pages 2-3 and 2-4 that, “BOEM strives to *ensure that lessees have sufficient flexibility to microsite a project within their lease areas, especially given that data critical to siting decisions ( e.g., results from geophysical and geotechnical surveys, environmental surveys, site specific*

*resource assessment data, etc) will not be gathered until after lease issuance. That data collection and analysis could demonstrate that a restriction on the construction of permanent structures (e.g., meteorological towers, or future wind turbines) within 2 nm (3.7 km) of the TSS lanes is unnecessary, and/or mitigation measures can partially or wholly resolve conflicts.” And again on page 3-2, “Lessees would likely survey the whole WEA during the 5-year site assessment tern to collect required geophysical information for siting of...commercial facilities (wind turbines).” (Emphasis ours). Therefore, BOEM is considering future siting and construction of wind turbines as part of its EA. But only for certain parties- i.e., the lessees. This is discrimination. The fishing industry has everything to lose and the lessees everything to gain as a result of this lease. As a historic and current user of the area as a fishing ground, we have not been given the same consideration as potential lessees. This is illegal and discriminatory.*

Since BOEM is considering the implications of future wind turbines for lessees, the EA should also be considering the same for affected entities such as the commercial fishing industry. This would include the cumulative environmental impacts as well as socioeconomic impacts resulting from a possible wind facility on the area. On page 4-131, BOEM identifies the MA lease areas, MA/RI lease areas, and NJ lease areas as being in the region of the NY lease area. At least preliminarily in this EA, BOEM should have analyzed the potential cumulative impacts of industrial construction on and destruction of the most productive benthic habitat type in the North and Mid Atlantic. Soft sediment, in particular loose fine bottom and loose coarse bottom, is the most productive marine habitat type in the North and Mid Atlantic (see attached article “The Importance of Benthic Habitats for Coastal Fisheries”), and the industrial construction of wind turbines will completely and permanently alter that habitat. It will in fact, destroy the habitat of important species like squid and scallops and replace it with habitat suited to predators of those species, significantly altering the ecosystem of the area. As a stakeholder entirely reliant on healthy stocks and a balanced ecosystem, we oppose an Environmental Assessment that does not investigate, at least in a preliminary manner, the cumulative environmental impacts of future construction. While we have requested studies on the effects of siltation, scour, and bottom disturbance from wind turbine foundations on the loligo squid resource, BOEM has continued to ignore these requests (see attached email in response to BOEM’s invitation for Environmental Studies). As wind farms in other parts of the world have disrupted species relying on sand bottom through alteration of their habitat (see for example the Scottish prawn fishery, <https://www.wind-watch.org/news/2011/02/25/west-cumbrian-fishermen-say-more-off-shore-wind-turbines-will-destroy-livelihoods/>), BOEM has a responsibility to US fishermen to analyze similar impacts to our managed species.

The EA states on page 4-34 that “benthic impacts from site characterization activities are expected to be minor” and that “Sub-bottom profilers, such as boomers, emit intense sound pulses, but the few available studies indicate that such pulses have minimal effects on marine invertebrates”. This statement ignores studies performed on squid, which detail lethal effects on squid from intense sound. These studies are discussed by the EA on pages 2-5 and 2-6, in which the document itself states the “identified sound sources that would be in the hearing range of squid are active sub-bottom profilers (i.e., boomers...)” and that “these activities are anticipated to occur primarily in the summer months”. The summer months are when the squid are in the area. We strongly disagree that boomers will have no

effect on the squid resource. The EA cites a “baseline” of current noise in the area, resulting from vessel traffic. The noise from vessel traffic is not intense sound pulses, which would be emanating from boomers. It is not reasonable for BOEM to conclude that there will be no impact to the squid resource or to the squid fishery. The EA compares fishing mortality to mortality due to boomer activities, stating that fishing activity does not appear to have resulted in squid spawning failure, and that since squid have the ability to swim away from sound there will be no impact. What the EA fails to analyze is the economic effects to the fishing industry itself if the squid experience mortality from boomers. Fishing mortality is not the same as boomer induced mortality. Fishing mortality generates economic activity for the squid fishery- i.e., the fishery harvests live squid and generates revenue. No revenue can be generated by squid which experience trauma or death due to boomers. The fishing industry would lose this economic resource. This is also true if the fishery is disrupted in the area due to the animals reacting to the sound. If the animals avoid the area due to the boomers, the fishery will suffer economically. Squid return to the same areas year after year, and if that pattern is disrupted, the fishery will also be disrupted and lose revenue. Activity such as that from boomers should therefore be disallowed in summer months.

The socioeconomic impacts will not be “minor” to the fishing industry if siting of wind turbines takes place in the lease area, in accordance with BOEM’s preferred Alternative A. Not only are BOEM’s squid fishery revenue estimates off by an order of magnitude, as detailed by our previous comments and submissions on the NY Call Area, but the economic multiplier effect of this proposed lease has also been ignored, for the state of Rhode Island or our businesses. BOEM has done no study on the cumulative effect of potential damage to the squid industry on individual vessels/corporations or on our state economy. As evidenced by the 2014 squid fishing VMS chart available at <http://portal.midatlanticocean.org/visualize/#x=-73.79&y=40.30&z=9&logo=true&controls=true&dls%5B%5D=false&dls%5B%5D=0.5&dls%5B%5D=287&basemap=Ocean&themes%5Bids%5D%5B%5D=16&themes%5Bids%5D%5B%5D=8&themes%5Bids%5D%5B%5D=4&tab=data&legends=false&layers=true> , the squid fishery takes place in defined spatial parameters. The NY wind project is sited on top of the most concentrated areas of fishing activity, which translates into one of the most concentrated areas of economic activity. Our business relies on a healthy resource, which needs its habitat protected from industrial construction, and access to that resource, which will be denied if the area is developed. The fact that this area is even being considered for siting is absolutely out of the question.

Between our vessels, our Davisville facility and our Point Judith facility alone, the economic multiplier is huge. We employ approximately 81 full time employees, 8-10 part time employees (in Rhode Island); support 23 trucking companies, 8 ocean freighting/port companies, 3 cross country railways; sell to 700 customers; support 5 packaging companies (including Rhode Island based companies) ; support 2 Rhode Island insurance companies covering cargo, cold storage, product, building insurance, personnel insurance, machinery insurance; 2 import/ export agents (freight forwarders and clearance agents); support 1 mailing company handing customer documents; support 1 company for engine repairs/parts; support 1 Rhode Island pallet company; support 6 cold storage units nationwide; sell to 15 countries; support 3 Rhode Island oil/fuel companies for oil and fuel for vessels, buildings and crane; support 3 propane companies (including 2 Rhode Island companies); support 2

Rhode Island shipyards; support 1 Rhode Island marine electronics company; support 2 Rhode Island trawl net/gear manufacturers; and support one Rhode Island engine company. These numbers do not include all the jobs/revenue created in the aforementioned companies through our business. Without counting wages to employees, trucking or shipping payments, cold storage payments, property/maintenance costs, total vessel maintenance, gear or engine costs, or other operating costs- all of which generate significant local business and economic growth- we generate over \$49.5 million in economic activity annually. This is permanent, year round economic activity, not sporadic activity associated with multiple stages of a project.

All of this economic activity has gone unassessed by the EA, or BOEM, or the NYDOS in this entire process. For the EA to conclude that impacts to commercial fisheries are minor is absurd and flies in the face of the facts. Moving forward in any way- with a meteorological buoy as a site assessment tool, with a site assessment or plan, with any action that even considers this area as appropriate for a wind facility- is illegal, an abuse of power, and an insult to the fishing industry and the state of Rhode Island.

In 2011, the Cornell Cooperative Extension Marine Program conducted an economic study on the importance of fisheries to RI (see <http://www.seafoodri.com/reports/pdfs/RI-Summary-Doc-2nd-print-s.pdf> , and study attached) . Their research determined that in 2010 alone, RI commercial fisheries generated a total of \$763.3 million in sales and \$239.9 million in income, when multiplied out into the state economy, with fishing industry related jobs totaling 8,995 (see page 66). For squid alone, the study determined that in 2010, the squid fishery generated over \$7.5 million in ex vessel value, \$18.7 million in sales, over \$12.5 million in income, and over 617 jobs for the Rhode Island economy (see page 63), with “substantial amounts of Loligo [squid] landed by non- RI vessels...shipped into Rhode Island seafood processors” (see page 31). (An estimated 44 million pounds of out of state fish, shellfish and squid valued at \$30 million were brought to RI for processing in 2010, much of which was squid, see page 36). At that time, squid was the second most lucrative state fishery, and RI landed squid comprised 54% of total coastwide landings. This percentage has increased, and according to a recent Rhode Island Department of Environmental Management analysis, the percentage of squid landed in Rhode Island is now 68% of the coastwide landings (see attached letter), with almost 25 million pounds of squid being landed in the state in 2014.

The fishing industry in RI also supported over 4,200 local restaurant jobs in 2010 (see Cornell study, page 66). Rhode Island’s hallmark seafood dish is calamari, which became the official state appetizer on June 27, 2014. “Rhode Island Calamari” appears on restaurant menus not only in Rhode Island but up and down the East Coast. It has become a major economic driver and identifiable state product that is at stake if wind leases take place on squid grounds.

The squid fishery has become more and more important to Rhode Island fisheries over time, as opportunities in other fisheries have become more limited, particularly in the groundfish fishery. The increase in Rhode Island landings from 54% of overall landing to 68% in overall landings in 5 years’ time clearly portrays Rhode Island’s reliance on squid. Trawl vessels and fishing companies cannot survive to participate in other fisheries if they lose squid revenue, as it comprises more and more of their annual



income. Loss of squid fishing opportunity would cause declined participation in other fisheries as well and attribute to an overall decline in Rhode Island state fisheries revenues. Therefore, if the New York wind area is developed and the squid fishery subsequently suffers, the overall impact to Rhode Island's fishing community and economy will be even greater than just that to the squid fishery. The EA should have conducted a study similar to the Cornell study to evaluate the true impact of the proposed development before moving forward. It is imperative that true economics be evaluated before any further action is taken by BOEM or potential lessees.

As part of a lease, there are no formal requirements by BOEM for a lessee to consult with the fishing industry as part of their data collection (see attached comments on ICR 1010-0176). As no socioeconomic studies have been done as part of the EA, and as the BOEM socioeconomic study that was supposed to come out in the spring of 2016 is now being delayed until after the comment period on both the EA and proposed sale notice for the NY wind area, the fishing industry will be disregarded until a later stage in the process. Once a lessee has invested significant amounts of money in site characterization, it is unlikely that they will willingly alter the size or shape of the area for fishing operations. Additionally, BOEM "may" conduct a future Environmental Impact Statement; it has no absolute requirement to do so. Therefore, if BOEM bases any socioeconomic impact analysis/decisions on the fatally flawed fishery information it is now using and determines that impacts to the fishing industry are still "minimal" at a later stage, with or without an EIS, fisheries will never be truly considered. At the Narragansett, Rhode Island public meeting on the EA, BOEM officials said that they are trying to learn from past experiences. By not acting on fishery considerations prior to lease, as was done in the MA/RI wind area, and also with the Block Island Wind Farm, which is mentioned on pages 4-132 and 4-133 of the EA, BOEM is putting the squid fishery at a significant disadvantage in the process. This is unacceptable.

It is imperative that all affected stakeholders are fully represented in the analysis at every stage of the process. Not some now, and others later, if at all. BOEM should also keep its decision making consistent with past practice and remove important fishing areas from the wind area prior to lease, to fulfill its legal obligations under the Energy Policy Act. Arbitrary decision making that ignores important past precedent and puts stakeholders at risk is insupportable.

Finally, BOEM's choice of Alternative A as its Proposed Action ignores the many safety issues with placing any permanent structure, including a wind facility, in the middle of extremely busy traffic lanes. BOEM, per the Energy Policy Act, also has a legal responsibility to conduct wind energy development in such a way that provides for safety. The Coast Guard in its September 2015 letter to BOEM (see <http://www.boem.gov/USCG-NY-Area-ID-recommendation/>), clearly states that it recommends placing all permanent structures at least 2 nautical miles from the outer edge of a TSS and 5 nautical miles from the entry/exit of the TSS, based on stakeholder input, lessons learned from other countries and its Marine Planning Guidelines. They state that "This should provide a safe distance for large vessels (greater than 300 meters in length) to maneuver in compliance with COLREGs, and to stop or anchor in emergency situations." While the Coast Guard did meet with industry stakeholders such as shipping and towing companies in January 2015 to discuss and develop recommendations related to the wind area, the fishing industry was again left out of the process. However, at that meeting, "The

prevailing concern was whether vessels would have sufficient sea room to transit and maneuver, especially in case of an emergency, equipment failure, or foul weather conditions requiring departure from the TSS." According to the COLREGs, Rule 10(e), "A vessel...shall not normally enter a separation zone or cross a separation line except: (i) in cases of emergency to avoid immediate danger; (ii) to engage in fishing within a separation zone". Fishing is specifically identified as a sanctioned activity in this area. Fishing vessels also have limited right of way in this area. While vessels following a traffic lane have right of way over vessels engaged in fishing (Rule 10(i) ), and a few other exceptions exist such as overtaking (Rule 13) and as far as possible keeping out of vessels with restricted maneuverability (Rule 18 (c)), COLREGs Rule 18(a) states that a "power driven vessel underway shall keep out of the way of...(iii) a vessel engaged in fishing." This is due to the fact that fishing vessels engaged in trawl fishing have restricted maneuverability themselves, with considerable amounts of fishing gear-i.e., tow wire, trawl doors, ground wire, and net- in the water which they cannot just pick up and move quickly. In fact, it takes a vessel approximately a half hour to haul back this gear. Since in the TSS, a fishing vessel is allowed to fish and has limited right of way, other vessels need room to follow to COLREGs, as well as to avoid in case of emergency. If a fishing vessel loses power or hangs up their gear and is unable to move, or if they are in the process of hauling back, other vessels need the room to maneuver around them. Fishing vessels also need room to follow COLREGs, in the event that they need to move out of the way of a vessel which has right of way, or to avoid collision. As a trawl fishing vessel will be unable to maneuver its deployed gear in the configuration of a wind facility, fishing vessels will also require a larger buffer zone for safety reasons. Right now, the NY wind area itself is our safe zone, which BOEM is proposing to remove. We are deeply concerned with BOEM's choice to support Alternative A, which ignores the Coast Guard's safety recommendations in favor of possible wind turbine construction plans by lessees at a future date. According to the Coast Guard letter, Enclosure (1), BOEM's Proposed Action places vessels operating in the area in question at high risk. Even with possible undefined mitigation measures, 1 nautical mile is not enough of a buffer zone, especially considering the unique operations of fishing vessels which were not discussed or included by the Coast Guard letter. Safety concerns of the fishing industry have been ignored throughout this process in the same manner as all of our other concerns, and the lives of our captains and crew should be more valuable than a permanent structure placed in an unsafe location.

The Coast Guard also recommended a 5 nautical mile buffer zone from the entry/exit of the TSS, which has been rejected by all of BOEM's action alternatives. This safety measure was rejected from not only the Alternative A (Proposed Action), but from Alternative B as well, "given that independent staff analysis of automatic identification systems (AIS) data found that 90 percent of vessels traversing the TSS lanes position themselves toward the outer edges of the lanes". We submit that BOEM staff do not have the same expertise as the Coast Guard and were unqualified to make this judgement call. Ten percent of vessel traffic in a high traffic area is a considerable amount of traffic, and human life and safety should be top priority. Furthermore, the decision was based solely on AIS data. Only as of March 2016 were fishing vessels required to transmit using AIS. Therefore, fishing activity is not represented in AIS data. The requirement to use AIS is only effective inside of 12 miles, which also would not detail fishing activity in the entire area in the future. BOEM does have our vessel monitoring system data, which highlights intense activity in the area (see squid fishing activity at

<http://portal.midatlanticocean.org/visualize/#x=-72.84&y=40.08&z=7&logo=true&controls=true&dls%5B%5D=true&dls%5B%5D=1&dls%5B%5D=20&dls%5B%5D=true&dls%5B%5D=0.98&dls%5B%5D=59&dls%5B%5D=false&dls%5B%5D=0.5&dls%5B%5D=287&basemap=Open+Street+Map&themes%5Bids%5D%5B%5D=2&themes%5Bids%5D%5B%5D=4&themes%5Bids%5D%5B%5D=5&tab=data&legends=false&layers=true>). Our activity is also not a straight line transit, but a slow track back and forth for days at a time. Therefore, we can spend considerable amounts of time in the area in question, more so than a vessel simply transiting, all while being restricted in our ability to maneuver. According to NOAA Fisheries, up to 62 fishing vessels may be present in the area fishing in a given month, with up to 299 trips being taken in a month (See 2000-2014 Longfin Squid Landings Harvested in Statistical Area 612 from Vessel Trip Report Database, combined with the squid fishing activity VMS chart which clarifies that the fishing activity is in fact taking place in the wind energy area and immediate vicinity.) Many of these vessels are fishing there at the same time. Fishing vessels would be subjected to high risk of collision for a longer period of time and placed at even higher risk than the shipping traffic which was the focus of the Coast Guard letter. Furthermore, the risk of collision will be even higher when all the shipping/transit vessels and fishing vessels are forced into a smaller area together. One nautical mile of a buffer zone, as proposed by BOEM, is not enough.

BOEM has already received extensive public comment at fishery stakeholder meetings as to the nature of our vessel operations and navigational challenges, the nature of our gear, confidential vessel data, our need for safety zones, and the fishing industry's concentrated use of the area in question. BOEM staff apparently chose to ignore this input in the decision to override Coast Guard recommendations and choose a high risk option. The Coast Guard recommendation of 2 and 5 nautical mile buffer zones does not reduce the risk of collision to low; it merely reduces the risk level from high to medium. Therefore, BOEM is deliberately choosing a high risk option and putting human life in danger at sea.

Therefore, the only alternative that we can support is Alternative C- No Action.

Sincerely,

Meghan Lapp  
Fisheries Liaison, Seafreeze Ltd.



# State of Rhode Island and Providence Plantations

HOUSE OF REPRESENTATIVES

REPRESENTATIVE PATRICIA L. MORGAN, *District 26*  
*Minority Leader*

March 7, 2017

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

Dear Secretary Zinke,

Our fishing industry will suffer significant economic harm if policies pursued by the Obama administration are allowed to proceed without modification. The RI Republican House Caucus wishes to express its support for our fishermen and hopes that you will review the location of the New York Offshore Wind Turbine project and act to change the location to prevent its damaging effect on the fishing industry.

While the Bureau of Ocean Energy Management (BOEM) may be well intentioned in facilitating renewable energy, the socioeconomic consequences of this plan are potentially catastrophic to the Rhode Island economy, our citizens' livelihoods, and marine wildlife.

Overall, our fishermen generate over \$49.5 million in economic activity annually, which will be severely impacted by the wind turbine farms. Rhode Island produces over 14 million lbs. of the 25 million lbs. of Loligo Squid eaten coastwide. This results in over \$34 million in sales, \$24 million in income, and over 1,151 jobs in RI. The New York wind area accounts for a sizable portion of that catch.

The areas contemplated for the deep-water wind turbines along New England's southern shore are among the most productive for squid and scallop fishing. The presence of turbines in those areas will affect marine animal populations and fishing vessels ability to navigate safely, thereby preventing commercial fishing. Rhode Island will lose this valuable economic resource.

The Republican House Caucus support our Fishing Industry and concurs with their suggestion of the following:

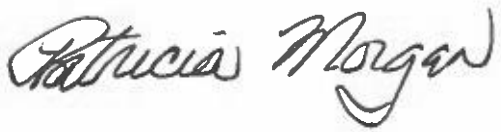
1. Appointment of NMFS leadership that will support fishing businesses and an immediate freeze on/reversal of anti-business Obama Administration NMFS policies

2. Repeal President Obama's anti-fishing Executive Orders. Restore the Saltonstall Kennedy Act money to the fishing industry.
3. Enact H.R. 1335, the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act."
4. Reverse the Obama Administration's Offshore Wind Development Policies: Outer continental shelf Lands Act, Smart from the Start, National Ocean Policy

We ask the administration to take these items into consideration before doing possible irreparable damage to the ecosystem and the economy. We, of course, are willing to provide any additional information and documentation for your department.

Thank you for your attention and consideration.

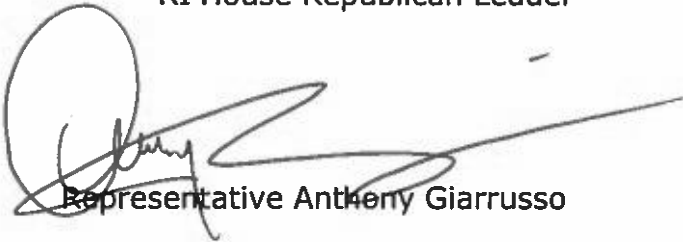
Sincerely,



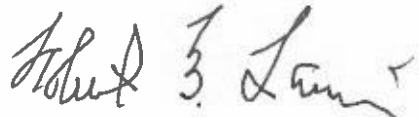
Representative Patricia Morgan  
RI House Republican Leader



Representative Blake Filippi  
RI House Minority Whip



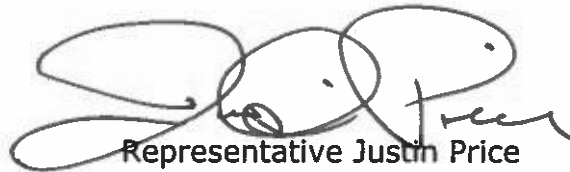
Representative Anthony Giarrusso



Representative Robert Lancia



Representative Bobby Nardolillo



Representative Justin Price



Representative Brian C. Newberry



Representative Kenneth Mendonça



Representative Robert Quattrocchi



Representative Michael Chippendale



Representative Sherry Roberts

**To:** laura.rigas@gmail.com[laura.rigas@gmail.com]  
**From:** Laura Rigas  
**Sent:** 2017-05-07T11:37:50-04:00  
**Importance:** Normal  
**Subject:** Fwd: Monday T.P.  
**Received:** 2017-05-07T11:37:59-04:00  
[ATT00001.htm](#)  
[Outdoor Industry Roundtable UT May 7.docx](#)

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

Begin forwarded message:

**From:** "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>  
**Date:** May 6, 2017 at 8:12:29 PM MDT  
**To:** "Rigas, Laura" <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>  
**Cc:** "Swift, Heather" <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
**Subject:** **Re: Monday T.P.**

I modified the memo BLM submitted for the outdoor industry roundtable and dinner and threw in talking points and background specific for this crowd. Please take a look.

On Sat, May 6, 2017 at 3:07 PM, Rigas, Laura <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)> wrote:

Hi Christine and team --

Attached please find:

1. His talking points which he should repeat and use at every meeting this week.
2. The letter that Jim Cason sent to NCAI clarifying his comments about Tribal sovereignty. He should echo these messages when he speaks to Tribes Sunday night and the rest of this week.

I have also printed them out and will take hard copies with me.  
Please let me know if you need anything else. My flight is at 4:55 eastern but hopefully I will have wifi.

Thanks,  
L

*Laura Keehner Rigas*  
*Communications Director*  
*U.S. Department of the Interior*  
*(202) 897-7022 cell*

@Interior

On Sat, May 6, 2017 at 1:48 PM, Bauserman, Christine  
<[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Laura and Heather,  
Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office

440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe  
(Kykotsmovi, AZ)

James Adakai, President, Utah Navajo Chapter of  
Olijato, Navajo Nation (Fort Defiance, AZ)

Davis Filfred, Navajo Nation Council (Window  
Rock, AZ)

Shaun Chapoose, Chairman, Ute Indian Tribe (Fort  
Duchesne, UT)

Carleton Bowekaty, Councilman, Zuni Tribe (Zuni,  
NM)

Terry Knight, Tribal Historic Preservation Officer,  
Ute Mountain Ute (Towaoc, CO)

Natasha Hale, Native American Program Director,  
Grand Canyon Trust

Charles Wilkinson, Legal Advisor, University of  
Colorado

Leland Begay, Legal Advisor, Ute Mountain Ute

Gavin Noyes, Utah Dine Bikeyah, Executive  
Director

TBD other support staff

Ed Roberson, BLM State Director

Don Hoffheins, BLM, Monticello Field Manager

Tyler Ashcroft, BLM, Bears Ears Project Manager

Mike Richardson, BLM, Acting Communications  
Director

Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)

Senator Orrin Hatch

Senator Mike Lee

Rep. Rob Bishop

Rep. Jason Chaffetz

Rep. Chris Stewart

Utah Attorney General Sean Reyes

Justin Harding, Chief of Staff, Office of Governor Herbert

Mike Mower Deputy Chief of Staff, Office of Governor Herbert

Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert

Jacey Skinner, General Counsel, Office of Governor Herbert

Cody Stewart, Director of Federal Affairs, Office of Governor Herbert

Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert

Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office

Mike Styler, Executive Director, Utah Department of Natural Resources

Val Hale, Executive Director, Governor's Office of Economic Development

Tom Adams, Director, Office of Outdoor Recreation

Vicki Varela - Director of Utah Office of Tourism and Branding

Aimee Edwards - Communication Director, Governor's Office of Economic Development

Matt Sandgren, Chief of Staff, Office of Senator Hatch

John Tanner, Legislative Director, Office of Senator Hatch

Ed Cox, Legislative Assistant, Office of Senator Hatch

Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch

Alyson Bell, Chief of Staff, Office of Senator Mike Lee

Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee

Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop

Peter Jenks, District Director, Office of Rep. Rob Bishop



Wade Garrett, District Director, Office of Rep.  
Jason Chaffetz  
Clay White, Legislative Director, Office of Rep.  
Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris  
Stewart  
Gary Webster, District Director, Office of Rep.  
Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia  
Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of  
Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney  
General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)

202-706-9199 (cell)

## Outdoor Industry Roundtable

### Top Line Points:

There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites in Utah.

These sites attract visitors to hike, camp, explore, and participate in world-class hunting opportunities.

We have to recognize that recreation visitors have increased over the last 16 years in the Grand Staircase and the area around Bears Ears.

So with this in mind, throughout this review period as we get back on track to manage our federal lands in accordance with multiple use, we are going to look at opportunities for expanded recreational and sportsmen access.

Land use planning should always include public input, and we hope to restore that process by giving locals a voice with this review.

### Background Data:

There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites in Utah.

In 2016, there were 13,988,000 visitors to National Park units in Utah, which supported \$1.1 billion in spending.

The Monticello Field Office, which is right next to Bears Ears, estimates 418,684 recreational visitors to BLM lands in the Monticello footprint in FY16. This is up from 180,233 in FY00.

Total estimated recreational visitors to Grand Staircase in FY16 was 926,236, up from 568,214 in FY00.

### Sportsmen activities:

The combined 3.2 Million acres of both Bears Ears and the Grand Staricase are home to deer, elk, pronghorn, desert bighorn sheep, antelope, cougar, mountain lion, black bear, and turkey.

Around 51,007 hunters apply for permits in these areas, and it generates around \$29 Million in direct conservation funding and economic activity.

BLM partnered with the Utah DWR to re-introduce pronghorn, bighorn, and wild turkey within the Grand Staircase.

More than \$1 Million of private sportsmen funds have invested in the last ten years to grow and expand these herds.

**To:** Ashley Korenblat[ashley@publiclandsolutions.org]  
**Cc:** Jessica Wahl[jwahl@outdoorindustry.org]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-18T14:20:24-04:00  
**Importance:** Normal  
**Subject:** Re: Quick Heads Up on Oil and Gas near Zion NP  
**Received:** 2017-05-18T14:20:30-04:00

Thanks for the information.

On the previous email Jessica, Tim Williams would be the right person to get information to going forward.

Downey

On Thu, May 18, 2017 at 12:31 PM, Ashley Korenblat <[ashley@publiclandsolutions.org](mailto:ashley@publiclandsolutions.org)> wrote:

Hi Downey,

We met super briefly at the dinner at the Utah Capitol. We are the ones who produced [the White Paper on Cultural Tourism in the Bears Ears](#). Happy to talk about that at any time if it would be helpful.

Meanwhile, I mentioned this to Tim Williams, but wanted you to know about it as well.

Here is some quick info on 3 proposed **Oil and Gas Leases Near Zion National Park**:

- The Utah State BLM office is likely to defer three parcels between the town of Virgin Utah and the Zion National Park Boundary.
- The company who nominated these leases is not an actual oil and gas developer, but more interested in water rights (which actually don't come with these leases.)
- The State Institutional Trust Land Administration in Utah (SITLA) has parcels nearby and has no plans to develop them for oil and gas because they don't believe there is any real potential. Happy to connect you with those officials if that would be helpful.
- The town of Virgin, Utah has plans to provide more visitor infrastructure—hotels, campgrounds, and other businesses to support the huge visitation to Zion right next to these parcels and leasing these areas would seriously interfere with those plans.
- The Republican County Commission of Washington County has voted AGAINST leasing these parcels because it will interfere with their economic development plans. Their resolution can be found [here](#).

**Bottom line** here is that if these parcels are included in the next BLM oil and gas lease auction, there will be lots of noise and I suspect the enviro's will go nuts raising money and telling the world that the Secretary doesn't care about National Parks—which we know that he does, so it might make sense to encourage the Utah State BLM office not to offer these leases. It isn't a real oil and gas play—evidenced by the fact the the County Commissioners and several City Councils are against it, and SITLA has no interest in developing it.

Happy to discuss or get you more info—I just wanted to give you a heads up!

Take care,  
Ashley

Ashley Korenblat / **Public Land Solutions**  
Managing Director  
P: 801.910.3205  
W: [PublicLandSolutions.org](http://PublicLandSolutions.org)

On May 17, 2017, at 7:44 AM, Jessica Wahl <[jwahl@outdoorindustry.org](mailto:jwahl@outdoorindustry.org)> wrote:

Hi Downey- I hope you had a successful trip to Utah with the Secretary last week. Coincidentally I was rafting the Green just a few hours away with a group of veterans discussing the health benefits of the outdoors on PTSD and TBI. Utah is such an amazing place for the outdoor recreation and I think you were able to connect with Ashley Korenblat, who is a UT public lands and recreation guru. I have cc'd her here in case there is additional followup from your dinner.

I also wanted to circle back on our discussions around special use permits and improving the antiquated process for our companies and partner organizations. We have a working group of hundreds of businesses and groups who take people outside and are ready and willing to help. It would be great to know from you what information would be most useful and in what format (and what timeline if there is one). Ashley is also involved in this work and it is key to small businesses across the country. Please let me know if you have any guidance on our outreach to you on this matter.

Thanks!  
Jess

**Jessica Wahl** | Government Affairs Manager  
**OUTDOOR INDUSTRY ASSOCIATION (OIA)**  
419 7<sup>th</sup> Street NW, Suite 401, Washington, D.C. 20004  
direct 202.817.2032 | mobile 585.703.9523

**OUTDOORINDUSTRY.ORG**  
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--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

**To:** downey\_magallanes@ios.doi.gov[downey\_magallanes@ios.doi.gov]; Randal Bowman[randal\_bowman@ios.doi.gov]; katherine\_macgregor@ios.doi.gov[katherine\_macgregor@ios.doi.gov]; John Ruhs[jruhs@blm.gov]; Aaron Thiele[aaron\_thiele@ios.doi.gov]; Kathleen Benedetto[kathleen\_benedetto@ios.doi.gov]; Peter Mali[pмали@blm.gov]; Theresa Hanley[thanley@blm.gov]; Christopher McAlear[cmcalear@blm.gov]  
**From:** Hawks, Robin  
**Sent:** 2017-07-11T17:00:13-04:00  
**Importance:** Normal  
**Subject:** Cascade-Siskiyou briefing paper update  
**Received:** 2017-07-11T17:00:19-04:00  
[CSNM Briefing Paper+BP agm\\_no track changes.docx](#)  
[CSNM Briefing Paper+BP agm\\_track changes.docx](#)

Please find attached an updated briefing paper on Cascade-Siskiyou that incorporates the additional information on acres and percent of private lands that was requested in last night's briefing.

v/r Robin Hawks

Robin D. Hawks, Ph.D.  
Acting Deputy Assistant Director  
National Conservation Lands and Community Partnerships  
Bureau of Land Management  
Desk Phone: 202-219-3180  
Cell Phone: 202-713-8141  
[rhawks@blm.gov](mailto:rhawks@blm.gov)

**BRIEFING MEMORANDUM FOR THE ACTING DEPUTY  
CHIEF OF STAFF FOR THE SECRETARY**

**DATE:** July 8, 2017  
**FROM:** Mike Nedd, Acting Director  
**SUBJECT:** Cascade-Siskiyou National Monument

The purpose of this briefing memorandum is to provide an overview of the Cascade-Siskiyou National Monument in preparation of Secretary Zinke's upcoming site visit.

**KEY POINTS**

*Stakeholder Positions*

- Senators Ron Wyden (D-OR) and Jeff Merkley (D-OR) introduced the *Oregon and California Land Grant Act of 2015* (S. 132), where a portion of the CSNM expansion area was under a forest emphasis designation and a portion was under a conservation designation, and where timber harvest would take place within both designations.
  - For the conservation designation the bill would take half of eligible acres off the table and spread them out over 50 years for the purpose of commercial thinning (in stands less than 150 years in age).
- A public meeting was held in October 2016 in Ashland, OR, to hear public opinions about the CSNM expansion proposal. Approximately 500 people attended the meeting; the majority in support of the expansion proposal. The counties of Jackson (OR), Klamath (OR), and Siskiyou (CA) also hosted public input meetings for the monument expansion proposal. Collectively, approximately 600 people attended these county meetings.
- A written comment period was sponsored by Senators Wyden and Merkley. A total of 5,488 comments were received; approximately three-fourths were in favor of the expansion for scientific, recreational, environmental and economic reasons.
- State Representatives Peter Buckley and Kevin Talbert, and the late State Senator Alan Bates, publicly endorsed the expansion. The two closest cities in OR, Ashland and Talent (City Councils, Mayors, and Chambers of Commerce), all formally endorsed expanding the Monument.
- The Klamath Tribes submitted a letter of support, noting that the expansion area is “critical to provide for more appropriate watershed scale management...” (November 2016).

- Opponents expressed concern that a larger Monument would hurt the region's economy with limits on logging and grazing.
- The Jackson County Board of Commissioners, Klamath County Board of Commissioners, Medford/Jackson County Chamber of Commerce, and Siskiyou County Supervisors expressed opposition to expansion. The objections included legal and economic impacts, as well as a lack of consensus on the scientific merits.

### *Timber Harvest*

A substantial number of acres within both the original Monument and the expansion area are designated as Oregon and California Revested (O&C) Railroad Lands. These lands are covered by the O&C Act of 1937, which mandates that those lands determined to be suitable for timber production shall be managed for, “permanent forest production and the timber shall be sold, cut and removed in conformity with the principal [stet] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing the economic stability of local communities and industry, and providing recreational facilities.” The original Monument designation and the expansion prohibit commercial timber harvest, but allow certain types of non-commercial, restoration vegetation management.

- There are currently three lawsuits alleging the designation of the expansion area violates the O&C Act by prohibiting commercial timber harvest. (*Association of O&C Counties. v. Trump*, No. 1:17-cv-00280-RJL (D.D.C. filed on February 13, 2017); *Murphy Co. v. Trump*, No. 1:17-cv-00285-CL (D. Or. filed on February 17, 2017); *AFRC v. United States*, No. 1:17-cv-00441-RJL (D.D.C. filed on March 10, 2017)).
- Within the original CSNM designation, 36,000 (0.036 million) board feet have been harvested; timber was removed only for the purposes of public safety.
- Within the Monument expansion, approximately 310,000 (0.310 million) board feet have been harvested from within the OR portion of the expansion area under timber sale contracts that were entered into prior to January 12, 2017. The contracts are considered valid existing rights and will be completed, including the approximately 2.9 million board feet of timber that remain to be harvested. (The Howard, South Fork Little Butte and Pine Plantation thinning Sales, and the Surveyor Salvage, Jigsaw, and Mid-Spencer timber sales were under contract at the time of the CSNM Expansion on January 12, 2017).
- About 238 acres and 1,212 thousand board feet of the Howard Timber Sale, and 191 acres and



1,600 thousand board feet of the South Fork Little Butte Timber Sale is located within the expansion boundary. The Pine Plantation sale (82 acres and 121 thousand board feet) is located entirely within the CSNM expansion area.

- Under the 1995 Medford District Resource Management Plan, approximately 19,400 acres of BLM-administered lands (of the roughly 52,000 acres originally designated in 2000) were allocated to Southern General Forest Management Area with a primary objective of providing a sustainable supply of timber and other forest products. No current information is readily available regarding the amount of volume that may have been produced from these acres since the monument was designated, though the area is characterized as having low site capabilities, and relative to other areas in the Medford District, is considered a low timber production area.
- The monument designation within the OR portion of the expansion likely reduces sustained yield timber production opportunities in the harvest land base by 4-6 million board feet per year, and commercial harvest in reserved land use allocations by 400,000 (0.400 million) board feet per year. Over a 50-year period in the harvest land base, annual sustained-yield timber harvest is projected to be 200–300 million board feet less than it would have been without the designation. This is a result of the proclamation prohibiting commercial timber harvest. Over the same 50-year period in reserve land use allocations, commercial harvesting would likely be reduced by 20 million board feet.
- The Harvest Land Base within in the Oregon expansion area were estimated under the recently signed 2016 Southwest Oregon RMP to produce approximately 1-2 million board feet per year in the Medford sustained yield unit, and 3-4 million board feet per year in the Klamath Falls sustained yield unit. An additional 400 thousand board feet of timber was projected to come from restorative commercial harvests in lands allocated to reserves in Medford.
- The site conditions of the California portion of the expansion area do not support commercial-grade timber resources.

### *Grazing*

The Omnibus Public Land Management Act of 2009 enabled grazing leases within the CSNM to be voluntarily retired.

- The Soda Mountain, Keene Creek, and Jenny Creek leases administered by the Medford District BLM in the monument were voluntarily relinquished by the lessees, and after a third party bought out the leases, were permanently retired.
- A small lease (5 AUM) on the Box R Ranch was voluntarily relinquished and retired as part of a congressionally-authorized land exchange within the CSNM. Two allotments were vacant at the time of designation (Agate and Siskiyou), and the Proclamation

directed voluntarily relinquished allotments not be reallocated for forage.

### *Tribal*

- The CSNM is culturally significant to the Grand Ronde, Siletz, Shasta and Klamath Tribes. There are 214 cultural resource sites recorded within the Monument. Many historic sites are related to early 18th century homesteading and livestock rearing activities.
- Klamath Tribal members participate in a Pan-Indian Sundance Ceremony that is held annually within Monument. The ceremony attracts up to 500 people of both native and non-native ancestry that participate in the Sundance.
- The Maka Oyate Sundance event is not officially associated with a Federally Recognized Tribe; however, participants in the ceremony include members of the Klamath Tribes which is a Federally Recognized Tribe.

### BACKGROUND

- The Cascade-Siskiyou National Monument (CSNM) was established by Presidential Proclamation 7318 on June 9, 2000 as an 85,145 acre Monument, of which 65,269 were BLM-managed. It was the first such area to be established primarily to protect biodiversity.
- On January 12, 2017 the Monument was expanded by 85,264 acres, of which 47,660 acres were BLM-managed.
- The original Monument included 19,818 private acres (23.2%) and the 2017 extension included 32,677 private acres (38.3), for a total of 52,485 (30.7%) private acreage.
- The CSNM accommodates hunting, fishing, recreation, grazing, and valid existing rights such as leases and rights-of-way, among other activities, while protecting the historic and scientific resources identified in the Proclamation as well as providing opportunities for scientific study.
- The Monument contains rare and endemic plants such as Greene's Mariposa lily, Gentner's fritillary, and Bellinger's meadowfoam. It also includes 38 miles of the Pacific Crest National Scenic Trail and the 24,707-acre Soda Mountain Wilderness Area.
- Only the original CSNM has a stand-alone Resource Management Plan (RMP), which was completed in August 2008. The expansion is currently covered by two existing RMP's. The Oregon portion of the expansion area is covered by the 2016 Southwest Oregon RMP and the California portion of the expansion by the 1993 Redding RMP.
- The potential for coal, oil, gas and renewables in this area and within the Monument is low to non-existent.
- Since FY2010, 12,288 acres inside the Monument have been acquired, primarily through use of the Land and Water Conservation Fund (LWCF).



**BRIEFING MEMORANDUM FOR THE ACTING DEPUTY  
CHIEF OF STAFF FOR THE SECRETARY**

**DATE:** July 8, 2017  
**FROM:** Mike Nedd, Acting Director  
**SUBJECT:** Cascade-Siskiyou National Monument

The purpose of this briefing memorandum is to provide an overview of the Cascade-Siskiyou National Monument in preparation of Secretary Zinke’s upcoming site visit.

**KEY POINTS**

*Stakeholder Positions*

- Senators Ron Wyden (D-OR) and Jeff Merkley (D-OR) introduced the *Oregon and California Land Grant Act of 2015* (S. 132), where a portion of the CSNM expansion area was under a forest emphasis designation and a portion was under a conservation designation, and where timber harvest would take place within both designations.
  - For the conservation designation the bill would take half of eligible acres off the table and spread them out over 50 years for the purpose of commercial thinning (in stands less than 150 years in age).
- A public meeting was held in October 2016 in Ashland, OR, to hear public opinions about the CSNM expansion proposal. Approximately 500 people attended the meeting; the majority in support of the expansion proposal. [The counties of Jackson (OR), Klamath (OR), and Siskiyou (CA) also hosted public input meetings for the monument expansion proposal. Collectively, approximately 600 people attended these county meetings.]
- A written comment period was sponsored by Senators Wyden and Merkley. A total of 5,488 comments were received; approximately three-fourths were in favor of the expansion for scientific, recreational, environmental and economic reasons.
- State Representatives Peter Buckley and Kevin Talbert, and the late State Senator Alan Bates, publicly endorsed the expansion. The two closest cities in OR, Ashland and Talent (City Councils, Mayors, and Chambers of Commerce), all formally endorsed expanding the Monument.
- The Klamath Tribes submitted a letter of support, noting that the expansion area is “critical to provide for more appropriate watershed scale management...” (November 2016).

**Commented [MAG1]:** Can this be quantified (how many acres? Is the portion that was under a conservation designation in the harvest land base under the 2016 RMPs?)

**Commented [BP2]:** Probably need a bullet explaining what the “forest emphasis designation” meant.

**Commented [BP3]:** Any ability to characterize the general tenor of these county meetings?

**Commented [BP4]:** Clarify—you’re referencing the expansion as proposed in their bill, not the expansion boundaries in the President’s Proclamation?

**Commented [BP5]:** Did their letter clarify what this means?

- Opponents expressed concern that a larger Monument would hurt the region's economy with limits on logging and grazing.
- The Jackson County Board of Commissioners, Klamath County Board of Commissioners, Medford/Jackson County Chamber of Commerce, and Siskiyou County Supervisors expressed opposition to expansion. The objections included legal and economic impacts, as well as a lack of consensus on the scientific merits.

*Timber Harvest*

A substantial number of acres within both the original Monument and the expansion area are designated as Oregon and California Revested (O&C) Railroad Lands. These lands are covered by the O&C Act of 1937, which mandates that those lands determined to be suitable for timber production shall be managed for, “permanent forest production and the timber shall be sold, cut and removed in conformity with the principal [stet] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing the economic stability of local communities and industry, and providing recreational facilities.” The original Monument designation and the expansion prohibit commercial timber harvest, but allow certain types of non-commercial, restoration vegetation management.

- There are currently three lawsuits alleging the designation of the expansion area violates the O&C Act by prohibiting commercial timber harvest. (Association of O&C Counties. v. Trump, No. 1:17-cv-00280-RJL (D.D.C. filed on February 13, 2017); Murphy Co. v. Trump, No. 1:17-cv-00285-CL (D. Or. filed on February 17, 2017); AFRC v. United States, No. 1:17-cv-00441-RJL (D.D.C. filed on March 10, 2017)).
- Within the original CSNM designation, 36,000 (0.036 million) board feet have been harvested; timber was removed only for the purposes of public safety.
- Within the Monument expansion, approximately 310,000 (0.310 million) board feet have been harvested from within the OR portion of the expansion area under timber sale contracts that were entered into prior to January 12, 2017. The contracts are considered valid existing rights and will be completed, including the approximately 2.9 million board feet of timber that remain to be harvested. (The Howard, South Fork Little Butte and Pine Plantation thinning Sales, and the Surveyor Salvage, Jigsaw, and Mid-Spencer timber sales were under contract at the time of the CSNM Expansion on January 12, 2017).
- About 238 acres and 1,212 thousand board feet of the Howard Timber Sale, and 191 acres and

**Commented [BP6]:** It's almost like you need a statement at the very beginning of the BP laying out the issue—the original monument and the expansion prohibit commercial timber harvest on lands designated in 1937 for sustained yield timber production. Also, in an introductory statement you could include info like acres in the original and expanded monument, with a total acreage.

**Commented [BP7]:** How many of the acres in the original designation were “matrix” lands? Consider putting the 36,000 board feet into context—that’s about one single family home worth of wood product from 52,000 acres in 17 years—but if none of that was matrix lands, how much volume would have been expected to come off of that land, if any?

1,600 thousand board feet of the South Fork Little Butte Timber Sale is located within the expansion boundary. The Pine Plantation sale (82 acres and 121 thousand board feet) is located entirely within the CSNM expansion area.

- Under the 1995 Medford District Resource Management Plan, approximately 19,400 acres of BLM-administered lands (of the roughly 52,000 acres originally designated in 2000) were allocated to Southern General Forest Management Area with a primary objective of providing a sustainable supply of timber and other forest products. No current information is readily available regarding the amount of volume that may have been produced from these acres since the monument was designated, though the area is characterized as having low site capabilities, and relative to other areas in the Medford District, is considered a low timber production area.

**Commented [BP8]:** Did the 2008 CSNM RMP change this land use allocation at all? If these were "lower timber production" areas—what was the impact, if any on Medford's harvest opportunities? Did Medford adjust its ASQ downward?

- The monument designation within the OR portion of the expansion likely reduces sustained yield timber production opportunities in the harvest land base by 4–6 million board feet per year, and commercial harvest in reserved land use allocations by 400,000 (0.400 million) board feet per year. Over a 50-year period in the harvest land base, annual sustained-yield timber harvest is projected to be 200–300 million board feet less than it would have been without the designation. This is a result of the proclamation prohibiting commercial timber harvest. Over the same 50-year period in reserve land use allocations, commercial harvesting would likely be reduced by 20 million board feet.

**Commented [BP9]:** I'd start this bullet by referencing the 2016 RMP and how many acres of the monument expansion are in the harvest land base (and reiterate the fact that NONE of the original CSNM acres are in the harvest land base).

**Commented [BP10]:** This needs to come much earlier in the BP.

- The Harvest Land Base within in the Oregon expansion area were estimated under the recently signed 2016 Southwest Oregon RMP to produce approximately 1-2 million board feet per year in the Medford sustained yield unit, and 3-4 million board feet per year in the Klamath Falls sustained yield unit. An additional 400 thousand board feet of timber was projected to come from restorative commercial harvests in lands allocated to reserves in Medford.

**Commented [BP11]:** This should be melded with the bullet above and presented first, before the long-term figures.

- The site conditions of the California portion of the expansion area do not support commercial-grade timber resources.

### Grazing

The Omnibus Public Land Management Act of 2009 enabled grazing leases within the CSNM to be voluntarily retired.

- The Soda Mountain, Keene Creek, and Jenny Creek leases administered by the Medford District BLM in the monument were voluntarily relinquished by the lessees, and after a third party bought out the leases, were permanently retired.
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- The Maka Oyate Sundance event is not officially associated with a Federally Recognized Tribe; however, participants in the ceremony include members of the Klamath Tribes which is a Federally Recognized Tribe.

**Commented [BP12]:** Is this limited to a particular site or parcel or held a different locations every year? Within the original CSNM or expanded monument?

### BACKGROUND

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- Only the original CSNM has a stand-alone Resource Management Plan (RMP), which was completed in August 2008. The expansion is currently covered by two existing RMP's. The Oregon portion of the expansion area is covered by the 2016 Southwest Oregon RMP and the California portion of the expansion by the 1993 Redding RMP.
- The potential for coal, oil, gas and renewables in this area and within the Monument is low to non-existent.
- Since FY2010, 12,288 acres inside the Monument have been acquired, primarily through use of

**Commented [BP14]:** But not timber harvest—hence the three lawsuits.

**Commented [BP15]:** Did the 2016 EIS for the RMPs look at historic and scientific resources for those Harvest Land Base acres that ended up within the expansion area? If so, how does that RMP analysis compare to the conclusion that those checkerboarded HLB acres contain significant historic or scientific resources worthy of protection under the Antiquities Act?

**Commented [BP16]:** Under the 2016 RMP—how did it deal with all of these resources. For instance—if any of these plants were encountered when planning a timber sale within the HLB, what steps would BLM take to protect those sites—or were all the known plant sites within reserves anyways? As written, it gives the impression that these plants are found everywhere throughout the expansion, including within the HLB, or that they wouldn't have received adequate protection under the existing RMP, hence the need for protection through a monument designation—but was that really the case? Did the 2016 RMP provide a sufficient buffer along those 38 miles to the PCT and the Wilderness Area? If so, what was that buffer—a combination of LSR designations, and a buffer of a certain distance in the HLB?

the Land and Water Conservation Fund (LWCF).



**To:** Johnson, Virginia[virginia\_johnson@ios.doi.gov]  
**From:** Pavlik, Brian  
**Sent:** 2017-06-07T09:57:24-04:00  
**Importance:** Normal  
**Subject:** Fwd: meeting regarding park deferred maintenance?  
**Received:** 2017-06-07T09:57:54-04:00  
[Pewtestimony-SenateENRhearing-3-21-17-FINAL.pdf](#)  
[Restore America's Parks sign-on letter.pdf](#)

You okay if I meet with this organization? Did you want to join? Thanks, Brian.

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

**From:** **Marcia Argust** <[margust@pewtrusts.org](mailto:margust@pewtrusts.org)>  
**Date:** Wed, Jun 7, 2017 at 2:13 AM  
**Subject:** meeting regarding park deferred maintenance?  
**To:** "[brian\\_pavlik@nps.gov](mailto:brian_pavlik@nps.gov)" <[brian\\_pavlik@nps.gov](mailto:brian_pavlik@nps.gov)>

Brian—

I run a program at The Pew Charitable Trusts that's focused solely on tackling the national park maintenance backlog. Pew is thrilled that DOI has made park infrastructure a priority. We would like to offer our assistance as much as possible. I met with Virginia several months ago and would appreciate the opportunity to follow-up with you—I can work around your busy schedule.

Pew has been working to address the national park backlog from a number of angles: raising public awareness, providing reliable federal funding, exploring policy reforms and technologies that can generate revenue or cost-savings, and increasing opportunities for public-private collaboration. Attached here is testimony I presented in March to the Senate ENR Committee (as Chairman Murkowski's witness), which provides Pew's general views on the topic.

Our allies are states, local businesses, communities, and policymakers who recognize the benefits of maintaining park infrastructure, especially the economic importance for the towns and regions that depend on park tourism. Attached is a letter to Congress, signed by almost 1,900 local businesses and officials, asking Members to address deferred maintenance in our National Park System. At the national level, our partners include the National Parks Conservation Association and the National Trust for Historic Preservation. Thanks so much for your consideration.

marcia

*Marcia Argust*  
*Director, Restore America's Parks*  
*The Pew Charitable Trusts*  
202-329-0793

*Twitter: @marciaargust*  
[www.pewtrusts.org](http://www.pewtrusts.org)

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Brian Pavlik  
National Park Service  
1849 C St. NW Rm #3129  
Washington, DC 20240  
202-208-2308 (Office)  
202-641-3709 (Mobile)

# Restore America's Parks

April 4, 2017

The Honorable Lisa Murkowski  
Chair  
Interior Subcommittee  
Committee on Appropriations  
Washington, DC 20510

The Honorable Ken Calvert  
Chair  
House Subcommittee on  
Interior, Environment, and Related Agencies  
Washington, DC 20515

The Honorable Tom Udall  
Ranking Minority Member  
Interior Subcommittee  
Committee on Appropriations  
Washington, DC 20510

The Honorable Betty McCollum  
Ranking Minority Member  
House Subcommittee on  
Interior, Environment, and Related Agencies  
Washington, DC 20515

Dear Chair Murkowski, Chair Calvert, Ranking Member Udall, and Ranking Member McCollum:

2016 marked the 100th birthday of the National Park Service (NPS), which oversees more than 400 natural and cultural areas in all 50 states and most U.S. territories. NPS faces a growing challenge in adequately maintaining its sites to ensure that visitors can experience the parks' natural beauty and learn about our nation's history. After decades of underfunding, NPS has an infrastructure repair backlog estimated at \$11.9 billion (FY 2015). This includes crucial repairs to aging historical structures and thousands of miles of roads and trails, bridges, tunnels, sewers, drainage, and other vital infrastructure.

Writer and historian Wallace Stegner said that national parks are "the best idea we ever had. Absolutely American, absolutely democratic, they reflect us at our best rather than our worst." As companies, organizations, and associations, we support addressing the infrastructure repair backlog throughout these parks.

To address the backlog and put our national parks on sound financial footing for the future, we must do the following

- Create a guaranteed federal fund that will chip away at the estimated \$11.9 billion backlog over time.
- Implement policy reforms, such as entry and vendor fees, that will help to prevent repair backlog from accruing to begin with.
- Direct more Highway Trust Fund dollars to NPS, as half of the estimated \$11.9 billion backlog is attributed to the 10,000 miles of roads and hundreds of bridges and tunnels that NPS must maintain and repair.
- Provide additional opportunities for public-private opportunities to address infrastructure repair.

From the Grand Canyon and the Great Smoky Mountains, to the Statue of Liberty to battlefields like Gettysburg, the National Park System serves as a living testament to our citizens' valor, our hardships, our victories, and our traditions as Americans. We need to ensure that our children and grandchildren are able to see and appreciate our rich history in these places, and to learn more about the people and lands that have shaped us as a nation.

We urge you to work with us to protect our national parks well into the future and, in particular, to support guaranteed funding for infrastructure repair needs.

Sincerely,

### **National Supporters**

American Alpine Club  
American Alpine Institute  
American Cultural Resources Association  
American Institute of Architects  
Archaeological Institute of America  
American Hiking Society  
Asian and Pacific Islander Americans in Historic Preservation  
Coalition to Protect America's National Parks  
Family Motor Coach Association  
GreenLatinos  
Hispanics Enjoying Camping Hiking & the Outdoors (HECHO)  
International Dark-Sky Association  
International Inbound Travel Association  
International Mountain Bicycling Association  
Institute for Bird Populations  
Kappa Alpha Phi Fraternity, Inc.  
National Parks Conservation Association  
National Trust for Historic Preservation  
Outdoor Industry Association  
Recreation Vehicle Industry Association  
Society for American Archaeology  
Society for Historical Archaeology  
Student Conservation Association  
The Corps Network  
The Pew Charitable Trusts  
Tourism Cares  
U.S. Conference of Mayors  
Vet Voice Foundation

## State Supporters

### Alabama

#### *Statewide Supporters*

Alabama NAACP  
Gulf Restoration Network  
Southeast Tourism Society

#### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Chamber of Commerce Association of Alabama (statewide)	Fort Payne Chamber of Commerce
Alexander City Chamber of Commerce	Greater Jackson County Chamber of Commerce
Cherokee County Chamber of Commerce	MainStreet Alexander City
Colbert County Tourism and Convention Bureau	Shoals Chamber of Commerce
Dadeville Area Chamber of Commerce	Selma and Dallas Co. Chamber of Commerce and Tourism Information
Florence-Lauderdale Convention and Visitors Bureau	

#### *Gateway Community businesses and organizations*

Friends of the Preserve at Little River Canyon

### Alaska

#### *Gateway Community resolutions*

City of Homer  
City of Seward  
Kenai Borough  
Municipality of Skagway Borough

#### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Cooper Landing Chamber of Commerce	Kodiak Chamber of Commerce
Cordova Chamber of Commerce	Mat-Su Convention and Visitors Bureau
Discover Kodiak	Seward Chamber of Commerce
Explore Fairbanks	Skagway Chamber of Commerce
Greater Whittier Chamber of Commerce	Skagway Convention and Visitors Bureau
Kenai Peninsula Tourism Marketing Council	Soldotna Chamber of Commerce
Talkeetna Chamber of Commerce	
Valdez Convention and Visitors Bureau	

## Arizona

### ***Gateway Community resolutions***

City of Cottonwood  
City of Tucson  
Pima County

### ***Elected Officials***

Andrea Dalessandro, State Senator, District 2  
(Green Valley)  
Olivia Cajero Bedford, State Senator, District 3  
(Tucson)  
Lisa Otondo, State Senator, District 4 (Tucson)  
Jamescita Peshlakai, State Senator, District 7  
(Cameron)  
Steve Farley, State Senator, District 9 (Tucson)  
David Bradley, State Senator, District 10  
(Yuma)  
Matt Kopec, former State Representative,  
District 9 (Tucson)  
Art Babbott, County Commissioner, Coconino  
County  
Diane Jones, Mayor, Cottonwood  
Coral Evans, Mayor, Flagstaff  
Jamie Whelan, Vice Mayor, Flagstaff

Celia Barotz, City Council, Flagstaff  
Jonathan Rothschild, Mayor, Tucson  
Karin Uhlich, City Council, Tucson  
Paul Cunningham, City Council, Tucson  
Regina Romero, City Council, Tucson  
Steve Kozachik, City Council, Tucson  
Shirley Scott, City Council, Tucson  
Adelita Grijalva, School Board, Tucson  
Beki Quintero, School Board, Tucson  
Eva Carrillo Dong, School Board, Tucson  
Ramon Valadez, Board of Supervisors, Pima  
County  
Raymond Carroll, Board of Supervisors, Pima  
County  
Richard Elias, Board of Supervisors, Pima  
County

### ***Statewide Supporters***

Arizona Center for Law in the Public Interest  
Arizona Conservation Corps  
Arizona Native Plant Society

Arizona Preservation Foundation  
Latinos for National Parks  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Ajo District Chamber of Commerce  
Bisbee Visitor Center/Discover Bisbee  
Bowie Chamber of Commerce  
Dolan Springs Chamber of Commerce  
Florence Visitor Center  
Gila Bend Chamber of Commerce  
Greater Douglas Chamber of Commerce  
Greater Oro Valley Chamber of Commerce  
Greater Vail Area Chamber of Commerce  
Green Valley Sahuarita Chamber of Commerce  
and Visitor Center

Marana Chamber of Commerce  
Nogales-Santa Cruz County Chamber of  
Commerce and Visitor Center  
Sedona Chamber of Commerce and Tourism  
Bureau  
Sunland Visitor Center  
Visit Mesa  
Visit Tucson  
Willcox Chamber of Commerce

### ***Gateway Community businesses and organizations***

Arizona Vintage Sign Coalition  
BK's Carne Asada & Hot Dogs  
Blair Charity Group  
Blenman Elm Housing, LLC  
Bourn Companies

Canyon Inn Flagstaff  
Casa Maria Catholic Worker Community  
Cascabel Conservation Association  
Cesar Chavez Holiday Coalition  
Chambers Chambers, LLC

CIC Hotels  
City Center for Collaborative Learning  
Coalition for Sonoran Desert Protection  
Conecta Los Puntos  
Crow Communications Group, Inc.  
Dan Cavanagh, Inc  
DeTours of AZ  
Economic & Human Dimensions Research Assoc.  
Empire Fagan Coalition  
Four Peaks Brewing Company  
Flame Tree Initiative  
Friends of Cabeza Prieta  
Friends of Flagstaff's Future  
Friends of Ironwood Forest  
Friends of Madera Canyon  
Friends of Petrified Forest National Park  
Friends of Saguaro National Park  
Friends of Tortolita  
Gadsden Company  
Gates Pass Area Neighborhood Association  
General Air Control  
Hotel Congress  
JL Investments  
Kahtoola, Inc.  
Linda Cato Arts  
Modern Works Music Publishing  
Natural Allies  
Northern Arizona Center for Entrepreneurship & Technology  
Northwest Neighborhood Alliance

O.A.R.S. Family of Companies  
Peach Properties  
Poster Frost Mirto Architecture  
Raven Eye Design LLC  
REA Media Group  
RF Strategies  
RLB Rider Levett Bucknall  
Rocco's Little Chicago  
Safford Peak Watershed Education Team  
Sandor Vineyards  
Save the Scenic Santa Ritas  
Sierra Club – Grand Canyon Chapter  
Sierra Club – Rincon Group  
Sky Island Alliance  
Sky Island Watch  
Society for Ecological Restoration  
Sonoran Institute  
Southwestern Biological Institute  
Stewart Travel  
Super 8 Hotel - Conference Center  
NAU/Downtown  
The Shanty  
Tortolita Homeowners Association  
Tucson Audubon Society  
Tucson Electric Vehicle Association  
Tucson Herpetological Society  
Tucson Historic Preservation Foundation  
Tucson Mountains Association  
Watershed Management Group  
Western Sky Communications

## **Arkansas**

### ***Statewide Supporters***

Arkansas Hospitality Association  
Arkansas State Parks, Recreation, and Travel Commission

Southeast Tourism Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Arkansas State Chamber of Commerce  
Bentonville-Bella Vista Chamber of Commerce  
Calico Rock Area Chamber of Commerce  
Dumas Chamber of Commerce  
Experience Fayetteville  
Fayetteville Chamber of Commerce  
Fort Smith Convention and Visitors Bureau  
Greater Hot Springs Chamber of Commerce

Harrison Convention and Visitors Bureau  
Norfolk Lake Chamber and Tourism  
Northwest Arkansas Council  
Ozark Mountain Region  
Rogers-Lowell Area Chamber of Commerce  
Searcy County Chamber of Commerce  
Visit Bentonville  
Visit Hot Springs

### ***Gateway Community businesses and organizations***

Friends of Hot Springs National Park

Friends of the North Fork and White Rivers

## California

### ***Gateway Community resolutions***

Town of Fairfax  
City of Novato  
City of Petaluma  
Town of Ross

### ***Elected Officials***

Cecilia Aguiar-Curry, Assembly, 4<sup>th</sup> District  
Richard Kerr, Mayor, Adelanto  
Paul Pitino, Mayor, Arcata  
Mary Sure Maurer, Mayor, Calabasas  
Randall Bonner, City Council, Canyon Lake  
Randall Stone, City Council, Chico  
Joseph Tessari, Mayor, Eastvale  
Brady Jenkins, Mayor, Firebaugh  
Serge Dedina, Mayor, Imperial Beach  
John McCauley, Mayor, Mill Valley  
Dawn Haggerty, Mayor, Canyon Lake  
Blake Inscore, Mayor Pro Tem, Crescent City  
Renee Goddard, Mayor, Fairfax  
Jack Castro, City Manager, Huron  
Bruce Blayney, Mayor, Kingsburg  
Catherine Way, Mayor, Larkspur  
Derek Robinson, Mayor Pro Tem, Madera  
Tim Stearns, Mayor Pro Tem, Mt. Shasta  
Evan Phelps, Mayor, Nevada  
Reinette Senum, City Council, Nevada  
Valerie Moberg, City Council, Nevada  
Janet Goodson, Vice Mayor, Oroville  
Carmen Ramirez, Mayor Pro Tem, Oxnard

Robert Moon, Mayor, Palm Springs  
David Glass, Mayor, Petaluma  
Dave King, Vice Mayor, Petaluma  
Jim Cunningham, Mayor, Poway  
Mary Fast, City Council, Reedley  
Susan Rohan, Mayor, Roseville  
Kathleen Hoertkorn, Mayor, Ross  
Frank Gonzalesz, Mayor, Sanger  
Kate Colin, Vice Mayor, San Rafael  
Helene Schneider, Mayor, Santa Barbara  
Harwood White, Mayor Pro Tem, Santa Barbara  
Peter Zahn, Deputy Mayor, Solana Beach  
Julie Fulkerson, Former Mayor, Trinidad  
Gary Soiseth, Mayor, Turlock  
Erik Nasarenko, Mayor, Ventura  
Warren Gubler, Vice Mayor, Visalia  
Robert Leone, Mayor, Yucca Valley  
Rodrigo Espinoza, Supervisor, Merced County  
Richard Anderson, Supervisor, Nevada County  
John Gray, Supervisor, Tuolumne County  
Matthew Serratto, City Council, Merced  
Jose Ornelas, City Council, San Joaquin  
Norman Shaskey, City Council, Yreka

### ***Statewide Supporters***

Asian and Pacific Islanders Americans in Historic Preservation  
California Wilderness Coalition  
Coalition for Responsible Transportation Priorities  
CREEC Network  
Endangered Habitats League  
Forests Forever  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Anderson Chamber of Commerce  
Bishop Area Chamber of Commerce and Visit  
Bishop  
Calaveras Visitors Bureau  
Camarillo Chamber of Commerce and Visit  
Camarillo

Cathedral City Chamber of Commerce  
Crescent City/Del Norte County Chamber of  
Commerce  
Death Valley Chamber of Commerce  
Fresno/Clovis Convention and Visitors Bureau  
Goleta Valley Chamber of Commerce



Half Moon Bay Coastside Chamber of  
Commerce and Visitors Bureau  
Joshua Tree Chamber of Commerce  
King City Chamber  
Lake Almanor Chamber & Visitor Center  
Larkspur Chamber of Commerce  
Mammoth Lakes Chamber of Commerce  
Mammoth Lakes Tourism  
Millbrae Chamber of Commerce  
Mt. Shasta Chamber of Commerce  
Oakhurst Chamber of Commerce  
Oxnard Chamber of Commerce  
Oxnard Convention and Visitors Bureau  
Palm Desert Area Chamber of Commerce  
Red Bluff Chamber of Commerce  
Ridgecrest Area Convention and Visitors Bureau  
San Benito County Chamber of Commerce and  
Visitors Bureau  
San Carlos Chamber of Commerce

***Gateway Community businesses and organizations***

Aimee June Winery  
All Solar Electric  
Applied Solar Energy  
Arts Alliance of Three Rivers  
ASI Peak Adventures  
Audubon Canyon Ranch  
Aztec Mobilehome Estates  
Bay Area Discovery Museum  
Bear Yuba Land Trust  
BeeGreenFarm  
Big Sur Garden Gallery  
Big Sur Tours  
Big Wheel Tours  
Buckeye Tree Lodge  
Calaveras Winegrape Alliance  
Cal-Flor Accessory Systems  
California Native Plant Society - Mount Lassen  
Chapter  
California Native Plant Society - Alta Peak  
Chapter  
Castle Rock Climbing School  
Cedar Lanes  
Center for Sierra Nevada Conservation  
Central California Inbound & Refined Journeys  
Central Sierra Environmental Resource Center  
Channel Islands Outfitters  
Clearwater Lodge – Fall River Mills  
Cliffhanger Guides  
Committee for Green Foothills  
Community Energy Services Corporation

San Francisco Chamber of Commerce  
San Francisco Convention and Visitors Bureau  
San Mateo Chamber of Commerce  
San Mateo County/Silicon Valley Convention  
and Visitors Bureau  
Santa Barbara Chamber of Commerce  
Santa Barbara Convention and Visitors Bureau  
Santa Monica Tourism and Travel  
Simi Valley Chamber Tourism Alliance  
Soledad-Mission Chamber of Commerce  
Tehachapi Chamber of Commerce  
Tehama Country Visitor Center  
Tulelake Chamber of Commerce  
Twentynine Palms Chamber of Commerce  
Ventura County Lodging Association  
Ventura Visitor and Convention Bureau  
Visalia Convention and Visitors Bureau  
West Marin Chamber of Commerce

Community Venture Partners, Inc.  
Conscious Elders Network  
Conservation Corps North Bay  
Courtyard by Marriott, Larkspur  
Coyote Corner  
Desert Adventures Red Jeep Tours & Events  
Diner on Main/California Banquet Corp.  
Eagle House Victorian Inn  
Eagle Rider Motorcycles  
El Morocco Inn & Day Spa  
Five Dot Ranch  
Grass Valley Retreat Home Rental  
Gray Whales Count  
Green Gulch Farm  
Greenway Partners  
Homestead Inn  
Hostelling International USA- Los Angeles Santa  
Monica Hostel  
Island Packers Company  
Johnny's Bar & Grill  
Johns Place Restaurant, Twentynine Palms  
Joshua Tree adventures  
Let's Go! Travel  
Maturango Museum  
McKellar Family Farms  
Mother Road Enterprises  
Mount Shasta Bioregional Ecology Center  
Mount Shasta Retreat  
Museum of Contemporary Art Santa Barbara  
Naylor's Organic Family Farm Stay

North Shore Ace Hardware  
Ojai Raptor Center  
Ol' Buckaroo Diner, Three Rivers  
Ore-Cal Resource Conservation & Development  
Platypus Tours Limited  
Red and White Fleet  
Reimer's Candies  
Rio Sierra Riverhouse  
River's Edge Boutique  
Sagewater Spa  
Sail Channel Islands  
Samudra Skin & Sea  
San Francisco Baykeeper  
San Francisco Parks Alliance  
Santa Barbara Botanic Garden  
Santa Barbara Museum of Natural History  
Sequoia Riverlands Trust  
Sequoia Village Inn, LLC  
Servpro of Palm Springs  
SF Fire Engine Tours & Adventures  
Sierra Cascade Land Trust Council  
Sierra Club - Yahi Group  
Siskiyou Land Trusts  
SW Stories with Steve Brown (KVCR PBS TV)  
Spin & Margies Desert Hideaway  
Sushi Ran

Tehama Oaks Winery  
The Joshua Tree Tortoise Telegraph Newspaper  
The Kaweah Commonwealth  
The O.A.R.S. Family of Companies  
The O.A.R.S. Foundation  
The Sun Runner Magazine  
Theatre on the Ridge  
Tributary Whitewaters Tour  
Trickle Creek Ranch  
Tule Lake Committee, Inc.  
Turtle Island Restoration Network  
Uprising Adventure Guides, Inc.  
Urban Hiker SF  
Ventana Wildlife Society  
Visalia Fox Theatre  
We Care Spa  
WildCare  
WildEarth Guardians  
Wilderness Youth Project  
Wildling Museum of Art and Nature  
YExplore Yosemite Adventures  
Yosemite Bug Rustic Mountain Resort  
Yosemite Highway Herald  
Yosemite Naturalist  
Zach Green Films

## **Colorado**

### ***Gateway Community resolutions***

City of Cortez  
Town of Estes Park  
Grand County

Town of Grand Lake  
City of Montrose

### ***Elected Officials***

Suzanne Jones, Mayor, Boulder  
Lisa Morzel, City Council, Boulder  
Jan Burton, City Council, Boulder  
Bob Holcomb, Town Trustee, Estes Park  
Patrick Martchink, Town Trustee, Estes Park  
Wendy Koenig, Town Trustee, Estes Park  
Bob Overbeck, City Council, Fort Collins  
E. Jane Tollet, County Commissioner, Grand  
County  
Kristen Manguso, County Commissioner, Grand  
County  
Merrit Linke, County Commissioner, Grand  
County

Rosalie Pinney, County Commissioner, Grand  
County  
Becky Elder, Town Trustee, Manitou Springs  
Rex Swanson, Mayor, Montrose  
Dan Gibbs, County Commissioner, Summit  
County  
Karn Stiegelmeier, County Commissioner,  
Summit County  
Thomas Davidson, County Commissioner,  
Summit County  
John Schafer, City Council, Woodland Park

### ***Statewide Supporters***

Colorado Mountain Club  
Colorado Youth Corps Association  
Continental Divide Trail Coalition  
HistoriCorp

Southwest Conservation Corps  
The Colorado Mountain Bike Association  
Volunteers for Outdoor Colorado  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Alamosa County Chamber of Commerce  
Alamosa Convention & Visitors Bureau  
Boulder Convention and Visitors Bureau  
Colorado Springs Convention and Visitors Bureau  
Dolores Chamber and Visitor Center  
Estes Park Economic Development Corporation  
Estes Area Lodging Association  
Grand County Economic Development

Grand County Tourism Board  
Grand Junction Visitor and Convention Bureau  
Gunnison-Crested Butte Tourism Association  
Moffat Co. Tourism Association  
Montrose Chamber of Commerce  
Rangely Area Chamber of Commerce  
Visit La Junta  
Visit Longmont  
Visit Estes

### ***Gateway Community businesses and organizations***

A La Carte  
Alpine Archaeological Consultants, Inc.  
Arkansas River Tours  
Bluff Lake Nature Center  
Bureau  
Carefree of Colorado  
Center of Southwest Studies, Fort Lewis College  
Coalition for the Upper South Platte  
Conservation Legacy  
Dawn Wilson Photography  
Eden Valley Institute  
Ela Family Farms  
Environmental Learning for Kids (ELK)  
Estes Park ATV  
Estes Park Mountain Shop  
Fall River Village  
Fishpond, Inc  
Friends of the Peak  
Gold Strike Inn  
Great Divide Pictures  
Heaven's Popcorn  
Images of Rocky Mountain National Park  
Inkwell & Brew  
Jovial Concepts  
Jump Start  
Junction West RV Park  
Kind Coffee  
Lewis & Co  
Lucky Bear B&B  
Macdonald Bookshop

Mountain Man Fruit and Nut Co.  
Rinaldo's Paris Bakery  
Rocky Mountain Conservancy  
Rocky Mountain Holiday Tours  
Rocky Mountain Salsa  
Sagebrush BBQ and Grill  
Sea to Summit  
Smart Cookie Treats  
Sticks-N-Stones  
Styria Bakery  
Swiftcurrent Lodge, Inc.  
The Bearded Monkey  
The Caramel Crisp Shop  
The Gearage  
The Greenway Foundation  
The Hiking Hut  
The Hoof and Feather Gallery  
The Hub  
The Trading Post  
Turtle Mountain Tea  
Tussey Kids Clothing  
Voormi  
Walking Mountains Science Center  
Western Resource Advocates  
Wild Spirits Gallery  
WildEarth Guardians  
Wildside 4X4 Tours  
Wynbrier Home  
YMCA of the Rockies  
Zippity Zoo Barnyards

## **Connecticut**

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Wilton Chamber of Commerce

## **Delaware**

### ***Statewide Supporters***

Delaware Wild Lands

Delaware Nature Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Greater Wilmington Convention and Visitors Bureau

## **District of Columbia**

### ***Gateway Community businesses and organizations***

Cultural Heritage Partners, PLLC

Georgetown Heritage

## **Florida**

### ***Statewide Supporters***

Florida Hospitality Industry Association

Gulf Restoration Network

Southeast Tourism Society

Florida Restaurant & Lodging Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Bradenton Area Convention and Visitors Bureau

Brevard Tourism Development Council

Convention and Visitors Bureau

Fort Walton Beach Chamber of Commerce

Greater Pensacola Chamber of Commerce

Homestead Main Street

New Smyrna Beach Area Visitors Bureau

Okaloosa County Tourist Development Council

Coconut Grove Chamber of Commerce

Destin Chamber of Commerce

Greater Naples Chamber of Commerce

JAX Chamber of Commerce

Marco Island Chamber of Commerce

Southeast Volusia Chamber of Commerce

St. Augustine, Point Vedra, and The Beaches

Visitors and Convention Bureau

Titusville Chamber of Commerce

Tropical Everglades Visitors Association

Visit Jacksonville

Visit Pensacola

### ***Gateway Community businesses and organizations***

JFM LLC

Sweat, LLC

SouthArc, Inc.

## **Georgia**

### ***Gateway Community resolutions***

City of Atlanta

### ***Statewide Supporters***

Georgia Restaurant Association

Southeast Tourism Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Brunswick-Golden Isles Chamber of Commerce

Cobb Travel and Tourism

Dooly County Chamber of Commerce

Explore Gwinnett

Fort Oglethorpe Tourism Association

Golden Isles Convention and Visitors Bureau

Macon Convention and Visitors Bureau

Macon County Chamber of Commerce

Savannah Area Chamber of Commerce

St. Mary's Convention and Visitors Bureau

Tybee Island Chamber of Commerce

Visit Savannah

Visit Tybee Island

### ***Gateway Community businesses and organizations***

6th Cavalry Museum

## **Hawaii**

### ***Statewide Supporters***

Hawaii Lodging and Tourism Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Chamber of Commerce Hawaii (statewide)

Maui Hotel and Lodging Association

Molokai Chamber of Commerce

### ***Gateway Community businesses and organizations***

Hotel Molokai

Makani Kai Air

## **Idaho**

### ***Elected Officials***

Marc Bolduc, County Commissioner, Golding County

### ***Statewide Supporters***

Continental Divide Trail Coalition

Idaho Lodging & Restaurant Association

Idaho Retailers Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Hagerman Valley Chamber of Commerce

Hailey Chamber of Commerce

Jerome Chamber of Commerce

Lincoln County Chamber of Commerce

Orofino Chamber of Commerce

Pocatello-Chubbuck Chamber of Commerce

Rigby Chamber of Commerce

Teton Regional Economic Coalition

Twin Falls Chamber of Commerce

Visit Pocatello

Yellowstone Teton Territory

### ***Gateway Community businesses and organizations***

BT's Fly Fishing & Photography

## **Illinois**

### ***Statewide Supporters***

Illinois Hotel & Lodging Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

South Chicago Chamber of Commerce  
Springfield Convention & Visitors Bureau

## **Indiana**

### ***Statewide Supporters***

Indiana Tourism Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Indiana Dunes Tourism  
Northern Indiana Tourism Development Commission  
Perry County Chamber of Commerce  
Perry County Development Corporation  
Portage Economic Development Corporation  
Spencer County Chamber of Commerce

## **Iowa**

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Allamakee County Economic Development & Tourism  
Waukon Chamber of Commerce

## **Kansas**

### ***Statewide Supporters***

Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Chase County Chamber of Commerce  
Emporia Area Chamber and Visitors Bureau  
Fort Scott Chamber of Commerce and Tourism Center  
Topeka Convention and Visitors Bureau

## **Kentucky**

### ***Gateway Community resolutions***

Barren County  
City of Brownsville  
City of Cave City  
Edmonson County

City of Horse Cave  
City of Munfordville  
City of Park City  
Warren County

### ***Elected Officials***

Sonny Prunty, City Council, Brownsville  
Dwayne Hatcher, Mayor, Cave City  
Joseph Durbin, County Commissioner,  
Edmonson County

Mark Young, County Commissioner, Warren  
County  
Tom Lawrence, County Commissioner, Warren  
County

### ***Statewide Supporters***

Kentucky Association of Convention and  
Visitors Bureaus  
Kentucky Hotel and Lodging Association

Kentucky Travel Industry Association  
Southeast Tourism Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Kentucky Chamber of Commerce (statewide)  
Bell County Tourism  
Bowling Green Area Convention and Visitors  
Bureau  
Cave City Chamber of Commerce  
Cave City Tourism and Convention Commission  
Caveland Marketing Association, Inc.  
Edmonson County Chamber of Commerce

Elizabethtown Convention and Visitors Bureau  
Glasgow - Barren County Chamber of  
Commerce  
Hardin County Chamber of Commerce  
Harrodsburg/Mercer County Tourist  
Commission  
Hart County Chamber of Commerce

### ***Gateway Community businesses and organizations***

Baymont Inn and Suites-Bowling Green  
Candlewood Suites-Bowling Green  
Fairfield Inn and Suites-Bowling Green  
Gerald Printing

Holiday Inn Express-Bowling Green  
Jellystone Park of Mammoth Cave  
Lost River Cave

## **Louisiana**

### ***Gateway Community resolutions***

City of Leesville  
City of Monroe  
City of Natchitoches

City of New Orleans  
St. Bernard Parish

### ***Elected Officials***

Regina Barrow, State Senator, District 15 (Baton  
Rouge)  
Barbara Norton, State Representative, District 3  
(Shreveport)  
Kenny Cox, State Representative, District 23  
(Natchitoches)  
Ed Price, State Representative, District 58  
(Gonzales)  
Paula Davis, State Representative, District 69  
(Baton Rouge)  
Walt Leger III, State Representative, District 91  
(New Orleans)  
Mitch Landrieu, Mayor, New Orleans  
Stacy Head, City Council President, New  
Orleans

James Gray, City Council, New Orleans  
Jared Brossett, City Council, New Orleans  
Jason Williams, City Council, New Orleans  
LaToya Cantrell, City Council, New Orleans  
Nadine Ramsey, City Council, New Orleans  
Susan Guidry, City Council, New Orleans  
Woody Koppel, School Board, New Orleans  
Dawn Collins, School Board, New Orleans  
Nolan Marshall, School Board, New Orleans  
Barbara Frieberg, School Board, Baton Rouge  
Connie Bernard, School Board, Baton Rouge  
David Tatum, School Board, Baton Rouge  
Vereta Lee, School Board, Baton Rouge  
Lee Posey, Mayor, Natchitoches  
Don Mims, City Council, Natchitoches

Sylvia Marrow, City Council, Natchitoches  
Eddie Harrington, City Council, Natchitoches  
Dale Nielsen, City Council, Natchitoches  
Lawrence Batiste, City Council, Natchitoches  
Rick Allen, Mayor, Leesville  
Chris Robertson, City Council, Leesville

Willie Mae Kennedy, City Council, Leesville  
Danny Dowd, City Council, Leesville  
Tony Shapkoff, City Council, Leesville  
Alice Guess, City Council, Leesville  
William Thomas, City Council, Leesville

***Statewide Supporters***

Gulf Restoration Network  
Louisiana Council of Teachers of English  
Louisiana Environmental Action Network  
Louisiana Landmarks Society  
Louisiana Living History Foundation  
Southeast Tourism Society

Louisiana Public Adjusters  
Louisiana Travel Promotion Association  
Louisiana Weekly  
Louisiana Women's Network

***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Jefferson Chamber of Commerce  
Lake Charles/Southwest Louisiana Convention & Visitors Bureau  
Madison Parish Tourism  
Natchitoches Convention and Visitors Bureau  
New Orleans Convention and Visitors Bureau  
St. Bernard Chamber of Commerce  
Visit Jefferson Parish

***Gateway Community businesses and organizations***

6th District New Orleans Police Advisory  
Council  
AARP-New Orleans Chapter  
Lambert Law Office  
AJ Sisco Photography  
American Association of Blacks in Energy -  
Southwest Chapter  
Archcessory, Inc.  
Area Agency on Aging New Orleans  
Axxess-It  
Barbara Cambias Clark Personal Trainers  
Baton Rouge Nanny  
BBL&G Financial Consulting  
Beads by the Dozen  
Benroe Housing Initiatives  
Blue Camp Arts LLC  
Broadspire  
Burton Steel Photography  
Cafe Amelie  
Cafe Reconcile  
Carriere and Dunn CPAs  
Carrollton Riverbend Neighborhood Association  
Center for Restorative Breast Surgery  
Champions of Greater New Orleans  
Chic Nouvelle

Ciolino Law Firm  
City of New Orleans Sewerage and Water Board  
Claver Foundation  
Cogent Concepts  
Commander's Palace  
Community Volunteers Association  
Couchsurfing.com  
Creole Queen History Cruise  
Crimestoppers Inc.  
Cumulus Media Baton Rouge Office  
D Sixty 7 Consulting  
Dan Wally Baker Dance  
Debbie de la Houssaye French Translator  
District Attorney's Office of New Orleans  
Dr. Stanton Lee, Internal Medicine  
DYNEL Inc  
Einstein Charter School  
Elder Action Coalition of New Orleans  
Elite Construction  
Elizabeth Livingston, Artist  
Encore Learning  
Evan Barnes Chauffeurs  
Evan Barnes Chauffeurs  
eVentures Technologies  
EWI Healthcare



Faubourg Marigny Improvement Association  
Faubourg St. John Neighborhood Association  
Frances Chapman Freelance  
Friends of Merci Academy  
Friends of Our Lady of Good Counsel  
Genevieve Trimble, Author  
Mark Lewis, Author  
Green Party of Louisiana  
Gretna Historic Home Tours  
Gretna Visitors Center  
Gulf South Strategies  
H2NOLA  
Heller Draper Law Firm  
Historic New Orleans Collection  
Hog Dat Nation  
Holistic Resolution Inc  
Hometown Productions  
Hop and Jaunt Advertising  
Hoskins General Contractor and Landscaping  
HRI Properties  
Hubie Vigreux Photography  
Irish Channel Neighborhood Association  
Jauntiness Productions  
Jefferson Aging and Disability Resource Center  
Jefferson Council on Aging  
Jeffersonghostwalk.com  
Jericho Road Episcopal Housing  
Kabuki Hats  
L9 Center for the Arts  
LA Manimals  
Ladies Auxiliary, Knights of Peter Claver  
Latter and Blum Realtors  
Lemann Playground No. 2  
Living History Foundation  
Lofton Staffing  
Lots of Green LLC  
Loyola University Student Union  
LSU Ambassadors  
Maraud Foundation  
Marshall Studios  
Mary Lane Carleton, Preservation Consultant  
Melissa Lee Communications  
Messy Cookers Jazz Band  
Michael Duplantier, ESQ  
Mighty Muffins  
Mr. Everything Cafe  
National Association of Black Accountants,  
Louisiana  
Neighborhood Partnerships Network

New Orleans Ballet Association  
New Orleans Coalition  
New Orleans Council on Aging  
New Orleans Creole Belle Baby Dolls  
New Orleans Family Justice Center  
New Orleans Fringe Festival  
New Orleans Healing Center  
New Orleans Rose Association  
New Orleans Senior Fest  
NOLA Beer Blog  
Nolavore  
Ocean Star Media LLC  
Operation Comeback  
Orleans Assessor's Office  
Orleans Parish Sheriff's Office  
Our Lady of Lourdes Church Alumni  
Pendarvis Media  
Preservation in Print  
Preservation Resource Center  
Presse Dufour  
Renew Charter School  
Rhodes Funeral Home  
Scott Shea ESQ  
Servesafe  
Simmons and White Consulting  
Southern Louisiana Community College  
Southern Oaks Plantation  
Southern University AG Center  
St. John Farmers Market Advisory Board  
St. Mary's Academy  
St. Peter Claver Catholic Church  
Stephen Clayton Art Gallery  
T & L Advertising  
The Company Burger  
The Marketing Center  
The Walker Group  
Tina J. Studio  
True Tales from Mardi Gras NOLA  
Uptown Auto Specialists  
Valmont Properties  
Vieux Carre Property Owners and Renters  
Association  
Walter L Cohen High School Alumni Group  
WCW Inc.  
WIN Partners  
Wise Buys  
Women's Center for Healing  
Y'all Come to the Table  
Yvonne Perret, Author

## Maine

### *Statewide Supporters*

Maine Tourism Association

### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Machias Bay Area Chamber of Commerce

## Maryland

### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Baltimore City Chamber of Commerce

Berlin Main Street Association

Dorchester Chamber of Commerce

Hagerstown-Washington County Chamber of Commerce

Heart of Chesapeake Country Heritage Area

Montgomery County Chamber of Commerce

Ocean City Chamber of Commerce

Prince George's County Convention and Visitors Bureau

Visit Baltimore

Visit Montgomery

### *Gateway Community businesses and organizations*

Applied Archaeology and History Associates, Inc.

World Black History on Periscope

## Massachusetts

### *Resolutions*

Town of Eastham

City of Lowell

### *Elected Officials*

Joan Lovely, State Senator, 2<sup>nd</sup> District (Essex)

Dan Wolf, former State Senator, Cape and Islands District

Adrian Madaro, State Representative, 1<sup>st</sup> District (Suffolk)

Timothy Whelan, State Representative, 1<sup>st</sup> District (Barnstable)

Matthew Muratore, State Representative, 1<sup>st</sup> District (Plymouth)

Sarah Peake, State Representative, 4<sup>th</sup> District (Barnstable)

Paul Tucker, State Representative, 7<sup>th</sup> District (Essex)

Robert Koczera, State Representative, 11<sup>th</sup> District (Bristol)

Daniel Hunt, State Representative, 13<sup>th</sup> District (Suffolk)

Cory Atkins, State Representative, 14<sup>th</sup> District (Middlesex)

Timothy Madden, State Representative, Barnstable, Dukes, and Nantucket District  
Martin Walsh, Mayor, Boston

Andrea Campbell, City Council, Boston  
Annisssa Essaibi-George, City Council, Boston

Bill Linehan, City Council, Boston  
E. Denise Simmons, Mayor, Cambridge

Edward Kennedy, Mayor, Lowell

Cory Belanger, City Council, Lowell

Thomas Koch, Mayor, Quincy

Brian Palmucci, City Council, Quincy

Ian Cain, City Council, Quincy

William Harris, City Council, Quincy  
Kimberly Driscoll, Mayor, Salem  
Josh Turiel, City Council President, Salem  
David Eppley, City Council, Salem  
Stephen Dibble, City Council, Salem  
Stephen Lovely, City Council, Salem  
Jonathan Mitchell, Mayor, New Bedford

Domenic Sarno, Mayor, Springfield  
Adam Gomez, City Council, Springfield  
Kateri Walsh, City Council, Springfield  
Marcus Williams, City Council, Springfield  
Michael Fenton, City Council, Springfield  
Timothy Rooke, City Council, Springfield

***Statewide Supporters***

Environmental League of Massachusetts  
Massachusetts Historical Society  
Massachusetts Restaurant Association

Preservation Massachusetts  
Retailers Association of Massachusetts

***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Greater Boston Convention & Visitors Bureau  
Greater Merrimack Valley Convention and  
Visitors Bureau  
Boston Green Tourism  
Brewster Chamber of Commerce  
Cambridge Chamber of Commerce  
Cape Cod Canal Region Chamber of Commerce  
Cape Cod Chamber of Commerce  
Concord Chamber of Commerce  
Dennis Chamber of Commerce  
Destination Plymouth  
Destination Salem  
Eastham Chamber of Commerce  
Hanover/Norwell Business Council  
Lexington Retailers Association

Marshfield Chamber of Commerce  
New Bedford Area Chamber of Commerce  
North Shore Chamber of Commerce  
Orleans Chamber of Commerce  
Plymouth Area Chamber of Commerce  
Plymouth County Development Council  
Plymouth Plantation  
Provincetown Chamber of Commerce  
Rockland Chamber of Commerce  
Salem Chamber of Commerce  
Sandwich Chamber of Commerce  
Wellfleet Chamber of Commerce  
Weymouth Chamber of Commerce  
Yarmouth Chamber of Commerce

***Gateway Community businesses and organizations***

118Group, LLC  
Abigail Adams Historical Society  
Ad+Genuity Marketing Solutions, Inc.  
AdamsComm, Inc.  
Archaeological Institute of America – Worcester  
Chapter  
Atlantic Design Engineers, Inc.  
Atlantic Renewable Energy Services, Inc.  
B12 Technologies  
Back to Nature Rentals  
Backworks  
Bakken CPA, PC  
Baldwin Realty Group  
Bewitched After Dark Tours  
Bluebird Café  
Bond Printing & Marketing  
Boston Duck Tours  
Boston Harbor Now  
Boston Preservation Alliance  
Bostonian Society

Bright Language Testing  
BVA Energy LLC  
Cafe' Chew  
Cape Cod Beer  
Cape Cod Coffee  
Cape Codder Resort & Spa  
Cape Navigate  
Captain Tom Lawrence House Inn  
CARE for the Cape and Islands  
carlsonCREATIVE, inc.  
Carney Environmental  
Catania Hospitality Group  
Centerline Communications  
Chip Bishop Communications  
City of New Bedford Office of Tourism  
Marketing  
Clapp's Guest House  
Client Marketing Power  
Codfish Press  
Conway Enterprises Ltd. Inc.

Cornerstone Cafe'  
Craft Beer Cellar  
Dan'l Webster Inn & Spa  
Eastham Ace Hardware  
Edible Cape Cod  
Friends of the Public Garden  
Girls Incorporated of Greater Lowell  
Goldenrod Foundation  
Goldsmith, Inc.  
Greater Boston Concierge Association  
H&R Block - Hyannis  
Hearth n' Kettle Restaurants  
Historic Boston Incorporated  
Kinlin Grover Real Estate  
Kiskadee Coffee  
Lowell Heritage Partnership  
Lowell Parks & Conservation Trust, Inc.  
Lowell Plan, Inc.  
Main Street Hospitality Group at The Red Lion  
Inn  
Marspec Inc. (dba Marine Specialties)  
Mashpee Wampanoag Tribe  
MassIgnite  
Merrimack Valley Housing Partnership

Moore Media, Inc.  
Murphy Business Brokers, Cape Cod  
Nantucket Sound  
New England Aquarium  
O'Sullivan and Associates  
Pickle Jar Kitchen  
Plymouth 400, Inc  
Seafood Sam's  
Sports Travel and Tours  
Springfield Regional Chamber  
The Association to Preserve Cape Cod, Inc.  
(APCC)  
The Captain's Manor Inn  
The Clam Man  
The Freedom Trail Foundation  
The Hot Chocolate Sparrow  
The Scoop  
The Saunders Hotel Group  
Tiny & Sons Auto Glass  
Triffletti & Costa, P.C.  
Wellfleet Motel & Lodge  
WeNeedAVacation.Com  
Wolfe Adventures & Tours, LLC

## **Michigan**

### ***Statewide Supporters***

Michigan Lodging and Tourism Association  
Michigan Manufactured Housing, Recreation Vehicle, and Campground Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Alger County Chamber of Commerce  
Empire Chamber of Commerce  
Frankfort-Elberta Chamber of Commerce  
Glen Lake Chamber of Commerce  
Greater Munising Bay Partnership for  
Commerce Development  
Keweenaw Convention and Visitors Bureau  
Leland Chamber of Commerce  
Munising Downtown Development Authority  
Suttons Bay Chamber of Commerce  
Traverse City Tourism

### ***Gateway Community businesses and organizations***

Arbor Woods Vacation Homes  
Art's Tavern  
Cherry Republic  
Empire Outdoors  
Indigo Bluffs RV Park and Resort  
Leelanau Coffee Roasting Company  
Sleeping Bear Surf and Kayak

## Minnesota

### *Elected Officials*

Nancy Tyra-Lukens, Mayor, Eden Prairie  
Tina Folch, City Council, Hastings  
Doug Menikheim, City Council, Stillwater  
Amy Brendmoen, City Council, St. Paul

Dai Thao, City Council, St. Paul  
Rebecca Noecker, City Council, St. Paul  
Russ Stark, City Council, St. Paul

### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Cook County Chamber of Commerce  
Destination Voyageurs National Park  
Falls Chamber of Commerce  
International Falls, Rainy Lake and Ranier  
Convention and Visitors Bureau

Inver Grove Convention and Visitors Bureau  
Kabetogama Lake Association  
Pipestone Chamber of Commerce  
Visit Cook County  
Visit St. Paul

### *Gateway Community businesses and organizations*

Arrowhead Lodge and Resort  
Cycle Path Paddle  
Finn Sisu Sporting Goods  
Gear West  
North Star Canoes

NorthWest Canoe  
Piragis Northwoods Company  
Superior North Outdoor Center  
Wilderness Inquiry

## Mississippi

### *Gateway Community resolutions*

City of Natchez  
City of Ridgeland  
City of Tupelo

City of Vicksburg  
City of Corinth

### *Elected Officials*

Hob Bryan, State Senator, 7<sup>th</sup> District (Amory)  
John Horhn, State Senator, 26<sup>th</sup> District  
(Jackson)  
David Blount, State Senator, 27<sup>th</sup> District  
(Jackson)  
Bob Dearing, State Senator, 37<sup>th</sup> District  
(Natchez)  
D. Stephen, State Representative, 16<sup>th</sup> District  
(Plantersville)  
Oscar Denton, State Representative, 55<sup>th</sup> District  
(Vicksburg)  
Robert Johnson III, State Representative, 94<sup>th</sup>  
District (Natchez)

Butch Brown, Mayor, Natchez  
Gloria Holland, Mayor, Plantersville  
Sadie Holland, Justice Court Judge, Plantersville  
Gene McGee, Mayor, Ridgeland  
D.I. Smith, Alderman, Ridgeland  
Jason Shelton, Mayor, Tupelo  
Jim Johnson, Sherriff, Tupelo  
Lynn Bryan, City Council, Tupelo  
George Flaggs, Mayor, Vicksburg  
Billie Joe Holland, County Supervisor, Lee  
County

### *Statewide Supporters*

Bed and Breakfast Association of Mississippi  
Gulf Restoration Network  
Mississippi Main Street Association  
Natchez Trace Compact  
Southeast Tourism Society

***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Canton Chamber of Commerce Main Street Association  
Canton Convention and Visitors Bureau  
Calhoun County Economic Development Association  
Claiborne County-Port Gibson Chamber  
Clinton Chamber of Commerce  
Kosciusko-Attala Development Corporation

Mississippi Gulf Coast Regional Convention & Visitors Bureau  
Okolona Area Chamber of Commerce  
Ridgeland Tourism Commission  
The Alliance: Corinth and Alcorn Co.  
Tishomingo Co. Tourism Council  
Tupelo Convention and Visitors Bureau  
Visit Jackson

***Gateway Community businesses and organizations***

A2Z Printing  
African-American Military History Museum  
Ajax Diner  
B&B Concrete  
Baria-Jones Law Firm  
Battle Focus  
Black Jack Oil  
Blaylock Fine Art Photography, Inc  
Borum Family Health Clinic for Children and Adults  
Boys & Girls Clubs of North Mississippi  
Capital Financial Group - Tupelo office  
Carby And Carby PC  
Cathead Vodka  
CDA Hospitality  
Century Commercial Real Estate Services  
Charboneau Distillery  
Clapton Realty Company  
Cotton Alley Cafe  
Craft Spirits LLC  
Crowd Qwest LLC  
Duvall Decker Architects  
Echo Pictures  
Eichelberger Law Firm  
Elgin Plantation Guest House  
Forum Family Health Clinic  
FR Blankenstein Wholesale  
Fred Richards, CPA  
General Pump Hardware Store  
Grennell Paint Quarter Horses  
Guice Agency  
Harden Enterprises  
Hardy Reed Financial Consultants  
Historic Natchez Foundation  
Hudson Management Corp. dba McDonalds  
Imaginary Company  
J. Britt Lighting and Interiors  
James Bell, Attorney  
James L. Weir Law Firm

Jones Lumber Company  
Jordan Flooring  
Jordan, Kaiser and Sessions Engineering  
KC Grist Consulting  
Ketco Enterprises  
Kings Tavern Natchez  
Kossen Equipment  
LB Properties LLC  
Lockett Communications  
Magnolia Cultural LLC  
Middleton Law Firm  
Mindful Therapy  
Mississippi e-Center  
Mitchell McNutt Lawfirm  
Molpus Woodlands Group  
Natchez Arts Gallery  
Natchez Childrens Services  
Natchez, Inc.  
Open Air Tours  
P3 Strategies LLC  
Peters Real Estate  
Phelps Dunbar Tupelo  
Pig Out Inn  
Plan House Printing  
Prime Time Agency  
Reed's Clothing  
Risk Management Partners  
Ritter Law Firm  
Rolling Roasters Bistro  
Safe and Sound Home Care  
Salmon Architect, LLC  
Scent from Natchez  
Shanty Bellum  
Silas Simmons, CPA  
Slover and Associates  
Sportsman Lawn and Landscape  
Stahlman Management Services  
StateStreet Group, LLC  
Stedman Real Estate

Stephens and Hobdy Insurance  
Stratton Bull Law Firm  
The Archaeological Conservancy-Southeast  
The Greenlea Company  
The Learning Skills Center  
The Link Centre  
Tour by Design

Truly, Smith and Latham PLLC  
Twin Oaks Natchez, LLC  
Walter Brown Attorney  
Water Fresh, Inc.  
Wayfil Jewelry  
Wood Law Firm

## **Missouri**

### ***Statewide Supporters***

Missouri Lodging Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Carthage Chamber of Commerce  
Carthage Convention and Visitors Bureau  
Eminence Chamber of Commerce  
Explore St. Louis  
Joplin Convention and Visitors Bureau  
Salem Area Chamber of Commerce  
Springfield Convention and Visitors Bureau  
Van Buren Chamber of Commerce

## **Montana**

### ***Statewide Supporters***

Continental Divide Trail Coalition  
Montana Conservation Corps  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Beaverhead Chamber of Commerce  
Big Sky Chamber of Commerce  
Big Sky Convention and Visitors Bureau  
Dillon Convention and Visitors Bureau  
Gardiner Chamber of Commerce  
Laurel Chamber of Commerce  
Southwest Montana Tourism

### ***Gateway Community businesses and organizations***

Clark Fork Trout  
Rocky Mountain International

## **Nebraska**

### ***Statewide Supporters***

Nebraska Hotel & Lodging Association  
Nebraska Restaurant Association  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Beatrice Chamber of Commerce  
Crawford Chamber of Commerce  
Gage County Tourism  
Main Street Beatrice  
Scottsbluff/Gering United Chamber of Commerce

## Nevada

### ***Gateway Community resolutions***

City of Boulder City  
City of Ely

City of Henderson  
City of Reno

### ***Elected Officials***

James Bilbray, former U.S. Congressman  
Richard Segerblom, State Senator, 3<sup>rd</sup> District  
(Las Vegas)  
Elliot Anderson, State Assemblyman, 15<sup>th</sup>  
District (Las Vegas)  
Carolyn Goodman, Mayor, Las Vegas  
Pamela Goynes-Brown, Mayor Pro Tem, Las  
Vegas  
Mike Saunders, Deputy Attorney, Las Vegas  
Steve Sisolak, Chair-County Commission, Clark  
County  
Larry Brown, County Commission, Clark  
County  
Chris Giunchigliani, County Commission, Clark  
County  
Marilyn Kirkpatrick, County Commission, Clark  
County  
Andy Hafen, Mayor, Henderson

John Lee, Mayor, North Las Vegas  
Anita Wood, City Council, North Las Vegas  
Isaac Barron, City Council, North Las Vegas  
Richard Cherchio, City Council, North Las  
Vegas  
Melody Van Camp, Mayor, Ely  
Kurt Carson, City Council, Ely  
Jolene Gardner, City Council, Ely  
Pat Robison, City Council, Ely  
San Hanson, City Council, Ely  
Bruce Setterstrom, City Council, Ely  
Roy Edgington, Jr., Mayor, Fernley  
Stana Hurlburt, Mayor, Caliente  
Allan Litman, Mayor, Mesquite  
David Bobzien, City Council, Reno  
Chris Garvey, Trustee, Clark County School  
Board

### ***Statewide Supporters***

Nevada Conservation League & Education Fund  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Beatty Chamber of Commerce  
Boulder City Chamber of Commerce  
Henderson Chamber of Commerce  
Las Vegas Asian Chamber of Commerce

Las Vegas Convention and Visitors Authority  
Ward 5 Chamber of Commerce  
White Pine Chamber of Commerce

### ***Gateway Community businesses and organizations***

1 Sun Solar Companies  
Accessible Trails Foundation  
Archaeological Institute of America Society  
Southern Nevada (Las Vegas)  
Battle Born Progress  
Better Education Today  
Billy's BBQ  
Carolina Chacon Consulting  
Carter Powersports  
Central Rotary Club – Las Vegas  
Girl Scouts of the Sierra Nevada  
Chung Insurance Agency Incorporated

Colucci Animal Trappers and Savers Inc.  
Community Services of Nevada  
Desert Research Institute  
Desert Wind Coffee Roasters  
Doral Academy  
Education Space  
Family to Family Connection  
Filthy Animal Apparel  
Friends of Gold Butte  
Friends of Nevada Wilderness  
Friends of Sloan Canyon  
Fundraising Fore Futures



Girl Scout Troop #44 – Las Vegas  
Girl Scouts of Southern Nevada  
GLVAR Green Committee  
Go Solar Las Vegas  
Goldwater Consulting  
Goldwell Open Air Museum  
Great Basin Institute  
Heddy's Fabric  
Integrity Partners Inc.  
Kenny Guinn Center for Policy Priorities  
Kiwanis Club of Las Vegas  
Kiwanis Club of the Las Vegas Strip  
Las Vegas Foundation  
Las Vegas Health & Fitness Chamber of  
Commerce  
Laborers International Union Local 872  
Las Vegas Kids Directory  
Las Vegas Young Professionals  
League of Women Voters of Las Vegas Valley  
LM Enterprises LLC  
Losander Inc.  
Mardy's Designs  
Montoya Law  
Murrieta & Associates Consulting LLC  
Nevada Nuclear Waste Task Force  
North Las Vegas Kiwanis Club  
North Las Vegas Rotary Club  
On the Ranch  
Powered By Sunshine

Principal Architect LEBODESIGN  
Principal, Anne Johnson, AIA  
Principal, DECO Lights  
Professor, CSN  
Reba Labat Agency LLC  
Red Rock Citizens  
RoadUp  
Sandbags LLC  
Save Nevada's Water Ban Fracking In Nevada  
SH Architecture  
Sol-Up  
Southern Nevada Building Construction Trade  
Council  
Southwest Energy Efficiency Project – Nevada  
Source Direct Promotions  
Summer Swim School  
The Blue Nevadan  
The Magic School  
The Vegas Dad  
The Zen Speaker  
Trina Johnson Events  
Troph LLC  
Vegas Tows LLC  
Verdek  
Visual Eye Photography  
Weston Tutoring  
WOLF Consulting  
Young Democrats of Nevada

## **New Hampshire**

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Lebanon Area Chamber of Commerce

## **New Jersey**

### ***Elected Officials***

Susan McCartney, City Council, West Orange

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Eastern Monmouth Area Chamber of Commerce

Greater Newton Chamber of Commerce

Hudson Co. Chamber of Commerce

Morris County Chamber of Commerce

Morris County Economic Development  
Corporation

Morris County Tourism Bureau

Sussex Co. Chamber of Commerce

West Orange Chamber of Commerce

### ***Gateway Community businesses and organizations***

Friends of Thomas Edison National Historic Park

## New Mexico

### ***Gateway Community resolutions***

City of Los Alamos

City of Santa Fe

### ***Elected Officials***

Mimi Stewart, State Senator, 17<sup>th</sup> District  
(Albuquerque)

Brian Egolf, Speaker of the House, 47<sup>th</sup> District  
(Santa Fe)

Dale Janway, Mayor, Carlsbad

Ken Miyagashima, Mayor, Las Cruces

Javier Gonzales, Mayor, Santa Fe

Susan O'Leary, Vice Chair County Council, Los  
Alamos

Pete Sheehey, County Commissioner, Los  
Alamos

Pat Davis, City Council, Albuquerque

### ***Statewide Supporters***

Americans for Indian Opportunity

Backcountry Horsemen of New Mexico

Conservation Voters NM

Continental Divide Trail Coalition

Environment New Mexico

EPICS (Education for Parents of Indian Children  
with Special Needs)

Interfaith Power & Light

Native American Voters Alliance

New Mexico Hospitality Association

New Mexico Restaurant Association

New Mexico Voices for Children

New Mexico Wilderness Alliance

New Mexico Wildlife Federation

One New Mexico

Opportunity New Mexico

Southwest Conservation Corps

Strong Families New Mexico

Western National Parks Association

Wildearth Guardians

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

New Mexico Chamber Executives Association

Alamogordo Chamber of Commerce

Albuquerque Chamber of Commerce

Albuquerque Westside Chamber of Commerce

Clayton-Union Co. Chamber of Commerce

Espanola Valley Chamber of Commerce

Farmington Chamber of Commerce

Gallup-McKinley County Chamber of  
Commerce

Grants-Cibola County Chamber of Commerce

Las Cruces Green Chamber of Commerce

Los Alamos Chamber of Commerce

Los Alamos Commerce & Development  
Corporation

Mora Valley Chamber of Commerce

Otero County Economic Development Council

Raton Chamber and Economic Development

Ruidoso Chamber of Commerce

Santa Fe Chamber of Commerce

Santa Fe Green Chamber of Commerce

Silver City Arts and Cultural District

Silver City Grant Co. Chamber

Visit Carlsbad

Visit Raton

### ***Gateway Community businesses and organizations***

Albuquerque Wildlife Federation

Amigos Bravos

Atlixco Productions LLC

Bold Visions Conservation

Buffalo Tours in Los Alamos

CB Fox Department Store – Los Alamos

Conservation Legacy

EDJ Ink – Los Alamos

EdwardJones Investing--Los Alamos

Far Flung Adventures

Focus Ink – Los Alamos

Friends of Bandelier

Gila Conservation Coalition

Gila Resources Information Project

Green Fire Times

Infinity Wellness

JACO Outfitters, LLC

Jewish Community Center of Greater  
Albuquerque  
Juntos, a project of CVNM Education Fund  
Los Alamos Historical Society  
Los Alamos National Labs (LANL) Foundation  
Metzger's Hardware – Los Alamos  
North Road Inn – Los Alamos  
Pajarito Environmental Education Center/Los  
Alamos Nature Center  
Partnership for Responsible Business

Rio Grande Chapter of the Sierra Club  
Rio Grande Valley Great Old Broads for  
Wilderness  
Rio Puerco Alliance  
Southwest Organizing Project  
Taos Land Trust  
Teres Kids  
Voces LLC  
YWCA Middle Rio Grande

## **New York**

### ***Elected Officials***

Anthony Picente, County Executive, Oneida County

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Columbia County Tourism  
Dutchess County Regional Chamber of Commerce  
Dutchess Tourism  
Greater Patchogue Chamber of Commerce  
Oneida County Tourism  
Oyster Bay Main Street Association

## **North Carolina**

### ***Statewide Supporters***

North Carolina Restaurant & Lodging Association  
Southeast Tourism Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Alleghany County Chamber of Commerce	Greensboro Convention and Visitors Bureau
Andrews Chamber of Commerce	Henderson County Chamber of Commerce
Asheville Area Chamber of Commerce	Henderson County Tourism Development Authority
Asheville Convention and Visitors Bureau	Outer Banks Chamber of Commerce
Avery County Chamber of Commerce	Outer Banks Visitors Bureau
Blowing Rock Chamber of Commerce	Watauga/Boone Tourist Development Authority
Blowing Rock Tourism Development Authority	Wilmington and Beaches Convention and Visitors Bureau
Boone Area Chamber of Commerce	Wilmington Chamber of Commerce
Brevard/Transylvania Chamber of Commerce	
Crystal Coast Tourism Authority	

### ***Gateway Community businesses and organizations***

Antler Ridge Vacation Rentals  
Di Santi Watson Capua Wilson & Garrett, PLLC – Blowing Rock  
Jerome D. Miller, CFP – Blowing Rock  
Mast General Store, Inc. -- Boone  
ZAP Fitness – Blowing Rock

## **North Dakota**

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Beulah Chamber of Commerce and Convention and Visitors Bureau  
Hazen Chamber of Commerce  
McKenzie County Tourism Bureau  
Medora Convention and Visitors Bureau

### ***Gateway Community businesses and organizations***

Rocky Mountain International

## **Ohio**

### ***Statewide Supporters***

Ohio Hotel & Lodging Association  
Ohio Travel Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Akron Summit Convention and Visitors Bureau  
Canton Regional Chamber of Commerce  
Cuyahoga Valley Chamber of Commerce  
Dayton Area Chamber of Commerce  
Dayton Convention and Visitors Bureau  
Destination Cleveland  
Lake County Ohio Visitors Bureau  
Lake Erie Shores and Islands Visitors Bureau  
Mentor Area Chamber of Commerce  
Nardon Hills Chamber of Commerce  
Put-in-Bay Chamber of Commerce & Visitors Bureau  
Stark County Convention and Visitors Bureau  
Xenia Area Chamber of Commerce

## **Oklahoma**

### ***Statewide Supporters***

Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Cheyenne Roger Mills Chamber of Commerce

### ***Gateway Community businesses and organizations***

Green Country Inn

## **Oregon**

### ***Statewide Supporters***

Association of Northwest Steelheaders  
NW Guides & Anglers Association  
Northwest Youth Corps  
Oregon Restaurant & Lodging Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Astoria-Warrenton Chamber of Commerce  
Grant County Chamber of Commerce  
Grants Pass & Josephine County Chamber of Commerce  
Illinois Valley Community Development Organization  
Klamath County Chamber of Commerce  
Travel Portland

### ***Gateway Community businesses and organizations***

Central Oregon Fly Tyers Guild  
Level Beer  
Gigantic Brewing Company  
Sagara Outdoor Products  
Wasatch Custom Angling Products

## **Pennsylvania**

### ***Elected Officials***

Annette Atkinson, Supervisor, Middle Smithfield Township

Mark Oney, Supervisor, Middle Smithfield Township

Michael Dwyer, Middle Smithfield Township

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Allegheny Ridge Corporation

Destination Gettysburg

Explore Altoona

Fayette Chamber of Commerce

Great Valley Regional Chamber of Commerce

Greater Johnstown/Cambria County Convention and Visitors Bureau

Greater Reading Convention and Visitors Bureau

Greater Scranton Chamber of Commerce

Lackawanna County Convention and Visitors Bureau

Middle Smithfield Township Economic Development Committee

Philadelphia Convention and Visitors Bureau

Phoenixville Regional Chamber of Commerce

Pocono Mountains Visitor Bureau

Somerset County Chamber of Commerce

TriCounty Area Chamber of Commerce

Tyrone Chamber of Commerce

Valley Forge Tourism and Convention Bureau

Visit Philadelphia

## **Rhode Island**

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Providence Convention and Visitors Bureau

### ***Gateway Community businesses and organizations***

Collette Travel

Preserve Rhode Island

## **South Carolina**

### ***Elected Officials***

Mike Rowe, Mayor, Town of Ninety Six

### ***Statewide Supporters***

Southeast Tourism Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Cherokee County Chamber of Commerce

Greenwood SC Chamber of Commerce

Orangeburg County Chamber of Commerce

Sea Islands Chamber of Commerce

Spartanburg Area Chamber of Commerce

Visit Greenwood

York County Convention and Visitors Bureau

### ***Gateway Community businesses and organizations***

Arcadia Publishing and The History Press

## South Dakota

### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Hill City Area Chamber of Commerce	Vermillion Area Chamber of Commerce and
Hot Springs Area Chamber of Commerce	Convention and Visitors Bureau
Rapid City Convention and Visitors Bureau	Yankton Area Chamber of Commerce and
South Dakota Hotel & Lodging Association	Convention and Visitors Bureau
South Dakota Retailers Association	

### *Gateway Community businesses and organizations*

Rocky Mountain International

## Tennessee

### *Gateway Community resolutions*

Town of Dandridge	City of Pigeon Forge
City of Gatlinburg	City of Savannah
Town of Greeneville	City of Sevierville
City of Maryville	

### *Elected Officials*

Steve McDaniel, State Representative, 72 <sup>nd</sup> District	Kevin Davis, Mayor, Hardin County
Andy Berke, Mayor, Chattanooga	Mike Werner, Mayor, Gatlinburg
Madeline Rogero, Mayor, Knoxville	Bryan Atchley, Mayor, Sevierville
Don Mull, Mayor, Alcoa	Mark Potts, Mayor, Jefferson City
Connie Ball, Mayor, Newport	Jonathan Dagley, Mayor, Wartburg
Ann Davis, Mayor, Athens	Jack Lay, Mayor, Oneida
David Wear, Mayor, Pigeon Forge	George Potter, Mayor, Huntsville
Gary Jacobs, Mayor, Centerville	Jim Hickman, City Manager, Waynesboro
Gary Welch, City Manager, Savannah	Jeff Howell, Mayor, Waynesboro
Christa Martin, Vice Mayor, Columbia	Ken Moore, Mayor, Franklin
	Shane McFarland, Mayor, Murfreesboro

### *Statewide Supporters*

Dollywood	Tennessee Geographic Alliance
Scenic Tennessee	Tennessee Green Hospitality Program
Southeast Conservation Corps	Tennessee Hospitality and Tourism Association
Southeast Tourism Society	TenneSEA
Sustainable Tennessee	Tennessee Ornithological Society
Tennessee Chapter of the Sierra Club	Tennessee Returned Peace Corps Volunteers
Tennessee Citizens for Wilderness Planning	Tennessee Urban Forestry Council
Tennessee Clean Water Network	Tennessee Walkingmen
Tennessee Conservation Voters	Tennessee Wildlife Federation
Tennessee Council of Trout Unlimited	The Land Trust for Tennessee
Tennessee Environmental Council	

### *Chambers of Commerce and Convention and Visitors Bureaus (CVBs)*

Blount Chamber of Commerce	Sevierville Chamber of Commerce
Carter County Tourism Association	Stewart County Chamber of Commerce
Chattanooga Convention & Visitors Bureau	Wears Valley Area Chamber of Commerce
Cocke County Partnership	

***Gateway Community businesses and organizations***

212 Market  
A Walk in the Woods  
A/Trail, Inc.  
Author Johnny Molloy  
Benjamin Walls Fine Art Gallery  
Benton MacKaye Trail Association  
Big East Fork Retreat and Farms  
Biketopia  
Black Bear Solar Institute  
Bowman Adventures  
Bradfield Environmental Consulting  
Brent McCamish Photography  
Caney Fork Outdoors  
Cedar City Consulting  
Center for Sustainable Stewardship  
Chattanooga Audubon Society  
Cherokee Rafting  
CLIMB Nashville  
Clinch River Chapter of Trout Unlimited  
Coast 2 Coast  
Coker Creek Village  
Cole Scott Consulting  
Creekview Farm Retreat B&B  
Cumberland Transit  
D.A. Ramsey Photography  
Dynamic Capabilities Group  
Eastern Fly Outfitters  
Equestrian Legacy Radio  
Escape to the Southeast Travel Guide  
Explore Oak Ridge  
Fly South  
Fort Donelson Camp #62  
Four Bridges Outfitters  
Friends of Moccasin Bend National Park  
Friends of Shiloh National Military Park  
Friends of the Great Smoky Mountains National Park  
Gear Closet  
Glen Leven Farm  
Gran Fondo Cycles  
Greater Knoxville Hospitality Association  
Greater Nashville Hospitality Association  
Green Spaces  
Green View Properties  
Greenways of Nashville  
GSM Outfitters  
Hike The Smokys.com  
Hikey Mikey  
JK Woodworks  
Johnson City Hiking Club  
Johnson City Parks and Recreation  
Johnson Management and Media  
Kilowatt Ours  
Knoxville Botanical Garden and Arboretum  
Kristin Knoll  
Legacy Parks Foundation  
Lequire Gallery  
Liferview Outdoors  
Lilly Pad Obed  
Little River Chapter of Trout Unlimited  
Lori Putnam - Artist  
Mahoney's Outfitters  
Mast General Store, Inc.  
McKee Outdoors  
Melinda Welton Bird Works Consulting  
Memphis Cyclist  
Mid-Appalachian Highlands  
Morning Pointe  
Mud Creek Farms  
Nashville Underground Radio  
New Paradigm Development Partners  
North Chickamauga Creek Conservancy  
Old Timers Hiking Club  
Once Upon a Time Wilderness Adventures  
Outdoor Chattanooga  
Over Your Head Productions  
Overmountain Chapter of Trout Unlimited  
Panther Creek Bike Shop  
Pride of Place/Tennessee Bottle Bill Project  
R and R Fly Fishing  
R.B.'s Cyclery Inc.  
Rock Creek Outfitters  
Scenic Knoxville  
Shiloh Accounting  
Sierra Club - Cherokee Group  
Smoky Mountain Navigator  
Smoky Mountains Outdoor Unlimited  
Smoky Mountains Rafting  
South Chickamauga Creek Greenway Alliance  
Southeast Pack Trips  
Stones River Paddle Company  
Strategic Solutions Partnership LLC  
Team Green Adventures  
Tellico Grains Bakery Inc  
Tennessee Fly Company  
Tennessee Ornithological Society - Memphis Chapter  
Tennessee State Naturalist Emeritus

The Art of David Wright  
The Blue Mason Coffeehouse  
The Compost Company  
The Crash Pad Chattanooga  
The Nugget on Coker Creek  
Trace Bikes  
Trees Knoxville  
Trekka Outfitters  
Trout Unlimited - Appalachian Chapter  
Trout Unlimited - Cumberland Chapter  
Trout Unlimited - Hiwassee Chapter

Trout Unlimited - Overmountain Chapter  
Viking Mountain Lodge  
Wahoo's Adventures  
Walk Bike Tennessee  
Watauga Group of the Tennessee Sierra Club  
Watauga Watershed Alliance  
Wayne County Chamber  
Webb Brothers Float Service  
West Bicycles  
Wild Birds Unlimited  
Will Skelton

## **Texas**

### ***Statewide Supporters***

American Youthworks/TX Conservation Corps  
Gulf Restoration Network

Texas Restaurant Association  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Alpine Chamber of Commerce  
Bellmead Chamber of Commerce  
Del Rio Chamber and Convention and Visitors Bureau  
Dumas/Moore Chamber  
Dripping Springs Visitors Bureau  
El Paso Chamber of Commerce  
El Paso Hispanic Chamber of Commerce  
Fort Davis Chamber of Commerce  
Greater Waco Chamber of Commerce  
Hewitt Chamber of Commerce  
Johnson City Visitor Center and Chamber of Commerce

Marble Falls/Lake LBJ Chamber of Commerce and Convention and Visitors Bureau  
Odessa Chamber of Commerce  
Odessa Convention and Visitors Bureau  
Port Aransas Chamber of Commerce  
Port Isabel Chamber of Commerce  
South Padre Island Chamber  
Tyler County Chamber of Commerce  
Visit El Paso  
Visit Fredericksburg TX  
Waco Convention and Visitors Bureau

### ***Gateway Community businesses and organizations***

Taxa Outdoors

## **Utah**

### ***Statewide Supporters***

Utah Hotel & Lodging Association  
Utah Restaurant Association  
Utah Scenic Byways

Utah Tourism Industry Association  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Salt Lake Chamber of Commerce  
Economic Development Corporation of Utah  
Bear River Valley Chamber of Commerce  
Brigham Area Chamber of Commerce  
Cache Chamber of Commerce

Cache Valley Visitors Bureau  
Cedar City Chamber of Commerce  
Cedar City-Brian Head Tourism  
Davis County Tourism and Events  
Hurricane Valley Chamber of Commerce



Kanab Area Chamber of Commerce  
Moab Area Travel Council  
Utah Valley Chamber of Commerce  
Utah Valley Convention and Visitors Bureau

Vernal Area Chamber of Commerce  
Visit Salt Lake  
Visit St. George  
Washington Area Chamber of Commerce

***Gateway Community businesses and organizations***

Boy Scout Troop 1874  
Goulding's Lodge & Tours

## **Vermont**

***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Woodstock Area Chamber of Commerce

***Gateway Community businesses and organizations***

Inn Consulting Partners

## **Virginia**

***Statewide Supporters***

Southeast Tourism Society

***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Appomattox County Chamber of Commerce  
Botetourt County Chamber of Commerce  
Businesses of Rappahannock  
Chincoteague Visitor's Center and Chamber  
of Commerce  
Colonial Beach Chamber of Commerce  
Colonial Heights Chamber of Commerce  
Crater Planning District Commission  
Culpeper Tourism and Economic  
Development  
Eastern Shore of Virginia Tourism  
Floyd County Chamber of Commerce  
Greater McLean Chamber of Commerce

Loudoun County Visitor Center  
Petersburg Area Regional Tourism  
Petersburg Chamber of Commerce  
Stanardsville Area Revitalization  
Top of Virginia Regional Chamber of  
Commerce  
Tysons Regional Chamber of Commerce  
Visit Fairfax  
Visit Virginia's Blue Ridge  
Winchester – Frederick County Convention and  
Visitors Bureau  
York County Chamber of Commerce

***Gateway Community businesses and organizations***

Danbra Tours LLC  
Friends of Dyke Marsh  
Great Appalachian Valley Conservation Corps

Mast General Store, Inc.  
Trust for the George Washington Memorial  
Parkway

## **Washington**

***Gateway Community resolutions***

City of Covington  
City of Seattle  
City of Shoreline

### ***Elected Officials***

Pat McCarthy, Washington State Auditor  
Dave Somers, Executive, Snohomish County  
Jerome Delvin, Commissioner, Benton County  
Mark Ozias, Commissioner, Clallam County  
Mark Boldt, Commissioner, Clark County  
David Sullivan, Comm., Jefferson County  
Claudia Balducci, Commissioner, King County  
Jean Kohl-Welles, Commissioner, King County  
Frank Wolfe, Commissioner, Pacific County  
Dan Roach, Commissioner, Pierce County  
Derek Young, Commissioner, Pierce County  
Rick Talbert, Commissioner, Pierce County  
Ken Dahlstedt, Commissioner, Skagit County  
Ron Wesen, Commissioner, Skagit County  
James Duncan, Commissioner, Walla Walla Co.  
James Johnson, Commissioner, Walla Walla Co.  
Todd Vanek, Mayor, Colfax  
Louis Janke, Mayor, Colville  
Tom Trulove, Mayor, Cheney  
Pete Kmet, Mayor, Tumwater  
Crystal Dinger, Mayor, Ocean Shores  
Randy Taylor, Mayor, Prosser  
Liz Reynolds, Mayor, Enumclaw

Terry Goetz, Mayor Pro Tem, Odessa  
Glorida Kuchenbuch, Mayor, Wilbur  
Andy Ryder, Mayor, Lacey  
Pat Johnson, Mayor, Buckley  
Royal DeVaney, Mayor, Waterville  
Marilyn Strickland, Mayor, Tacoma  
Ryan Mello, Deputy Mayor, Tacoma  
Frank Chestnut, Mayor, Cosmopolis  
Linda Lehman, Mayor, Benton City  
Glenn Johnson, Mayor, Pullman  
Val Tollefson, Mayor, Bainbridge Island  
Ann McEnerney-Olgie, Mayor Pro Tem, Vancouver  
Alishia Topper, City Council, Vancouver  
Sean Smith, Mayor Pro Tem, Covington  
Debora Juarez, City Council, Seattle  
Kshama Sawant, City Council, Seattle  
Lisa Herbold, City Council, Seattle  
Lorena Gonzalez, City Council, Seattle  
Mike O'Brien, City Council, Seattle  
Sally Bagshaw, City Council, Seattle  
John Creighton, Port of Seattle Commission

### ***Statewide Supporters***

Backcountry Horsemen of Washington  
Conservation Northwest  
Washington Bed & Breakfast Guild (WBBG)  
Washington Council of Trout Unlimited

Washington Tourism Alliance  
Washington Trust for Historic Preservation  
Washington Wild  
Washington Wildlife Federation

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Downtown Bellingham Partnership  
Greater Seattle Business Association  
Jefferson County Washington Tourism  
    Coordinating Council  
Kent Downtown Partnership  
Langley Main Street Association  
North Hood Canal Chamber of Commerce

Olympia-Lacey-Tumwater Visitor &  
Convention Bureau  
Olympic Peninsula Gateway Visitor Center  
Seattle Metropolitan Chamber of Commerce  
The Port Townsend Main Street Program  
Vancouver Downtown Association  
Whidbey and Camano Islands Tourism  
Yakima Valley Tourism

### ***Gateway Community businesses and organizations***

Bellevue-Issaquah Trout Unlimited  
Bitterroot Net Company  
Calyx Sustainable Tourism  
Clark County Trout Unlimited  
Columbia River Chapter - Association of NW  
Steelheaders  
Dianna Denny Design  
Duna Fisheries, LLC  
Emerald Water Anglers, LLC

Emerging Rivers Guide Services  
Etta's Place Suites  
Evergreen Escapes  
ExOfficio  
Filson  
Fort Vancouver National Trust  
Hiatt Consulting, LLC  
Historic Downtown Chelan Association  
Historic Seattle

Icicle Valley Trout Unlimited  
Islandwood  
Izaak Walton League - Seattle Chapter  
Laird Norton Wealth Management  
Mountain Gear, Inc.  
Mountains to Sound Greenway Trust  
National Parks Revealed  
North Sound Chapter Trout Unlimited  
Norvise Fly Tying System  
Oak Harbor Main Street  
Olympia Chapter Trout Unlimited  
Olympic Peninsula Fishing Innovations  
Olympic Raft & Kayak  
Orca Conservancy

Orca Network  
Recreation Northwest  
Sandstone Distillery  
SMJ Management  
Spokane Preservation Advocates  
The Avid Angler  
The Inn at Mallard Cove, a Bed & Breakfast  
Troutwater - Fly Shop, Guide Service, Outfitters  
Vancouver Audubon Society  
Vancouver Wildlife League  
Visit Seattle  
Washington Hometown  
Willapa Hills Audubon Society  
Wirta Hospitality

## **West Virginia**

### ***Statewide Supporters***

Southeast Tourism Society

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Beckley-Raleigh County Chamber of Commerce  
Jefferson County Chamber of Commerce  
Mercer County Convention and Visitors Bureau

Summersville Convention and Visitors Bureau  
Visit Southern West Virginia

### ***Gateway Community businesses and organizations***

BRIDGE Network

## **Wisconsin**

### ***Elected Officials***

David Bowen, State Representative, 10<sup>th</sup> District  
Jonathan Brostoff, State Representative, 19<sup>th</sup>  
District  
Bryan Kennedy, Mayor, Glendale

David Metille, City Council President, Ashland  
Kate Beaton, City Council, Eau Claire  
John Gelhard, City Council, Glendale

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Bayfield Chamber and Convention and Visitors  
Bureau  
Bayfield County Tourism

Falls Chamber of Commerce  
Madeline Island Chamber of Commerce  
Washburn Area Chamber of Commerce

### ***Gateway Community businesses and organizations***

Animaashi Sailing Company  
Artha  
Antique Garden Inn  
Bay Point Inn  
Blue Bike Burrito  
CamRock Cafe and Sport  
Crystal River Inn

Door County Kayak Tours  
Ecology Sports  
Franklin Victorian Bed & Breakfast  
Golden Properties  
Greens N Grains  
Kavarna Coffeehouse  
Lake Ripley Lodge

Pine Harbor Campground  
Rutabaga Paddlesports LLC  
Sandy's Clothing & Art  
Tangled Up In Hue  
The Konkapot Lodge  
The Lamar Center

The Purple Tree  
True Blue Houskeeping  
White Winter Winery  
WI River Outings  
Wisconsin Canoe Company

## **Wyoming**

### ***Statewide Supporters***

Continental Divide Trail Coalition  
Western National Parks Association

### ***Chambers of Commerce and Convention and Visitors Bureaus (CVBs)***

Campbell County Convention and Visitors Bureau  
Go Goshen/Goshen Co. Chamber

### ***Gateway Community businesses and organizations***

Rocky Mountain International



2005 Market Street, Suite 1700      215.575.9050 Phone  
Philadelphia, PA 19103-7077      215.575.4939 Fax

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901 E Street NW, 10th Floor      202.552.2000 Phone  
Washington, DC 20004      202.552.2299 Fax  
[www.pewtrusts.org](http://www.pewtrusts.org)

**Testimony of Marcia Argust  
Director, Restore America's Parks campaign, The Pew Charitable Trusts  
Before the Senate Committee on Energy and Natural Resources  
March 21, 2017**

**On Opportunities to Improve and Expand Infrastructure Important to Federal Lands, Recreation,  
Water, and Resources**

Chairman Murkowski, Ranking Member Cantwell, and Members of the Committee, thank you for inviting me here today to discuss infrastructure within our national park sites. I would like to submit my full written testimony for the record.

The Restore America's Parks campaign at The Pew Charitable Trusts seeks to conserve the natural and cultural assets of the National Park System by providing common sense, long-term solutions to the deferred maintenance challenge facing the National Park Service (NPS).

Established in 1916, today the NPS manages more than 400 nationally significant sites in all 50 states and several territories. The Park System encompasses wild landscapes, historic and cultural sites, scenic byways, trails, military parks, and iconic monuments that celebrate and commemorate the remarkable people, heritage, and ongoing story of America.

Our parks also encompass infrastructure. NPS maintains 10,000 miles of roads (over 5,000 of which are paved), nearly 1,500 bridges and 60 tunnels, 18,000 miles of trails, more than 24,000 buildings, and over 2,000 sewage systems, as well as former military installations, parking lots, waterfronts, campgrounds, electrical and water systems, interpretive facilities, and iconic monuments and memorials.

**What Is Deferred Maintenance?**

National parks often have the same infrastructure as a city or town, and as a result face the same deterioration and maintenance needs. In total, the agency is responsible for protecting and managing over 75,000 assets, while also ensuring that visitors can safely access and enjoy these resources. NPS assets are tangible properties that serve a specific park function and can include: roads and bridges, trails, historic buildings, employee housing, wastewater and electrical systems, military fortifications, monuments and memorials, and seawalls.

Maintenance is required at regular intervals to ensure acceptable park facility conditions; when this maintenance is delayed for more than a year, it's considered to be "deferred."

# NPS Deferred Maintenance by Asset Type

## Military Fortifications

\$472.5M (3.9%)

## Trails

\$530.6M (4.4%)

## All Other

\$625.7M (5.2%)

## Maintained Landscapes

\$649.2M (5.4%)

## Water Systems

\$695.0M (5.8%)

## Marina & Waterfront Systems

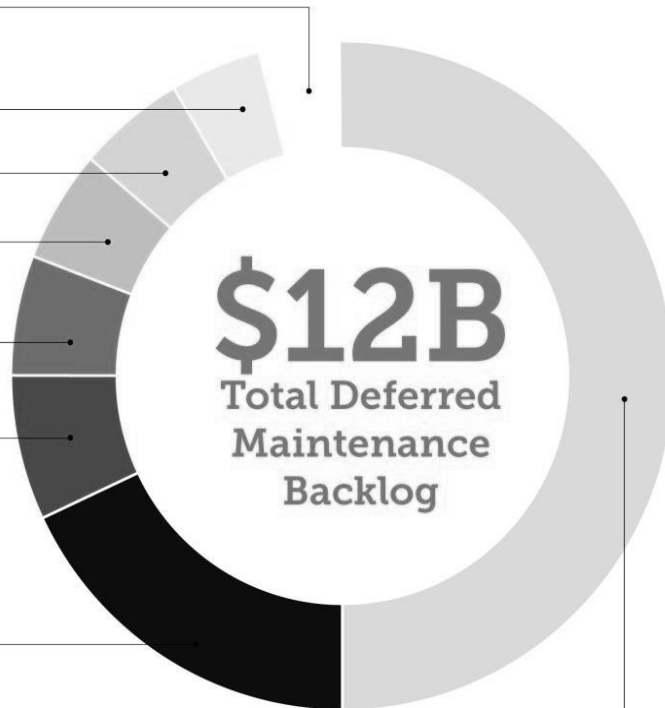
\$841.3M (7.0%)

## Buildings

\$2,159.9M (18.0%)

## Paved Roads, Bridges, Tunnels, & Parking Lots

\$6,011.7M (50.%)



## The Causes of Deferred Maintenance

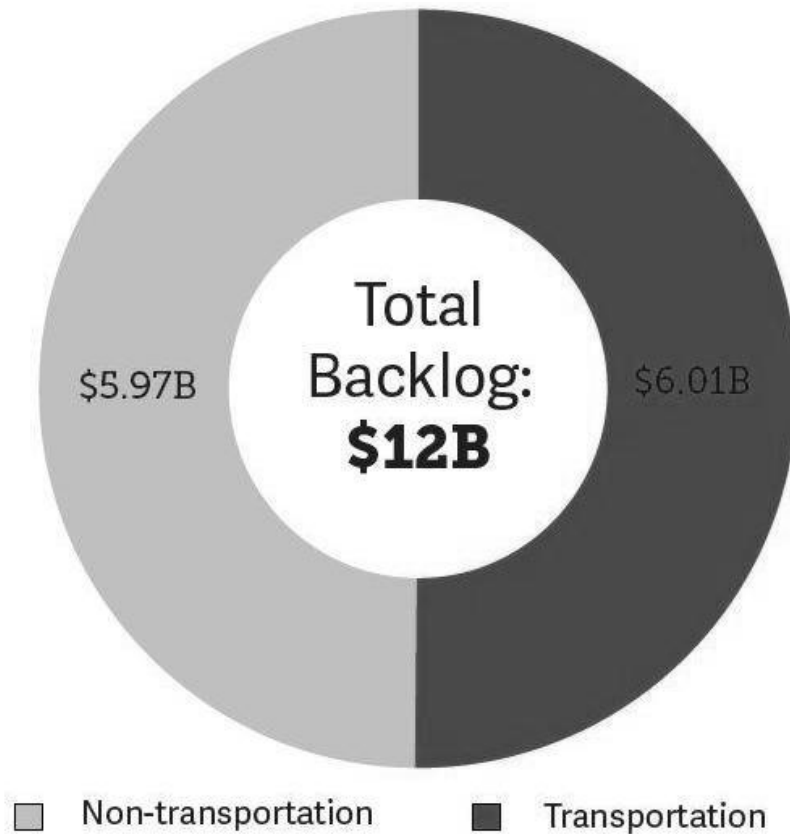
Due to aging facilities, strain on resources caused by increased visitation, and unreliable funding, NPS has been unable to keep pace with necessary infrastructure repairs. Based on 2015 data, the agency estimates it would cost \$11.9 billion if it were to fix all of the items on its deferred maintenance list.

Aging Infrastructure. Last year the National Park Service celebrated its 100<sup>th</sup> anniversary. Many units of the National Park System are older than 50 years, and their facilities and infrastructure are showing their age. According to a December 2016 Government Accounting Office (GAO) report, most of the NPS maintenance backlog is attributed to older park sites, stating specifically that “about \$10.5 billion in deferred maintenance was for park units established more than 40 years ago.” Most infrastructure has a finite lifespan, due to factors such as material longevity, weather, use, and design.

For example, at Grand Canyon National Park, more than \$150 million is needed to repair the Trans-Canyon Pipeline, an essential piece of infrastructure that brings water from a spring located in the North Rim to the South Rim. Built in the 1960s, the 16-mile pipeline is the sole potable water supply for five million park visitors, local residents, and concession operations. Its reliability is therefore an issue of public health and safety, as well as the maintenance of park assets since it is the only water source should a fire break out and threaten any of the park’s hundreds of historic structures. Annual fixes are costly and inconvenient. A 1995 flash-flood caused significant damage to the pipeline, requiring that it be shut down for 28 days; emergency measures were employed and 23 million gallons of water per day (85

trucks) had to be hauled in, at an expense of approximately \$5 million. In 2013, multiple breaks required the closure and evacuation of guests and employees from Phantom Ranch on the Canyon floor.

Mirroring the infrastructure problems of both urban and rural areas across the country, transportation needs comprise half of the backlog, roughly \$6 billion, and represent some of the most costly infrastructure projects.



Denali National Park in Alaska—one of our national jewels—just celebrated its 100<sup>th</sup> birthday. The park has \$53 million in deferred maintenance and its most pressing need is the 92 mile Denali Park Road, the only way to access the heart of the park. The harsh freeze-and-thaw cycles of the Alaskan climate have caused the paved and non-paved sections to deteriorate, requiring \$26 million in repairs.

Similarly, in Olympic National Park in Washington, the most visited park in the Northwest, the park has \$140 million in deferred maintenance and one of the highest cost needs is \$30 million in repairs to a section of Highway 101 (the primary route through the Olympic Peninsula) around the popular Lake Crescent area of the park.

Denali and Olympic National Parks are both national jewels that provide spectacular recreation opportunities and generate significant economic benefits for local communities in Alaska and Washington. It's critical to ensure that these parks and others like them are safe and well-maintained.

Rising Visitation Pressures. In addition to aging infrastructure, the NPS is experiencing visitation at record levels. According to data released this month by Secretary of the Interior Zinke, the National Park

System had 331 million visits in 2016, a seven percent increase from 2015. The National Park System must continue to be welcoming to visitors, providing unmatched recreation, wildlife viewing, and educational experiences. But, we must acknowledge and prepare for the increased wear that rising visitation can put on resources that are often already showing signs of deterioration.

Unreliable Funding. Years of underfunding compound the challenges of preserving the physical integrity of NPS assets. From FY2006-FY2015, federal funding for the repair and rehabilitation, cyclic maintenance, and line-item construction portions of the NPS budget declined by 33 percent; this number increases to 43 percent when inflation is taken into account. The agency is typically \$250 - \$320 million short of the \$800 million it estimates it needs each year to maintain transportation and non-transportation assets at existing conditions.

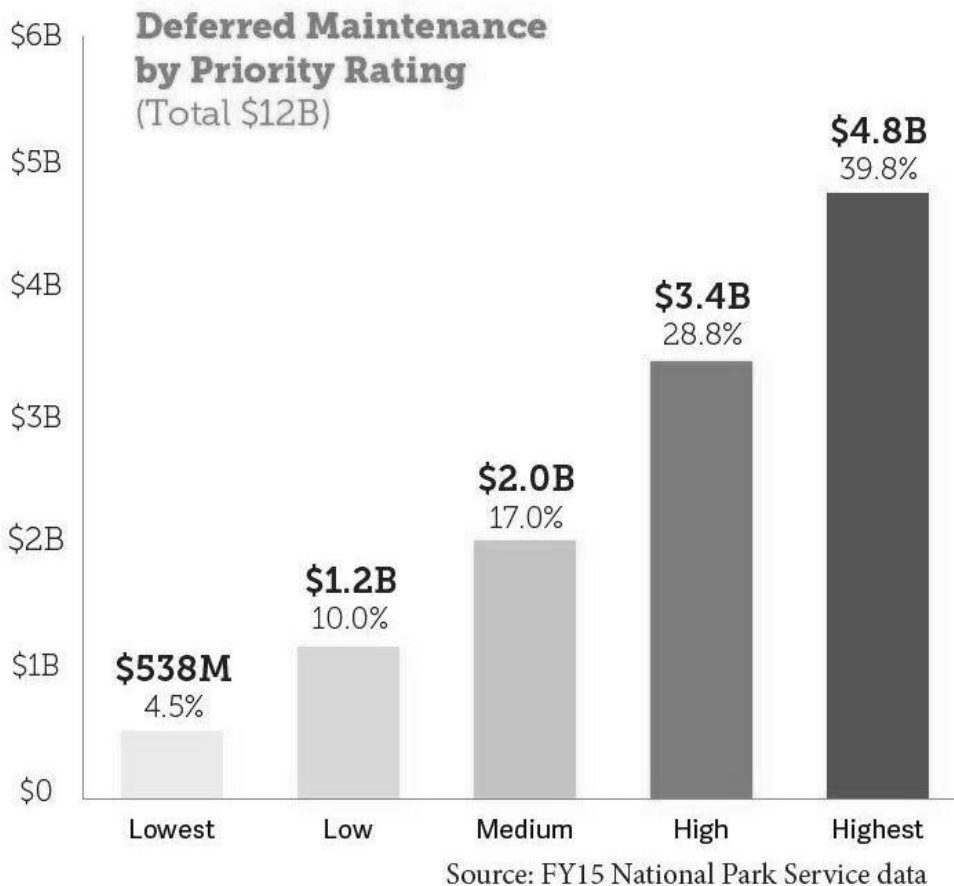
The scenario of increased visitation at the same time that infrastructure is declining is not new to NPS. During the 1950s, there was significant visitor surge to our national parks. At 50 years old, early park infrastructure was showing signs of disrepair and the public noticed. There was a public outcry over the state of the parks, including the lack of visitor centers, inadequate bathrooms, and poor roads. Congress responded with an initiative referred to as Mission 66 and, from 1956 to 1966, invested a total of \$900 million to improve facilities within the National Park System. That figure is the equivalent of \$7.4 billion (1966) to \$8.8 billion (1956) in today's dollars (based on <http://www.dollartimes.com/inflation/inflation.php?amount=1&year=1985>).

### **Prioritizing Deferred Maintenance**

Executive Order 13327, issued in 2004 by President G.W. Bush, required agencies to identify and categorize assets with the goal of improving overall operations and financial management. In compliance with this Executive Order, NPS began to develop a system to review its more than 75,000 assets, resulting in a deferred maintenance figure that is updated annually to reflect on-the-ground data.

Based on 2015 data, 41,000 of the National Park System's assets have deferred maintenance. As noted previously, the cost to address these repairs is estimated at \$11.9 billion. Approximately \$4.8 billion of the \$11.9 billion backlog is attributed to highest priority assets, or assets NPS deems critical to its mission.





Highest priority assets include memorials, historic buildings, visitor centers, key infrastructure, and other properties that a park unit may have been established to preserve. Specific examples include items like President Lincoln’s boyhood home, the portico at the Jefferson Memorial, the main entry road to Mt. Rainer NP, and Martin Luther King’s birth home. Maintenance shops, administrative buildings, and warehouses are examples of assets that typically serve a secondary role in supporting park facilities with a direct agency mission.

Using an approach referred to as the *Capital Investment Strategy*, the NPS prioritizes assets by looking at the overall importance a park facility or property has to the agency mission, in addition to other considerations, such as an asset’s importance to resource protection, visitor experience, safety, and accessibility. By identifying its priority assets and projects, NPS is able to more strategically allocate limited resources to areas of greatest need.

**The Path Forward**

Preventing the escalation of the NPS maintenance backlog is not an insurmountable feat. But Congress and the Administration must pursue multiple approaches to ensure success, including federal funding, policy reforms, and increased opportunities for public-private partnerships. Focusing limited resources on priority assets must continue to be part of common sense solutions.

With the enactment of the NPS Organic Act in 1916, Congress mandated the agency “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of

the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” So while collaboration must be a part of the equation to resolve deferred maintenance, it should complement, not replace Congress’s responsibility to fund park infrastructure needs.

Pew recommends a multi-pronged approach to addressing deferred maintenance that includes:

Congressional Appropriations. Reliable annual appropriations for transportation needs and NPS park maintenance—specifically, line-item construction, cyclic, and repair and rehabilitation—are needed, as well as adequate staff capacity to implement projects. This would provide more certainty for planning and integration of projects, allowing for more cost-effectiveness. We appreciate initial recommendations in the President’s budget blueprint to ensure “that the National Park Service assets are preserved for future generations by increasing investment in deferred maintenance projects.”

Dedicated Annual Federal Funding. The establishment of a dedicated federal fund that would direct resources to the NPS maintenance backlog each year, both for non-transportation and transportation needs, is crucial. We propose federal funding of \$500 million per year over a period of 10 years. This fund should not be used to supplant annual appropriations. Piggybacking on the successful Centennial Challenge program, public-private matches would be encouraged by allowing maintenance projects with a non-federal match to be expedited.

Infrastructure Package. Any potential national infrastructure package, such as the one proposed by the Administration, must include deferred maintenance provisions specific to the parks, recognizing that national park buildings, roads, trails, aging electrical and water systems, and monuments need significant updating.

User Fees. The Federal Lands Recreation and Enhancement Act (FLREA), the law which authorizes the government to charge user fees on public lands, is due for reauthorization in 2017. Its reauthorization is an opportunity to consider user fee increases (including park entry fees, filming fees, and commercial buses fees). FLREA might also consider more efficient ways for NPS to collect fees, making it more cost-effective for a greater number of park units to collect entry fees.

Volunteerism. NPS’s largest volunteer initiative, the Volunteer in the Park (VIP) program, had over 330,000 participants who contributed over eight million hours of volunteer work, with over 1.16 million of those hours spent on maintenance in 2016. This translates to a savings of \$27.3 million to NPS, based on an independent sector model of \$23.56 per hour for each volunteer hour contributed. NPS could benefit from one to two volunteer coordinators in each of its seven regions, enabling the agency to better leverage and coordinate its growing volunteer force.

Programs like the Student Conservation Association (SCA) should be encouraged. The SCA is modeled after the federal Civilian Conservation Corps program, which built much of our national park infrastructure in the 1930s and 1940s. SCA student crews repair and enhance federal lands, particularly parks, while receiving job training. In 2016, 9,638 SCA participants contributed 1.3 million hours of service. In Alaska, SCA placed 250 young adults at national parks throughout the state, where they learn stewardship skills while undertaking maintenance work.

#### Partnerships.

NPS currently has authority to enter into various types of partnerships and agreements, which has led to alliances with Park Friends Groups, corporations, and non-governmental organizations. These

opportunities need to occur more broadly throughout the National Park System, achieving a cost-savings while reducing the maintenance backlog.

#### Job Training for Veterans

There are several examples of programs in national parks that provide job training for veterans or active duty service members while drawing down deferred maintenance—these initiatives are a win-win and need be replicated in more park units.

The *Mission Continues* is a new partnership with NPS, the National Park Foundation and Boeing that is aimed at protecting, restoring, and rebuilding America's natural and cultural resources by working with veterans. The program is intended to expand opportunities for volunteer service and career development for post-9/11 veterans within national parks across the country. Veterans have recently worked on projects such as improving accessibility at Fort Ricketts in Washington, DC, clearing trails at Ebey's Landing National Historical Reserve in Washington State and tending the hallowed grounds at Battleground National Cemetery in Washington, DC.

The Concrete Preservation Institute (CPI) is a non-profit that partners with the Department of Defense and the NPS to train soon-to-be-discharged active duty military personnel for careers in the construction industry. CPI currently operates in Golden Gate National Recreation Area (CA) and World War II Valor in the Pacific National Monument Pearl Harbor, where participants undergo a 12-week, hands-on program acquiring skills and training in the concrete and construction industry while they do deferred maintenance work on historic assets within the park sites. CPI receives financial and material support from some of the largest construction firms in the country. These firms recognize the desperate need for skilled labor in the concrete industry and work closely with CPI to place program alumni after they complete training and military service. CPI is a win for parks, veterans, and companies; investments in programs such as this should be strongly encouraged—with businesses, foundations, philanthropists—so there is capacity to provide training to more service members as well as address park maintenance.

Corporate Partnerships. Pew supports opportunities for appropriate corporate partnerships that enable NPS to reduce deferred maintenance costs. There are numerous examples of successful partnerships and more should be encouraged.

One example of a successful partnership is that with Musco Lighting, a company known for lighting major sporting events such as the Olympics and the Super Bowl. Musco has partnered with NPS to light some of the country's most iconic landmarks, such as the White House and Washington Monument, the Statue of Liberty, and Mount Rushmore. The updated lighting systems enhance visitor experience, improve resource protection, preserve the dark sky environment, and reduce costs. At Mount Rushmore, the lighting system installed by Musco reduced energy consumption by 90 percent resulting in major sustainability achievements and cost savings for the park.

Another example occurs in Yellowstone National Park, our nation's first national park. The Lamar Buffalo Ranch Battery Project is a partnership with Toyota, Indy Power Systems, Sharp USA SolarWorld, Patriot Solar, Yellowstone Forever, and the NPS. Initiated in 2014, the project reuses hybrid vehicle car batteries to sustainably power a remote field station in the park. Solar panels are used to generate energy and the renewable energy is then stored in the re-purposed battery packs and used to power the ranger station and environmental education center at the Ranch. Previously, the remote field station relied on noisy, polluting diesel and propane generators for electricity. The Yellowstone-Toyota partnership is the type of innovative corporate collaboration we should be encouraging to address deferred maintenance projects.

Community Collaboration. Communities adjacent to park units are benefactors of park tourism; in 2015, park visitors spent nearly \$17 billion in local communities, translating to tax revenue and jobs. Most gateways recognize this benefit and want to ensure that their park neighbors continue to provide a safe, positive visitor experience. In the case of Bandelier National Monument in New Mexico, Los Alamos County has stepped up to address a safety issue facing the monument. NPS is in the process of replacing the primary electrical system at Bandelier National Monument; the electrical lines are over 50 years old and severely deteriorated, leading to safety-risks for visitors and fire-risks for the park and surrounding community including the Los Alamos National Laboratory.

NPS and the staff at Bandelier negotiated with Los Alamos County, their current power provider, to replace the electrical system to the County's standards. NPS is in the process of burying these upgraded power lines, using specialized sleeves that make repairing and replacing more efficient and less costly. Once replaced, Los Alamos County will assume ownership and maintenance for the lines. Historically, a "burn-out" on a section of the line would cost approximately \$10,000 for a repair; in the future, the County will be responsible for identifying and fixing any power issue, typically within 24 hours, providing a cost-savings for NPS, as well as increased safety for visitors and community members. Collaboration between individual parks and local communities should be considered more frequently, where feasible.

#### Historic Leasing Credit

Over 46 percent of the assets on the deferred maintenance list are considered historic. We support the increased use of historic leasing to repurpose and reuse park sites. One successful example is the block of historic houses within the Martin Luther King, Jr. National Historic Site in Atlanta. NPS funds the maintenance for all of the federally-owned houses within the park unit with revenue generated by leasing 29 of the federally-owned historic buildings for private residential purposes. These structures include apartments, duplexes and single family homes and the leasing program has proven to be very popular.

New Technologies. As NPS enters its second century, the agency should be a showcase for smart technology and sustainable practices. Implementation of new technologies provide an opportunity for more efficient management and cost savings, as well. Examples might include sensor technologies that provide real-time data on road conditions, trash collection, and electrical outages. The opportunity to purchase park passes online should be implemented on a large-scale, and user-friendly technology to allow for more efficient collection of fees at park entrance booths should be considered. While remaining consistent with historic preservation requirements, when designing or repairing facilities, NPS should consider using materials and techniques that prolong an asset's lifespan.

#### **The Importance of Improving Infrastructure Within the National Park System**

Restoring the infrastructure and physical integrity of our national park assets is a common sense investment:

- **Preservation.** Our national park units document our nation's history—both the high and low points. This history must be protected and preserved for current and future generations to experience and learn from.
- **Accessibility.** Park resources can only be experienced by visitors if they are accessible. Park roads, bridges, trails, and historic resources need to be routinely maintained to ensure accessibility and safety.
- **Revenue.** Parks are proven economic generators. Local gateway communities received \$16.9 billion in direct park visitor spending in 2015 with a cumulative nationwide boost of \$32 billion and 295,000 jobs. It's critical that parks continue to be destinations that provide a positive experience for visitors and sustain neighboring communities.

- Cost Savings. Repairs become more costly with delay.
- Job Creation. Addressing park maintenance has the potential to create a significant number of infrastructure-related jobs in the U.S.

**Conclusion**

Our National Park System showcases America’s spectacular natural resources and documents our heritage. From stories that are important to Native American tribes and military veterans, to sites that capture the painful history of the Civil War, Japanese internment, and the Civil Rights movement, to iconic landscape parks, we must invest in the maintenance of park infrastructure, ensuring the integrity of America’s “best idea” for generations to come.

I appreciate the opportunity to share these views and am happy to answer any questions the Committee may have.

**To:** Howarth, Robert[Robert\_Howarth@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-06-06T18:36:26-04:00  
**Importance:** Normal  
**Subject:** Fwd: National Monument Reviews - The Katahdin Woods and Waters National Monument  
**Received:** 2017-06-06T18:37:03-04:00  
[KNM 6 6 17 to Secretary Zinke.docx](#)

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

From: <[wpeet@wpeet.com](mailto:wpeet@wpeet.com)>  
Date: Tue, Jun 6, 2017 at 6:28 PM  
Subject: National Monument Reviews - The Katahdin Woods and Waters National Monument  
To: [Timothy\\_Williams@ios.doi.gov](mailto:Timothy_Williams@ios.doi.gov)

Dear Mr. Williams:

At the suggestion of Anne Williams of the Maine Woods Coalition, I am attaching a copy of the letter I had earlier sent to Secretary Zinke. Thank you for your help in getting this information to others who are concerned.

Sincerely,  
William Peet

--

**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

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June 6, 2017

Secretary Ryan Zinke  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Dear Secretary Zinke:

As a Trustee of the Maine Woods Coalition and a northern Maine property owner for almost 50 years, I have closely followed the Katahdin Woods and Waters Monument issue and have concluded that this particular Monument designation was unwarranted and improper, for the reasons enumerated below. I hope you find these facts helpful.

The [Antiquities Act](#) authorizes National Monuments in order to protect “*historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.*”

- **The Katahdin Woods and Waters National Monument land does not need protection - yet.**  
The establishing [proclamation](#) promises “protection” numerous times, but it does not specify the endangered historic objects or the threats, because there really aren’t any. However, a very real threat to any historic objects may arise from heavy national promotion of the Monument, together with the lure of snowmobiling, fishing and ice fishing within Monument grounds.
- **This Monument may not comply with the Antiquities Act’s “smallest area” requirement.**  
Text of the establishing Proclamation does not disclose that the Monument is comprised of several non-contiguous parcels. These separate parcels are not individually identified and there is no explanation as to why each parcel requires monument status. Apart from not needing protection, some of these parcels may not even possess qualifying historic or scientific objects.
- **This Monument has the appearance of memorializing a generous gift of land and money.**  
For many years the National Park Service had tried to accept a donation of about 87,500 acres, together with an attached forty million dollar maintenance fund. The donor required that the land be used to establish a new National Park and Recreation Area - which the local populace as well as state and national legislators steadfastly refused to accept. The donor’s response was to donate the land and supporting funds to create a National Monument, which required only a Presidential Proclamation confirming that the Monument complies with requirements of the Antiquities Act. That’s how the Katahdin Woods and Waters National Monument deal was struck.
- **The possibility of economic benefit must not be allowed to mask a serious misapplication of National Monument status.**  
In recent testimony before a congressional committee, former governor Angus King [said](#), “*the monument has already begun to yield real economic benefits to the region*” and “*I am deeply concerned that this review will stifle that progress by threatening future investments and hampering economic growth when it is needed there now more than ever before.*”

I am not a lawyer, but it does seem clear that this monument designation is badly flawed and should be reversed. Thank you for your consideration.

Sincerely,

William J. Peet II (wpeet@wpeet.com)  
M.I.T Alum.; former Naval Reserve Officer; Young Presidents Org.; patents holder, etc.

**To:** Rigas, Laura[laura\_rigas@ios.doi.gov]  
**Cc:** Swift, Heather[heather\_swift@ios.doi.gov]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-06T22:12:29-04:00  
**Importance:** Normal  
**Subject:** Re: Monday T.P.  
**Received:** 2017-05-06T22:12:36-04:00  
[Outdoor Industry Roundtable UT May 7.docx](#)

I modified the memo BLM submitted for the outdoor industry roundtable and dinner and threw in talking points and background specific for this crowd. Please take a look.

On Sat, May 6, 2017 at 3:07 PM, Rigas, Laura <laura\_rigas@ios.doi.gov> wrote:

Hi Christine and team --

Attached please find:

1. His talking points which he should repeat and use at every meeting this week.
2. The letter that Jim Cason sent to NCAI clarifying his comments about Tribal sovereignty. He should echo these messages when he speaks to Tribes Sunday night and the rest of this week.

I have also printed them out and will take hard copies with me.

Please let me know if you need anything else. My flight is at 4:55 eastern but hopefully I will have wifi.

Thanks,

L

*Laura Keehner Rigas*  
*Communications Director*  
*U.S. Department of the Interior*  
*(202) 897-7022 cell*  
*@Interior*

On Sat, May 6, 2017 at 1:48 PM, Bauserman, Christine <christine\_bauserman@ios.doi.gov> wrote:

Laura and Heather,

Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**



**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office  
440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe (Kykotsmovi, AZ)

James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation (Fort Defiance, AZ)

Davis Filfred, Navajo Nation Council (Window Rock, AZ)

Shaun Chapoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)

Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)

Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute (Towaoc, CO)

Natasha Hale, Native American Program Director, Grand Canyon Trust

Charles Wilkinson, Legal Advisor, University of Colorado

Leland Begay, Legal Advisor, Ute Mountain Ute

Gavin Noyes, Utah Dine Bikeyah, Executive Director

TBD other support staff

Ed Roberson, BLM State Director

Don Hoffheins, BLM, Monticello Field Manager

Tyler Ashcroft, BLM, Bears Ears Project Manager

Mike Richardson, BLM, Acting Communications Director

Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)

Senator Orrin Hatch

Senator Mike Lee

Rep. Rob Bishop

Rep. Jason Chaffetz

Rep. Chris Stewart

Utah Attorney General Sean Reyes

Justin Harding, Chief of Staff, Office of Governor Herbert

Mike Mower Deputy Chief of Staff, Office of Governor Herbert

Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert

Jacey Skinner, General Counsel, Office of Governor Herbert

Cody Stewart, Director of Federal Affairs, Office of Governor Herbert

Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert

Kathleen Clarke, Director of Utah Public Lands Policy  
Coordinating Office

Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

--  
Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)

phone: 202-706-9330

--

Downey Magallanes

Office of the Secretary

[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)

202-501-0654 (desk)

202-706-9199 (cell)

## Outdoor Industry Roundtable

### Top Line Points:

There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites in Utah.

These sites attract visitors to hike, camp, explore, and participate in world-class hunting opportunities.

We have to recognize that recreation visitors have increased over the last 16 years in the Grand Staircase and the area around Bears Ears.

So with this in mind, throughout this review period as we get back on track to manage our federal lands in accordance with multiple use, we are going to look at opportunities for expanded recreational and sportsmen access.

Land use planning should always include public input, and we hope to restore that process by giving locals a voice with this review.

### Background Data:

There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites in Utah.

In 2016, there were 13,988,000 visitors to National Park units in Utah, which supported \$1.1 billion in spending.

The Monticello Field Office, which is right next to Bears Ears, estimates 418,684 recreational visitors to BLM lands in the Monticello footprint in FY16. This is up from 180,233 in FY00.

Total estimated recreational visitors to Grand Staircase in FY16 was 926,236, up from 568,214 in FY00.

### Sportsmen activities:

The combined 3.2 Million acres of both Bears Ears and the Grand Staricase are home to deer, elk, pronghorn, desert bighorn sheep, antelope, cougar, mountain lion, black bear, and turkey.

Around 51,007 hunters apply for permits in these areas, and it generates around \$29 Million in direct conservation funding and economic activity.

BLM partnered with the Utah DWR to re-introduce pronghorn, bighorn, and wild turkey within the Grand Staircase.

More than \$1 Million of private sportsmen funds have invested in the last ten years to grow and expand these herds.

**To:** downey.magallanes@gmail.com[downey.magallanes@gmail.com]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-07T09:50:16-04:00  
**Importance:** Normal  
**Subject:** Fwd: Utah BLM Facts  
**Received:** 2017-05-07T09:50:20-04:00  
[BLM Utah Statewide Overview 2017.pdf](#)  
[BLM Utah Statewide Overview Small 03-06-2017 \(2\).pdf](#)

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

**From:** **Bauserman, Christine** <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)>  
**Date:** Sat, May 6, 2017 at 1:59 PM  
**Subject:** Re: Utah BLM Facts  
**To:** Laura Rigas <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>  
**Cc:** "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>

oops - sent too quickly.

Topics and Facts - Shared with us from BLM Utah - Michael Richardson

On Sat, May 6, 2017 at 1:57 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Topics and Facts - Shared with us from BLM Utah - Michael Richardson

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Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

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--

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**BLM Utah**

# **2017 Statewide Overview**

March 6, 2017

# Energy

## Statewide Overview



### STATEWIDE ENERGY OVERVIEW

- In Fiscal Year (FY) 2016, the Office of Natural Resources Revenue reported \$146,279,546 in revenue from oil and gas development activities in Utah (royalties, rentals and bonus bid payments). Total revenue generated from all minerals including coal was \$185,502,592. The State of Utah received nearly \$70 million from federal oil and gas revenues.
- As of February 22, 2017, there were 2,973 authorized oil and gas leases covering 2,875,091 acres in Utah and 1,813 leases on 1,411,088 acres were held by production.
- In FY2016, BLM-Utah conducted two oil and gas lease sales:
  - Acres Nominated – 353,249
  - Acres Offered for Sale – 52,444
  - Acres Receiving Bids – 22,772
  - Total Receipts - \$314,255

### COAL LEASING IN UTAH

#### Greens Hollow Coal Lease by Applications (LBA)

- The Greens Hollow Lease by Application was submitted in 2005.
- The U.S. Forest Service (FS) is co-lead with the BLM on the project, with the Office of Surface Mining Reclamation and Enforcement as a cooperating agency. The FS signed the Record of Decision (ROD) on Oct. 5, 2015. The FS also sent a letter of consent to lease to the BLM.
- Since a FS ROD was signed prior to the Secretary of the Interior's "coal pause," the Greens Hollow LBA would be exempt from deferral during the pause.
- The BLM signed the ROD for a competitive coal lease sale for a 6,175-acre tract containing ~55.7 million tons of recoverable coal on Aug. 12, 2016., On Sept. 12, 2016, WildEarth Guardians, the Center for Biological Diversity, the Grand Canyon Trust, and the

# Energy

## Statewide Overview



Sierra Club jointly filed a Notice of Appeal and Petition for Stay for the Greens Hollow Tract coal lease sale. On Oct. 26, 2016, the Interior Board of Land Appeals issued a decision to deny the petition for stay, allowing the coal sale to be rescheduled. However, the appeal remains before the Interior Board of Land Appeals which has yet to rule on the full merits of the case.

- BLM-Utah's response to petition for stay was submitted to IBLA on Oct. 6, 2016.
- The coal lease sale was held on Jan. 4, 2017. Canyon Fuels Company, LLC, of Grand Junction, Colorado, submitted a bid in the amount of \$22.85 million, or \$3,700.17 per acre.

### Flat Canyon Coal Lease by Application

- BLM conducted the sale on June 17, 2015 offering 42 million tons from the 2,692-acre Flat Canyon tract.
- The BLM received a bid from Canyon Fuel Company, LLC, of Midvale, Utah, for \$17.2 million or \$6,388.92 per acre.

The BLM subsequently issued the Flat Canyon lease on July 1, 2015.

- On Sept. 11, 2015, WildEarth Guardians and Grand Canyon Trust filed suit in US District Court arguing that the BLM approved the lease based on outdated environmental review and inadequate analyses of potential impacts to air quality and climate. The case has not yet been decided and settlement negotiations are being pursued.
- The OSMRE is currently preparing an Environmental Assessment in conjunction with the approval of the federal mine plan for the tract which may also have bearing on the lawsuit.

### Alton Coal Mine Lease by Application

- Alton Coal Development, LLC submitted a lease by application to expand the existing surface coal mine from private mineral estate to federal mineral estate in 2004.



# Energy Statewide Overview



## Alton Coal (Continued)

Following receipt of the application, a tract delineation, scoping, publication of a draft EIS, and a supplemental EIS were completed.

- Key issues on this proposal include night skies, greater sage-grouse, and impacts to the town of Alton, Utah. The remaining wetland area is not included in the preferred alternative.
- A Record of Decision has not yet been signed. Consequently, it is subject to the “coal pause.”
- In March 2016 (amended in May 2016), Alton Coal submitted a request to divide the lease by application into two tracts and move forward with the smaller 640-acre tract under the emergency leasing criteria during the Secretary of the Interior’s “coal pause.” The federal tract bridges between two private tracts currently being mined and avoids waste of coal.

- On Aug. 17, 2016, BLM-Utah deferred the lease request stating it did not meet emergency leasing criteria, but continue to work on the original EIS.
- On Sept. 9, 2016, Alton Coal submitted additional information to support its request for an emergency lease. The request included a proposal to reduce the tonnage of the emergency tract and clarify current qualifying tonnages, production rates and future tonnage needs. The BLM and SOL are considering this information.

## San Rafael Desert Master Leasing Plan

- Comprised of 525,000 acres in Emery and Wayne Counties, the Master Leasing Plan (MLP) will consider whether to amend leasing decisions in the 2008 Price and Richfield Field Office Resource Management Plans (RMP).

# Energy Statewide Overview



- The MLP will enable the Price and Richfield Field Offices to resolve lease protests for four parcels that have been sold, but not issued, in the planning area. The MLP will also determine whether the BLM should cancel, modify, or lift the suspensions on 16 suspended leases in the planning area.
- A Notice of Intent to initiate scoping for the Environmental Assessment (EA) published in the Federal Register on May 18, 2016.
- The BLM-Utah is working with cooperating agencies to develop draft EA alternatives.

#### Moab Master Leasing Plan

- The Moab MLP area covers 946,469 acres - 785,567 acres of BLM-managed lands in west-central Grand County south of Interstate 70 and a portion of northern San Juan County.
- The MLP also addresses potash leasing in the planning area due to high interest in potash exploration and

development as evidenced by the submission of more than 300 potash prospecting permit applications.

- A Record of Decision was signed on Dec. 15, 2016.
- The newly established Bears Ears National Monument encompassed a small portion of the Moab MLP.

#### Monument Butte Area Oil and Gas Project Record of Decision

- On Sept. 30, 2016, BLM-Utah signed the Record of Decision (ROD) for the Monument Butte Area Oil and Gas Project in Utah's Uinta Basin to allow "infill" drilling of up to 5,750 new wells to aid in the secondary recovery of oil and gas resources in the area. The infill development plan includes 119,743 acres of an existing oil-and-gas producing area that currently has more than 3,000 wells on federal, state and private land. These activities would disturb about 10,122 acres, which would be reduced to about 4,978 acres through interim reclamation.

# Energy

## Statewide Overview



(Continued)

- The project is estimated to generate about 540-600 million cubic feet of natural gas and about 335 million barrels of oil over the next 20 years. Total employment would peak at just under 500 jobs during build up phases and sustain 40-50 jobs over the life of the project. About \$73.6 million in taxes would be paid to Uintah and Duchesne counties and about \$138.7 million would be paid to the state.
- The ROD incorporates an advanced air-quality mitigation and monitoring strategy that was developed by BLM, EPA and Newfield to reduce emission of ozone precursors. This strategy is unprecedented in the Basin, and Newfield committed to extraordinary measures to minimize not only future emissions from the proposed project, but also reduce current emissions from existing producing wells.

Greater Chapita Wells Oil and Gas Infill Drilling Project

- The proposed action for the Greater Chapita Wells project involves the infill drilling of 2808 wells from 960 expanded existing pads and construction of 233 new pads.
- 43,071 acres project area; 1600 to 1900 acres of disturbance (depending on alternative selected).
- Currently 1247 wells currently exist in the field and produce gas and natural gas liquids.
- Centralized liquids gathering systems proposed to minimize air emissions.
- Draft EIS expected to be published mid-summer

Daneros Uranium Mine Facility Expansion

- Energy Fuels proposes to expand facilities at the existing Daneros uranium mine located 67 miles west of Blanding, Utah, and construct new facilities at two previously mined sites (Bullseye and South Portal Areas).

# Energy

## Statewide Overview



- The proposal includes constructing up to eight additional mine ventilation holes and associated infrastructure. The proposed modification would increase initially approved disturbance from 4.5 acres to 46 acres. To minimize surface disturbance, the development would be done in phases. All disturbed areas would be reclaimed—including previously disturbed mine workings.
- Total production is expected to increase from 100,000 tons in seven years to 500,000 tons over 20 years. Although approved in 2009, the mine is not currently operating, due to market conditions.
- A draft EA was released for public comment on June 15, 2016. The comment period was extended by two weeks and ended Aug. 1, 2016. Comments are being addressed and incorporated into a final EA.
- This proposal has been controversial with some environmental groups and interest has recently

heightened since the mine is immediately adjacent to the recently proclaimed Bears Ears National Monument. Access to the mine is on state and county roads that pass through the monument.

# Planning and Environmental Program Overview



## STATEWIDE OVERVIEW

- Utah 1610 program has an average base budget of \$1.3 million.
- Utah issued almost 700 NEPA decisions in FY16.

## PLANNING

St. George RMP Amendment, Red Cliffs NCA RMP, Beaver Dam Wash NCA RMP

- The St. George Field Office (SGFO) is responsible for land use planning on approximately 635,000 acres of public lands in southwestern Utah.
- The 2009 Omnibus Public Land Management Act (OPLMA) established the two National Conservation Areas and directed BLM to consider actions on public lands that would require a plan amendment including identifying areas that are of “priority biological concern.” OPLMA also directed the BLM to identify one or more alternatives for a

northern transportation route within Washington County in the travel management process. The TMP is subsequent to the RMP process.

- This planning effort has been contentious with the Utah Delegation in regards to the Northern Transportation Route (NTR) that was identified in OPLMA. A field hearing to discuss this planning effort and the NTR was held in St. George in January 2016.
- BLM UT met the court ordered deadline to reach a decision on the Red Cliffs NCA RMP by Dec. 31, 2016. We also issued Decisions for Beaver Dam Wash NCA and the St. George RMP Amendment.
- Washington County filed an appeal to IBLA; BLM UT is working on a response to the statement of reasons.

## Cedar City RMP Revision

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah.

# Planning and Environmental Program Overview



- Existing land use plans for the Cedar City Field Office are the Pinyon Management Framework Plan, approved in 1983, and the Cedar/Beaver/Garfield/ Antimony RMP, approved in 1986. Since these plans were implemented, considerable changes have occurred in the area. There has been substantial population growth resulting in an increased use of public lands for recreational activities such as mountain biking, hunting and off-road vehicle use. There has been an increase in renewable energy proposals, such as wind and geothermal projects. In addition, there is new information for many resources of interest to the public, including threatened and endangered species, greater sage grouse, and wild horses.
- The Federal Register NOI was published Friday, Sept. 10, 2010.
- The Director's briefing on the Draft EIS/Draft RMP was held February 2014. However, due to the pending

greater sage-grouse planning effort, this planning effort was put on hold until June 2016 when WO approved moving forward now that the GRSRMP and step-down Instruction Memorandums are issued.

- ADEIS review completed by WO; awaiting WO SOL review which is dependent on administration priorities.

## Grand Staircase-Escalante National Monument (GSENM) Livestock Grazing Plan Amendment

- GSENM is amending their Monument Management Plan to address livestock grazing planning-level decisions that were not made in the original 2000 MMP.
- The planning decision could impact up to 2.1 million acres and includes lands within the Kanab and Arizona Strip field offices as well as lands managed by the National Park Service within a portion of the Glen Canyon National Recreation Area where the GSENM administers livestock grazing.
- The NOI published for the amendment in Nov. 2013.

# Planning and Environmental Program Overview



(Continued)

- GSENM provided draft alternatives for public input in December 2014.
- Draft alternatives were revised based on public feedback and updates were provided to the public in June 2016.
- GSENM anticipates an administrative draft EIS for review this fall.
- Extensive coordination with the counties has occurred and livestock grazing management remains a highly contentious issue in southern Utah.
- ADEIS review completed by WO; awaiting WO SOL review which is dependent on administration priorities.

## Gunnison Sage-Grouse Range-wide Plan Amendment

- BLM-Colorado is the lead for this planning effort. This effort may amend the Moab and Monticello 2008 RMPs to provide additional regulatory certainty for

the protection of critical habitat and for the listed species.

- DEIS comment period has closed.

## Lake Mountain Recreational Shooting Closure Plan Amendment

- Salt Lake Field Office has restricted target shooting within the area under temporary closure orders since 2012.
- An EA analyzing a permanent restriction has been completed; there were no protests and no issues raised during the Governor's consistency review.
- A Decision Record will likely be issued in March 2017 followed shortly thereafter by FRN for Supplementary Rules.

## Resource Management Plan Litigation/Proposed Settlement

- Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015.

# Planning and Environmental Program Overview



BLM-Utah is working aggressively to meet the remedy order including conducting on-the-ground class III cultural resource surveys along 100% of the 4,277 miles of designated routes and completing three new travel management plans in three years.

- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation. The Court allowed the Plaintiff's complaint to be amended to provide for challenges against the 2014 oil and gas lease sales within Price and Vernal Field Offices.
- After extensive negotiation, Plaintiffs, defendants, and some of the intervenors filed a settlement agreement with the District Court in January 2017. On February 17, 2017, the State of Utah and eight counties filed opposition briefs to the pending settlement agreement. The U.S. Government is planning to request an extension to file responses to these opposition briefs, and currently estimate that the responses will be due to

the District Court in early April 2017.

- BLM-Utah commitments in the pending settlement include:
  1. Preparing 12 new travel management plans for approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years. Only conducting on-the-ground cultural resource surveys along OHV routes proposed for designation where predictive modeling efforts determine that there is the highest potential for adverse effects to historic properties from continued public OHV use. The BLM will also conduct these surveys in ACECs that are designated to protect cultural resources.
  2. Monitoring motorized vehicle use off of designated routes in Wilderness Study Areas, Natural Areas, and lands with BLM-inventoried wilderness characteristics in those portions of the field offices where BLM is creating new travel management plans. If the BLM determines



# Planning and Environmental Program Overview



(Continued)

- that OHV use is causing considerable adverse effects to public land resources and/or to other authorized users, it will take appropriate management action as already required by regulation.
- Re-evaluating whether one previously proposed ACEC that was not designated in the 2008 Kanab Field Office RMP within two years; and evaluating whether ACEC designations are warranted for two special status species plants within the Vernal Field Office within five years, which was a previous commitment made in the 2008 Vernal Field Office RMP's Record of Decision. As part of these efforts, the BLM will determine whether further action is necessary to protect any relevant and important values of these areas.
- The BLM will update its 2011 Utah Air Resource Management Strategy and photochemical modeling

analysis, which are nonbinding tools that the agency relies on to ensure that new approvals of oil and gas development are consistent with federal air quality standards. In addition, for any lease sales or land use plan changes undertaken within the six field offices, BLM will determine through the NEPA process whether it may incorporate air quality mitigation measures into lease stipulations and notices.

#### Contacts:

- Pam Jarnecke, Branch Chief – Planning and Environmental Coordination.
- RMP Settlement Implementation: Aaron Curtis, Branch Chief – Outdoor and Heritage Resources

# BLM Utah Program Updates



## Wild Horse and Burro Program

- In Utah, population estimates as of March 1, 2016, were 5,440 wild horses and 400 burros that roam freely within 19 herd management areas (HMA), and 10 herd areas; two of the HMAs are wild burro areas.
- The HMAs range from 37,000 to 255,000 acres in size, and population numbers within the areas vary from 10 to over 950 animals.
- The appropriate management level (AML) of animals established in Utah Land Use Plans is currently set at 1,956 wild horse and burros.
- This put the current populations at nearly 300 percent of AML, or an excess of 3,884 animals, not taking into consideration the 2016 foal increase which is estimated at approximately 1,000 animals.
- In efforts to reduce numbers on the range, BLM-Utah removed 608 animals (474 horses and 134 burros) in FY 2016. In FY 2017 BLM-Utah has been approved to remove approximately 900 horses from various HMAs.
- Approximately 350-400 mares are scheduled to be treated with fertility control vaccine in FY-2017 on four different HMAs.
- BLM-Utah is the only state conducting research using neutering of wild stallions. This research project is being conducted in the Conger HMA. Horses were removed from these areas in FY 2016 and animals were returned with radio collars and GPS trackers. The neutering will occur in FY 2017 along with some additional removals. This research project is being conducted in partnership with the U.S. Geological Survey and Colorado State University.

## Recapture Canyon ATV Trail

- The Monticello Field Office has prepared an EA to analyze an application from San Juan County for a right-of-way across public lands in Recapture Canyon for an all-terrain vehicle trail.

# BLM Utah Program Updates



(Continued)

- The EA examines six alternatives in detail, ranging from granting the county a right-of-way for an 11.6-mile trail system allowing motorized use through Recapture Canyon to a “no action” alternative that would limit travel to designated routes with no new ATV trail system authorized.
- Since the county’s first right-of-way application in 2006, the county has revised its proposal, the BLM developed a formal “consulting parties” agreement, and BLM delayed work while assessing damages resulting from the 2014 illegal ATV ride into the canyon—all of which has added time to the process.
- On Sept. 9, 2016, the EA was released for a 45-day public comment period.

Utah Watershed Restoration Initiative

- The Utah Watershed Restoration Initiative (WRI) is a

partnership-driven effort to conserve, restore, and manage ecosystems since 2003.

- 1,658 WRI projects have been completed, or are in progress since fiscal year 2006.
- 1.5 million acres have been treated to date.
- Over 400 miles of stream have been restored to proper functioning condition.
- In 2016, BLM-Utah completed treatments on 56,148 acres that benefited greater sage-grouse, including mechanical vegetation treatments, seeding, etc.
- BLM-Utah has contributed over \$80 million to the Utah watershed restoration initiative. In 2016, the BLM contributed \$8.3 million in funding, with over \$2 million matched by the State of Utah and NGO partners.

Greater Sage-Grouse Conservation Effort

- The BLM-Utah has been implementing the Greater Sage-Grouse Approved Resource Management Plan

# BLM Utah Program Updates



Amendments (ARMPA) for 14 land use plans in Utah. This has included coordination on many habitat improvement projects throughout the state using our relationship through the Watershed Restoration Initiative.

- The BLM-Utah has expanded engagement efforts, focusing now on the September 2016 sage-grouse IMs including: meeting with state and local agencies, working groups, and a diverse array of organizations regarding the content of the IMs.
- The BLM-Utah, U.S. Forest Service, and State of Utah developed a draft MOU for multi-agency coordination of greater sage-grouse conservation. The BLM and USFS approved the draft MOU language and are waiting for the State of Utah to review.
- The State of Utah is currently working on a state-level rule-making effort that addresses mitigation in greater sage-grouse habitat. BLM-Utah continues to work with

the State of Utah to make sure the new rule can be used to meet our needs regarding compensatory mitigation.

Grand Staircase-Escalante National Monument Livestock Grazing Monument Management Plan Amendment and Environmental Impact Statement

- The Grand Staircase-Escalante National Monument is currently engaged in a public planning effort that will modify the 1999 Monument Management Plan to more thoroughly address livestock grazing decisions. Once complete, this planning effort will result in decisions about which lands should be available for livestock grazing, how much forage could be available for livestock, and specific best management practices for grazing management on the Monument.
- The Presidential proclamation designating the Monument in 1996 included language allowing for the continuation of grazing on the Monument. Although grazing use levels have varied considerably from year to

# BLM Utah Program Updates



(Continued)

year due to factors like drought, no reductions in permitted livestock grazing use have been made as a result of the Monument's designation nearly 20 years ago.

- Currently, there are 79 active livestock grazing allotments (+17 allotments wholly or partially unavailable), with 91 permittees authorized to graze cattle and horses on the Monument.
- WO review and briefings process for the DEIS/DRMPA was initiated January 2017.

Cedar City Resource Management Plan Revision

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah.
- Existing land use plans for the Cedar City Field Office are the Pinyon Management Framework Plan, approved in 1983, and the Cedar/Beaver/Garfield/

Antimony RMP, approved in 1986. Since these plans were implemented, considerable changes have occurred in the area. There has been substantial population growth resulting in an increased use of public lands for recreational activities such as mountain biking, hunting and off-road vehicle use. There has been an increase in renewable energy proposals, such as wind and geothermal projects. In addition, there is new information for many resources of interest to the public, including threatened and endangered species, greater sage grouse, and wild horses.

- The Federal Register NOI was published Friday, Sept. 10, 2010.
- The Director's briefing on the Draft EIS/Draft RMP was held February 2014. However, due to the pending greater sage-grouse planning effort, this planning effort was put on hold until June 2016

# BLM Utah Program Updates



when WO approved moving forward now that the GRSG RMPA and step-down Instruction Memorandums are issued.

- ADEIS review completed by WO; awaiting WO SOL review which is dependent on administration priorities.
- WO review and briefings process for the second version of the DEIS/DRMP was initiated January 2017.

## Beaver Dam Wash and Red Cliffs National Conservation Areas Proposed Resource Management Plans

- On Sept. 2, 2016, the Bureau of Land Management Utah St. George Field Office published in the Federal Register the Notice of Availability of the Proposed Resource Management Plans (RMP) for the Beaver Dam Wash and Red Cliffs National Conservation Areas (NCA), the Proposed Amendment for the St. George RMP and associated Final Environmental Impact Statement (EIS).
- The key elements of the proposed plans for the NCAs include: protection for diverse threatened and

endangered plant and animal species and critical habitats including the Mojave Desert Tortoise, Southwestern Willow Flycatcher, and native fish of the Virgin River System; management actions to reduce the threat of wildfires and restore fire-damaged landscapes; development of trails and other facilities to provide for sustainable recreations experiences; and protection for the Old Spanish National Historic Trail.

- The proposed amendment to the St. George Field Office RMP addresses two primary management issues as directed by OPLMA: identification of areas where biological conservation is a priority and modifications of the off-highway vehicle area designations to prepare for the development of a comprehensive travel management plan.
- These plans are the culmination of several years of public involvement and gathering input from stakeholders, cooperating agencies, local government

# BLM Utah Program Updates



(Continued)

agencies, consulting parties, tribes, and comments from the general public. Approximately 6,000 comment letters were received on the Draft EIS.

- A Record of Decision was signed on Dec. 20, 2016.
- Washington County filed an appeal to IBLA; BLM UT is working on a response to the statement of reasons.

Lake Mountains Target Shooting Closure/Plan Amendment

- The Salt Lake Field Office is analyzing a proposal that would close approximately 2,000 acres of public land in the Lake Mountain in Utah County. The BLM received 291 comments on the draft EA, which required an extended period for review, analysis, research, preparation of comment responses, and revision of the EA.
- No valid protests were received nor did the Governor

identify consistency concerns. The Decision Record and Approved Plan amendment to close public lands to recreational shooting is expected to be signed in March 2017 with the supplementary rules process initiating shortly after issuance of the Decision.

- To meet some of the target shooting demands, the BLM transferred 160 acres of public land to Utah County to develop the Soldier Pass Shooting Range in the southeastern Lake Mountains. Utah County has arranged for the National Guard to begin construction this fall with completion planned in summer 2017. The new shooting range will be located less than three miles from the current closure area.
- In the interim, the Salt Lake Field office renewed the temporary public safety target shooting closure for this area located near the cities of Saratoga Springs and Eagle Mountain. This temporary closure

# BLM Utah Program Updates



covers the same land that has been closed to target shooting since December 2012. The temporary closure will continue to protect the public and passing motorists on the lower eastern slopes of the Lake Mountains from gunfire, while also protecting sacred prehistoric resources from shooting damage.

#### Resource Management Plan Litigation/Pending Settlement

- Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015. BLM-Utah is working aggressively to meet the remedy order including conducting on-the-ground class III cultural resource surveys along 100% of the 4,277 miles of designated routes and completing three new travel management plans in three years.
- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation. The Court allowed the Plaintiff's complaint to be amended to provide for challenges against the 2014 oil and gas

lease sales within Price and Vernal Field Offices.

- After extensive negotiation, Plaintiffs, defendants, and some of the intervenors filed a settlement agreement with the District Court in January 2017. On February 17, 2017, the State of Utah and eight counties filed opposition briefs to the pending settlement agreement. The U.S. Government is planning to request an extension to file responses to these opposition briefs, and currently estimate that the responses will be due to the District Court in early April 2017.
- BLM-Utah commitments in the pending settlement include:
  1. Preparing 12 new travel management plans for approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years. Only conducting on-the-ground cultural resource surveys along OHV routes proposed for designation where predictive modeling efforts



# BLM Utah Program Updates



(Continued)

- determine that there is the highest potential for adverse effects to historic properties from continued public OHV use. The BLM will also conduct these surveys in ACECs that are designated to protect cultural resources.
- Monitoring motorized vehicle use off of designated routes in Wilderness Study Areas, Natural Areas, and lands with BLM-inventoried wilderness characteristics in those portions of the field offices where BLM is creating new travel management plans. If the BLM determines that OHV use is causing considerable adverse effects to public land resources and/or to other authorized users, it will take appropriate management action as already required by regulation.
  - Re-evaluating whether one previously proposed ACEC that was not designated in the 2008 Kanab

Field Office RMP within two years; and evaluating whether ACEC designations are warranted for two special status species plants within the Vernal Field Office within five years, which was a previous commitment made in the 2008 Vernal Field Office RMP's Record of Decision. As part of these efforts, the BLM will determine whether further action is necessary to protect any relevant and important values of these areas.

- The BLM will update its 2011 Utah Air Resource Management Strategy and photochemical modeling analysis, which are nonbinding tools that the agency relies on to ensure that new approvals of oil and gas development are consistent with federal air quality standards. In addition, for any lease sales or land use plan changes undertaken within the six field offices, BLM will determine through the NEPA process whether it may incorporate air quality mitigation

# BLM Utah Program Updates



measures into lease stipulations and notices.

## MASTER LEASING PLANS

### Moab MLP

- The Moab Master Leasing Plan (MLP) area covers 946,469 acres (785,567 acres BLM-managed lands). This planning effort would amend mineral leasing decisions for oil, gas, and potash in the Moab and Monticello RMPs.
- The MLP addresses potash leasing in the planning area due to high interest in potash exploration and development as evidenced by the submission of more than 300 potash prospecting permit applications.
- The Record of Decision was approved December 23, 2016.

### San Rafael Desert MLP

- Comprised of 525,000 acres in Emery and Wayne counties, in eastern Utah, the MLP will consider whether to amend leasing decisions in the 2008 Price and

Richfield Office RMPs.

- The MLP will enable the Price and Richfield field offices to resolve lease protests for four parcels that have been sold, but not issued, in the planning area. The MLP will also determine whether the BLM should cancel, modify, or lift the suspensions on 16 suspended leases in the planning area.
- The NOI to initiate scoping for the EA published in the Federal Register on May 18, 2016.
- The BLM-Utah is working with cooperating agencies to develop draft EA alternatives
- San Juan MLP, Vernal MLP, and Cisco Desert MLP remains on hold.
- Western San Rafael Desert is a citizen-proposed MLP submitted in 2016 that is currently being evaluated to determine if it meets the MLP criteria. This proposal is very geographically similar to previous submittals that were found to not meet the MLP criteria.



# BLM Utah Statewide Overview



## LANDS AND MINERALS

- In Fiscal Year (FY) 2016, the Office of Natural Resources Revenue reported \$146,279,546 in revenue from oil and gas development activities in Utah (royalties, rentals and bonus bid payments). Total revenue generated from all minerals including coal was \$185,502,592. The State of Utah received nearly \$70 million from federal oil and gas revenues.
- As of Feb. 22, 2017, there were 2,973 authorized oil and gas leases covering 2,875,091 acres in Utah and 1,813 leases on 1,411,088 acres were held by production.
- In FY2016, BLM-Utah conducted two oil and gas lease sales:
  - Acres Nominated – 353,249
  - Acres Offered for Sale – 52,444
  - Acres Receiving Bids – 22,772
  - Total Receipts - \$314,255

### Greens Hollow Coal Lease by Applications (LBA)

- The competitive coal lease sale for a 6,175-acre tract containing ~55.7 million tons of recoverable coal was held on Jan. 4, 2017. Canyon Fuels Company, LLC secured the lease with a bid of \$22.85 million, or \$3,700.17 per acre.

### Alton Coal Mine Lease by Application (LBA)

- Alton Coal Development, LLC submitted an LBA to expand an existing surface coal mine from private mineral estate to federal mineral estate. Following receipt of the application, a tract delineation, scoping, publication of a draft EIS, and a supplemental EIS were completed.
- A record of Decision has not yet been signed. It is currently on hold subject to Secretarial “coal pause” order.

### San Rafael Desert Master Leasing Plan (MLP)

- Comprised of 525,000 acres in Emery and Wayne counties, the MLP considers whether to amend leasing decisions in the 2008 Price and Richfield Field Office Resource Management Plans (RMP). A NEPA document is in progress after public review of preliminary alternatives.

### Moab Master Leasing Plan

- The Moab MLP area covers 946,469 acres (785,567 acres of BLM lands) and addresses potash leasing in the planning area due to high interest as evidenced by the submission of

more than 300 potash prospecting permit applications.

- A Record of Decision was signed on Dec. 15, 2016.
- The newly established Bears Ears National Monument encompasses a small portion of the Moab MLP.

### Monument Butte Area Oil and Gas Project Record of Decision

- On Sept. 30, 2016, BLM-Utah signed the Record of Decision (ROD) for the Monument Butte Area Oil and Gas Project in the Uinta Basin to allow “infill” of up to 5,750 new wells.
- The project is estimated to generate about 540-600 million cubic feet of natural gas and about 335 million barrels of oil over the next 20 years. Total employment would peak at about 500 jobs during build up phases and sustain 40-50 jobs over the life of the project. About \$73.6 million in taxes would be paid to Uintah and Duchesne counties and about \$138.7 million would be paid to the state.

### Greater Chapita Wells Oil and Gas Infill Drilling Project

- A draft EIS for the Greater Chapita Wells project is expected in summer 2017. The project involves the infill drilling of 2,808 wells from 960 expanded existing pads and construction of 233 new pads.

### Daneros Uranium Mine Facility Expansion

- Energy Fuels proposes to expand facilities at the Daneros uranium mine and construct new facilities at two previously mined sites (Bullseye and South Portal Areas).
- Total production is expected to increase from 100,000 tons in seven years to 500,000 tons over 20 years. Although approved in 2009, the mine is not currently operating, due to market conditions.
- This proposal has been controversial due to the proximity to Bears Ears National Monument.

### Utah Test and Training Range

- The land exchange authorized by NDAA in the UTTR call up area 85K acres of SITLA for 95K of BLM

### Bears Ears Land Exchange

- The potential exchange in Bears Ears with SITLA is for 108K acres.

### Red Cliffs in-Private Holdings Exchange

- We don't have the staff/scarce skills to do it now.



# BLM Utah Statewide Overview



## NATURAL RESOURCES AND PLANNING

St. George RMP Amendment, Red Cliffs National Conservation Area (NCA) RMP, Beaver Dam Wash NCA RMP

- BLM-Utah met the court ordered deadline to sign a ROD for the Red Cliffs NCA RMP by Dec. 31, 2016. BLM-Utah also issued decisions for Beaver Dam Wash NCA and the St. George RMP Amendment.
- Washington County filed an appeal to IBLA; BLM-Utah is working on a response to the statement of reasons.

### Cedar City RMP

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah. It is currently under WO review.

### Grand Staircase-Escalante National Monument (GSENM) Livestock Grazing Plan Amendment

- GSENM is amending their Monument Management Plan to address livestock grazing planning-level decisions that were not made in the original 2000 plan.
- The planning decision addresses up to 2.1 million acres and includes lands within the Kanab and Arizona Strip field offices as well as lands managed by the National Park Service within a portion of the Glen Canyon National Recreation Area where the GSENM administers livestock grazing.

### Eastern Lake Mountains Recreational Target Shooting Closure Plan Amendment EA

- For public safety, and to protect archaeological sites, the Salt Lake Field Office has restricted target shooting within the area under temporary closure orders since 2012. The ROD and FONSI are under state office review.

### Resource Management Plan Litigation/Proposed Settlement

- The Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015.
- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation.
- BLM-Utah commitments in the pending settlement include preparing 12 new travel management plans for

approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years among other requirements.

### Wild Horse and Burro Program

- In Utah, March 2016 population estimates were 5,440 wild horses and 400 burros within 19 herd management areas (HMA), and 10 herd areas. The appropriate management level of animals established in Utah's land use plans is currently set at 1,956 wild horses and burros.
- In FY2017, BLM-Utah had three gathers in January and February.

#### Frisco HMA Gather (Beaver County) Jan. 6-16, 2017

- Gathered and removed 82 horses.
- Some horses will be returned to this HMA with research collars later this month.

#### Sulphur HMA Gather (Beaver/Millard County) Jan. 17-31, 2017

1. Gathered 655 horses.
2. Treated with PZP-22: 80 mares.
3. Total Removal: 463

#### Cedar Mountain HMA Gather (Tooele County) Jan. 17-31, 2017

1. Gathered 534 horses.
  2. Treated with PZP-22: 104 mares.
  3. Total Removal: 306
- BLM-Utah is the only state conducting research using neutering of wild stallions.

### Recapture Canyon ATV Trail EA

- The WO is reviewing the EA decision record that analyzes San Juan County's application for a right-of-way in Recapture Canyon for an all-terrain vehicle trail. The decision to approve a new trail system is pending.

### Utah's Watershed Restoration Initiative

- In 2016, BLM-Utah completed treatments on 56,148 acres that benefited greater sage-grouse and contributed \$8.3 million in funding, with over \$2 million matched by the State of Utah and NGO partners.

### Greater Sage-Grouse RMP amendments

- The BLM-Utah has been implementing the plan amendments for 14 land use plans in Utah.

**To:** downey\_magallanes@ios.doi.gov[downey\_magallanes@ios.doi.gov]  
**From:** Laura Rigas  
**Sent:** 2017-05-07T11:26:24-04:00  
**Importance:** Normal  
**Subject:** Fwd: for review - sunday material  
**Received:** 2017-05-07T11:26:32-04:00

Hi-- here's what Heather has pulled together as internal talking points for us. Any issues?  
Thanks!  
L

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

Begin forwarded message:

**From:** Heather Swift <(b)(6)>  
**Date:** May 7, 2017 at 9:24:21 AM MDT  
**To:** Laura Rigas <laura\_rigas@ios.doi.gov>, (b)(6)  
**Subject:** Re: for review - sunday material

TP/QA

**Q: More than 2,000 Utahns protested yesterday criticizing the Secretary for only having closed door meetings and not getting the input of the people. Do you have a comment?**

A: Unlike the previous administration, the Trump/Zinke team is committed to a transparent process which allows stakeholders from all sides to weigh-in in a meaningful and productive way. The entire reason the Secretary is in Utah is to listen to local stakeholders and representatives and to finally give the local communities a voice in the process and land management decisions.

On Friday, Secretary Zinke announced that a formal public comment period would begin on May 12 and that people can submit their comments via [regulations.gov](http://regulations.gov) or via mail. This is the first time ever that the public will have a voice when it comes to Antiquities Act monuments via a public comment period.

Today's meetings represented a diverse range of voices and positions on the monument. The Secretary met with a number of representatives from Utah State government, tourism, recreation and preservation groups and the Inter-Tribal Coalition.

Finally, we have arranged for daily press briefings with all credentialed members of the press to keep the media and the public informed about what Secretary Zinke is seeing and with whom he is meeting.

We respect their right to peacefully protest and ask that they respect the Secretary as he opens up the formal public comment process.

**Q: Why is the Secretary in Utah if he refuses to meet with the public?**

A: First off the question is based on false premise. The Secretary is meeting with members of the local communities most affected by the monuments and he has announced a formal public comment period that begins on May 12 - the first ever for an Antiquities Act monument designation.

The reason the Secretary is in Utah this week is to listen and learn. Secretary Zinke is from Montana and - a lot like in Utah - folks there believe conversations should be eye to eye at the fence line, not amongst bureaucrats in Washington, D.C.

The Secretary is meeting with leaders of the Inter-Tribal Coalition on a government-to-government level as well as representatives from various state, county, and local governments. He is also meeting with local residents who run tourism attractions or are in the outdoor recreation industry.

**Q: People say the monuments have the support of more than 70 percent of Utahans and that there is no reason to undo or shrink the monuments. Comment?**

A: The fact is, the Secretary and his team are on the ground this week to listen and learn. There is no pre-determined outcome on any monument currently under review.

**Q: Monument supporters say if the monument status is stripped, the land will be sold to oil and gas and coal development. Care to comment?**

A: First: This process does not sell or transfer ownership of any federal land. The Secretary and the President both oppose the sale or transfer of federal lands.

**Sunday PM Readout**

**BACKGROUND FOR INTERIOR SECRETARY RYAN ZINKE'S VISIT TO  
UTAH  
SUNDAY, MAY 7, 2017: SALT LAKE CITY**

Today, U.S. Department of the Interior Secretary Ryan Zinke arrived in Salt Lake City to

begin a four-day listening tour regarding the review of Bears Ears National Monument and Grand Staircase Escalante National Monument, both of which are being reviewed by the Secretary under the April 27, 2017, Executive Order. On Friday, the Secretary announced the formal public comment process for monument review will begin on May 12.

The Secretary's mission in Utah is to hear from local communities and stakeholders and to learn more about the Bears Ears National Monument and the Grand Staircase Escalante Monument. Today's meetings represented diverse opinions and positions on the monument designations and the Secretary was eager to hear from all parties represented.

The Secretary began the day with a meeting with Governor Gary Herbert and Utah's two U.S. Senators, Orrin Hatch and Mike Lee. The Secretary then had three meetings with (1) the State Historic Preservation Office and Utah Department of Heritage, (2) the Legislative Leadership and State Attorney General, and (3) the Utah School and Institutional Trust Lands Administration.

The Secretary then met with the Bears Ears Inter-Tribal Coalition which included members of leadership from the Hopi Tribe, Utah Navajo Chapter of Olijato, Navajo Nation Council, Ute Indian Tribe, and Zuni Tribe.

While Secretary Zinke has met with a number of representatives from the tribes that make up the Inter-Tribal Coalition, today was the first meeting with the entire coalition. The delegates talked on a government-to-government level and discussed a number of issues relating to the management of public lands, the specific monuments under review, and sovereignty. The Secretary maintained his commitment to working with the Tribes and local communities during the review.

The Secretary held an open media availability session at the Salt Lake City office of the Bureau of Land Management following the meeting with the Inter-Tribal Coalition to recap the day.

### LOOK AHEAD

On Monday, Secretary Zinke, Governor Herbert and members of Utah's Congressional Delegation will travel to Bears Ears National Monument to do a morning aerial tour of the south part of the monument and an afternoon hiking tour of the House of Fire site at the monument. The Secretary and other officials will be available for credentialed media at 2:30PM between the aerial tour and the hike. Please email [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov) for details.

###

**Monday AM look ahead**

**BACKGROUND FOR INTERIOR SECRETARY RYAN ZINKE'S VISIT TO  
UTAH  
MONDAY, MAY 8, 2017: BEARS EARS NATIONAL MONUMENT**

(SALT LAKE CITY, UT) Today, Secretary Zinke, Governor Herbert and members of Utah's Congressional Delegation will travel to Bears Ears National Monument to do a morning aerial tour of the south part of the monument and an afternoon hiking tour of the House of Fire site. The Secretary and other officials will be available for credentialed media at 2:30PM between the aerial tour and the hike.

Please email [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov) for details.

###

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Heather Swift

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Heather Swift

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Heather Swift



**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** Laura Rigas[laura\_rigas@ios.doi.gov]; Russell Roddy[russell\_rodny@ios.doi.gov]; Downey Magallanes[downey\_magallanes@ios.doi.gov]  
**From:** Yakhour, Wadi  
**Sent:** 2017-05-10T09:54:59-04:00  
**Importance:** Normal  
**Subject:** Re: Wednesday Press  
**Received:** 2017-05-10T09:55:38-04:00  
[Trip5.6MontanaUtahMontana \(1\).docx](#)

Here's the updated schedule.

Wadi (Wuh-dee-uh) Yakhour  
DOI Office of the Secretary  
Scheduling and Advance  
O - (202) 208-5359  
C - (202) 706-9041  
Rm. 6013

On Tue, May 9, 2017 at 7:43 PM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

Wonderful!

Sent from my iPhone

> On May 10, 2017, at 9:39 PM, Wadi Yakhour <[wadi\\_yakhour@ios.doi.gov](mailto:wadi_yakhour@ios.doi.gov)> wrote:

>

> Yes I just updated it so that it'll be at the monument prior to our  
> departure to the airport. I'll send it to you when I get up to my  
> computer and I'll also have a print out

>

> Sent from my iPhone

>

>> On May 10, 2017, at 7:35 AM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

>>

>> Do we have a new line by line schedule for today? We aren't found to  
>> do the one on one interviews at the airport

>>

>>

>> Sent from my iPhone

>>

>>> On May 10, 2017, at 6:31 AM, Wadi Yakhour <[wadi\\_yakhour@ios.doi.gov](mailto:wadi_yakhour@ios.doi.gov)> wrote:

>>>

>>> (b)(6), (...) says about 1.5 hours.

>>>

>>> Sent from my iPhone

>>>

>>>> On May 10, 2017, at 7:17 AM, Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:

>>>>

>>>> How far away from the helo drop off is the air port?

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On May 10, 2017, at 12:58 AM, Roddy, Russell <[russell\\_rodny@ios.doi.gov](mailto:russell_rodny@ios.doi.gov)> wrote:

>>>>>

>>>>> Hey...just looked at the schedule for tomorrow and saw something not sure about. From 5:00-6:00pm, RKZ is listed as participating in an afternoon event listed as "Hold for Media Interviews:...followed immediately by "Daily Media A.vailability" from 6:00-6:30 pm.

>>>>>

>>>>> Is his total time for press a 1.5 time frame? If not, it needs to be amended on schedule.

**United States Department of the Interior  
Official Travel Schedule of the Secretary**

**Montana, Utah, California, Montana  
May 5, 2017 - May 13, 2017**

**Draft: 5/9/2017**



**TRIP SUMMARY  
THE TRIP OF THE SECRETARY TO**

Montana, Utah, California, Montana  
 May 5, 2017 - May 13, 2017

**Weather:**

Havre, MT	High 87°, Low 51°; Sunny; 0% Chance of Precipitation (Saturday)
Salt Lake City, UT	High 77°, Low 53°; Mostly Sunny; 20% Chance of Precipitation (Sunday) High 70°, Low 51°; Partly Cloudy; 20% Chance of Precipitation (Monday)
Bears Ears National Monument (Blanding, UT)	High 72°, Low 47°; Mostly Sunny; 0% Chance of Precipitation (Monday)
Monticello, UT	High 61°, Low 38°; Mostly Cloudy; 20% Chance of Precipitation (Tuesday AM)
Grand Staircase-Escalante National Monument (Kanab, UT)	High 69°, Low 39°; Cloudy; 80% Chance of PM Showers (Tuesday PM) High 61°, Low 40°; Cloudy; 40% Chance of AM Showers (Wednesday)
Coronado, CA	High 70°, Low 59°; Mostly Sunny; 10% Chance of Precipitation (Thursday)
Billings, MT	High 76°, Low 50°; Mostly Sunny; 0% Chance of Precipitation (Friday) High 72°, Low 49°; Cloudy; 40% Chance of PM Showers (Saturday)

**Time Zone:**

Montana	Mountain Daylight Time (MDT)
Utah	Mountain Daylight Time (PDT)
California	Pacific Daylight Time (PDT)

**Advance (Havre):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Wadi Yakhour	(b)(6)	

**Advance (Salt Lake City):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Rusty Roddy	(b)(6)	

**Advance (Bears Ears National Monument):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance (Monday)	Wadi Yakhour	(b)(6)	
Advance (Tuesday)	Rusty Roddy		

**Advance (Grand Staircase):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Wadi Yakhour		(b)(6)	

**Advance (Coronado):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	None		

**Advance (Billings):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Rusty Roddy	(b)(6)	

**Traveling Staff:**

Agent in Charge (5/5-5/7)  
Agent in Charge (5/8-5/10)  
Agent in Charge (5/11-5/13)  
Acting Deputy Chief of Staff  
Director of Communications  
Press Secretary  
Photographer

(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
(b)(6)

**MSU Security Contact:**

Brian Simonson  
[brian.simonson@msun.edu](mailto:brian.simonson@msun.edu)  
(406) 265-3525

**Utah Governor's Security Contact:**

(b)(6),(b)(7)(C)

**Attire:**

Havre, MT:  
Salt Lake City, UT:  
Bears Ears National Monument:  
Grand Staircase-Escalante  
National Monument:  
Coronado, CA:  
Billings, MT:

Business Attire  
Business Casual / Blazer & No Tie  
Casual Park Attire  
  
Casual Park Attire  
Business Attire  
Casual Park Attire

**Friday, May 5, 2017**

Washington, DC → Great Falls, MT

**3:00-4:30pm EDT: Depart Department of the Interior en route Baltimore-Washington International Airport**

Car: RZ

**5:27pm EDT-  
7:15pm CDT:**

**Wheels up Washington, DC (DCA) en route Minneapolis, MN (MSP)**

Flight: Delta 1361  
Flight time: 2 hours, 48 minutes  
RZ Seat: 19B

AiC: (b)(6),(b)(7)(C)

Staff: None

*NOTE: TIME ZONE CHANGE EDT to CDT (-1 hours)*

**7:15-8:30pm CDT: Layover in Minneapolis, MN // 1 hour, 15 minute layover**

**8:30pm CDT-  
10:11pm MDT:**

**Wheels up Minneapolis, MN (MSP) en route Great Falls, MT (GTF)**

Flight: Delta 4625  
Flight time: 2 hours, 41 minutes  
RZ Seat: 4A

AiC: (b)(6),(b)(7)(C)

Staff: None

*NOTE: TIME ZONE CHANGE CDT to MDT (-1 hours)*

**10:11-10:25pm MDT: Wheels down Great Falls International Airport (~15 minutes to vehicle)**

Location: 2800 Terminal Drive  
Great Falls, MT 59404

**10:25-10:35pm MDT: Depart Airport en route RON**

Location: Hampton Inn Great Falls  
2301 14th Street SW  
Great Falls, MT 59404

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**10:35pm MDT: RON**

**Saturday, May 6, 2017**

Great Falls, MT → Havre, MT → Great Falls, MT

**7:20-9:15am MDT: Depart RON en route Havre, MT**

Location: Montana State University-Northern  
Cowan Drive  
Havre, MT 59501

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Drive Time: ~1 hour, 55 minutes without traffic

- 9:15-9:45am MDT: Arrive at Montana State University-Northern // Meet with the Platform Party // Platform Party Photo**
- Location: Cowan Hall  
Conference Room # 202
- Met by: Chancellor Greg Kegel at entrance to Cowan Hall
- Participants: Tom Welch, Professor of Agricultural Technology & Faculty Marshal  
Dr. Darlene Sellers, Professor of Education  
Dr. Larry Strizich, Dean, College of Technical Sciences  
Dr. Carol Reifschneider, Interim Dean, College of Education, Arts & Sciences and Nursing  
Dr. William Rugg, Provost / Vice Chancellor for Academic Affairs  
Paul Tuss, Chairman of the Montana University System Board of Regents  
Brian Simonson, Vice Chancellor for Finance and Administration  
Pastor Tanner Howard of the First Lutheran Church
- Staff: None
- Advance: Wadi Yakhour
- 9:45-10:00am MDT: Walk to Southwest Corner of Cowan Hall and Proceed to Gymnasium**
- Location: Cowan Hall
- Note: Platform Party will be ushered by Faculty Marshal Tom Welch
- 10:00-12:00pm MDT: Montana State University-Northern Spring Commencement**
- Location: Montana State University-Northern Armory Gymnasium
- Participants:
- Staff: None
- Advance: Wadi Yakhour
- Format: 10:00 Procession enters gym, led by Chancellor Kegel  
Approach stage from the left and remain standing  
Chancellor Kegel announces presentation of colors & National Anthem  
Invocation by Pastor Howard  
Introduction of platform party by Chancellor Kegel  
Student Senate President remarks  
Chancellor Kegel remarks  
Provost Rugg remarks  
Chancellor Kegel introduces RZ  
**RZ gives 10 minute remarks**  
Provost Rugg & Chancellor Kegel present degree candidates  
Pastor Howard gives the Benediction  
Retiring of the Colors  
Recessional March, led by Chancellor Kegel
- 12:00-12:30pm MDT: Walk to Donaldson Hall**
- Location: Montana State University-Northern Armory Gymnasium
- Participants:
- Staff: None
- Advance: Wadi Yakhour
- Format: Many students and faculty will be congregating outside of the Gymnasium, if the Secretary would like to visit with them on his way to the luncheon.

**12:30-1:30pm MDT:**

**Commencement Luncheon**

Location: Donaldson Hall  
Participants: Jacob Bachmeier, State Representative  
Nate St. Pierre, President, Stone Child College  
Paul Tuss, Chairman, Board of Regents  
Mike Lang, State Senator, & wife Lorna  
G. Bruce Meyers, Former State Representative, & son, Dominic

Meyers

Jim O'Hara, State Representative, & wife, Vicki  
Bill Rugg, Provost, & wife, Denise  
Brian Simonson, CFO, & wife, Sherri  
Carol Reifschneider, Interim Dean  
Christian Oberquell, Athletic Director, & wife Melissa  
Jonathan WindyBoy, State Senator  
Larry Strizich, Dean  
Rachel Dean, Chief of Staff  
Steve Wise, Dean of Students, & wife, Becky  
Tracey Jette, Senior Director of Student Success, & husband, Joe  
Greg Kegel, Chancellor  
Jim Bennett, Foundation Director, & wife, Lindsey

Staff: None  
Advance: Wadi Yakhour  
Format: Informal luncheon

**1:30-3:25pm MDT:**

**Depart Havre, MT en route Great Falls, MT**

Location: Hampton Inn Great Falls  
2301 14th Street SW  
Great Falls, MT 59404

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Drive Time: ~1 hour, 55 minutes without traffic

**4:25pm-9:00pm MDT:**

**OPEN**

**9:00pm MDT:**

**RON**

**Sunday, May 7, 2017**

Great Falls, MT → Salt Lake City, UT

**5:20-5:30am MDT:**

**Depart RON en route Great Falls International Airport**

Location: 2800 Terminal Drive  
Great Falls, MT 59404

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:



Wadi Yakhour

Drive Time: ~6 minutes without traffic

**6:20am MDT-  
7:51am MDT:**

**Wheels up Great Falls, MT (GTF) en route Salt Lake City, UT (SLC)**

Flight: Delta 4787  
Flight time: 1 hours, 31 minutes  
RZ Seat: 8A  
AiC: (b)(6),(b)(7)(C)  
Staff: None

**7:51-8:15am MDT:**

**Wheels down Salt Lake City International Airport & Depart en route RON**

Location: 776 North Terminal Drive  
Salt Lake City, UT 84122

Vehicle Manifest:  
State Police Lead:  
Secretary's Vehicle:

RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)

**8:35-10:45am MDT:**

**Arrive RON for Private Time**

Location: Hampton Inn Salt Lake City-Downtown  
425 South 300 West  
Salt Lake City, UT 84101

**10:45-10:50am MDT:**

**Depart RON for Brunch Briefing**

Location: Denny's  
250 W 500 S  
Salt Lake City, UT 84101

Vehicle Manifest:  
State Police Lead:  
Secretary's Vehicle:

RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

**10:50-11:45am MDT:**

**Brunch Briefing**

Participants: RKZ  
Downey Magallanes  
Laura Rigas

**11:45-12:00pm MDT:**

**Depart en route Utah State Capitol Building**

Location: West Portico / Governor's Private Garage  
Utah State Capitol, Suite 200  
Salt Lake City, Utah 84114-2220

Vehicle Manifest:  
State Police Lead:  
Secretary's Vehicle:

RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

**12:00-1:00pm MDT: Arrive Utah State Capitol Building and Proceed to Private Meeting with Governor Gary Herbert, Senator Orrin Hatch, and Senator Mike Lee**

Met Upon Arrival by:

Location: Governor Gary Herbert  
Justin Harding, Chief of Staff - Governor Herbert  
Formal Office of the Governor - Suite 200

Participants: Secretary Ryan Zinke  
Senator Orrin Hatch  
Senator Mike Lee  
Governor Gary R. Herbert  
Matt Sandgren, Chief of Staff, Senator Hatch  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Rob Axson, Office of Senator Lee

Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer

Press: Closed

Advance: Rusty Roddy

Note: RKZ to exchange Challenge coins with Governor Herbert during meeting

Note: This is Governor Herbert's 70th Birthday

**1:00-2:00pm MDT: Meeting with State Historic Preservation Office & Utah Department of Heritage and Arts**

Location: Governor's Conference Room

Participants: Secretary Ryan Zinke  
Governor Gary R. Herbert  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Jill Remington Love, Executive Director, Utah Department of Heritage and Arts  
Kevin Fayles, Utah State Historic Preservation Office  
Arie Leeftang, Utah State Historic Preservation Office  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ryan Wilcox, Northern Utah Director, Office of Senator Lee  
Devin Wiser, Chief of Staff, Office of Rep. Bishop  
Wade Garrett, District Director, Office of Rep. Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Cody Stewart

Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer

Press: Closed

Advance: Rusty Roddy

**2:00-2:30pm MDT: Meeting with Legislative Leadership & Utah Attorney General Sean Reyes**

Location: Governor's Conference Room  
Participants: Secretary Ryan Zinke  
AG Sean Reyes  
President Wayne Niederhauser  
Speaker Greg Hughes  
Rep. Mike Noel  
Rep. Keven Stratton  
Ric Cantrell, Chief of Staff, Utah State Senate  
Greg Hartley, Chief of Staff, Utah State House  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer  
Press: Closed  
Advance: Rusty Roddy

**2:30-2:45pm MDT: Break**

Location: Office of the Lt. Governor - Suite 205

**2:45-3:15pm MDT: Meeting with Utah School and Institutional Trust Lands Administration (SITLA)**

Location: Governor's Conference Room  
Participants: Secretary Ryan Zinke  
John Andrews, Associate Director & Chief Legal Counsel, SITLA  
Alan Freemeyer, SITLA D.C. Representative  
Tom Bachtel, Vice Chair, SITLA Board of Trustees  
Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer  
Press: Closed  
Advance: Rusty Roddy

**3:15-3:30pm MDT: Board Vehicles & Depart State Capitol Building en route BLM Utah State Office**

Location: 440 West 200 South  
Gateway South Parking Garage  
Level 3 Parking - Row B  
Salt Lake City, UT  
Met by: Ed Roberson, BLM Utah State Director  
Vehicle Manifest:  
State Police Lead: (b)(6),(b)(7)(C)  
Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
Rusty Roddy  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office

440 West 200 South - Suite 500  
Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke  
President Russell Begaye, Navajo Nation  
Chairman Harold Cuthair, Ute Mountain Ute  
Staffer, Navajo Nation Office of the Speaker  
Ethel Branch, Navajo Nation Attorney General  
Davis Filfred, Navajo Nation Council (Window Rock, AZ)  
Shaun Chapoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)  
Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)  
Charles Wilkinson, Legal Advisor, University of Colorado  
Leland Begaye, Legal Advisor, Ute Mountain Ute  
Ed Roberson, BLM State Director  
Don Hoffheins, BLM, Monticello Field Manager  
Mike Richardson, BLM, Acting Communications Director  
Nora Rasure, USFS, Regional Forester  
Mark Pentecost, USFS Forest Supervisor, Manti La-Sal National Forest

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
BLM Photographer

Press: Closed

Format: Welcome and Introductions facilitated by Ed Roberson, BLM Utah  
State Director  
RKZ Brief Remarks (5 minutes)  
Tribal Comments led by Carleton Bowekaty, Co-Chair of the Bears  
Ears Inter-Tribal Coalition. During this time, each Tribe will  
have the opportunity to discuss their ancestral affiliation to  
the Bears Ears region and its cultural significance (45 minutes)

Advance: Rusty Roddy

**4:30-5:00pm MDT:**

**Daily Media Availability**

Location: Bureau of Land Management Utah State Office  
440 West 200 South  
Salt Lake City, UT 84101

Participants: RKZ  
Senator Orrin Hatch

Staff: Laura Rigas  
Heather Swift

Press: Open

Format: Heather Swift gives press a recap of the days activities.  
Senator Hatch & RKZ enter. Senator Hatch remarks followed by  
RKZ remarks

Advance: Rusty Roddy

**5:00-5:15pm MDT:**

**Depart en route Utah State Capitol Building**

Location: Utah State Capitol, Office of the Governor  
Salt Lake City, Utah 84114-2220

Vehicle Manifest:

State Police Lead:

(b)(6),(b)(7)(C)

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

Rusty Roddy  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**5:15-5:45pm MDT:**

**Personal Time**

Location: Office of the Lt. Governor - Suite 205

Note: Photo op with Governor on Governor's Balcony

**5:45-6:00pm MDT:**

**Meeting with Don Peay**

Location: Office of the Lt. Governor - Suite 205

Participants: RKZ

Don Peay, President of Sportsmen for Fish & Wildlife (Also former Chair of Utahns for Trump)

**6:00-9:00pm MDT:**

**Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors  
Utah State Capitol Building

Attendees: 80

Participants: RKZ (Seated with Governor Herbert & Utah Congressional Delegation  
Governor Gary R. Herbert (last hour)  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Utah Attorney General Sean Reyes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Mike Mower Deputy Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office  
Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee

Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
 Devin Wisner, Chief of Staff, Office of Rep. Rob Bishop  
 Peter Jenks, District Director, Office of Rep. Rob Bishop  
 Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
 Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
 Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
 Gary Webster, District Director, Office of Rep. Chris Stewart  
 Laurel Price, District Director, Office of Rep. Mia Love  
 Speaker Greg Hughes  
 Rep. Brad Wilson  
 Rep. Frances Gibson  
 Rep. John Knotwell  
 Rep. Keven Stratton  
 Rep. Kay Christofferson  
 President Wayne Niederhauser  
 Senator Stuart Adams  
 Senate Leadership - TBD  
 Senate Leadership - TBD  
 Senate Leadership - TBD  
 Senate Leadership - TBD  
 Rep. Brian King, House Minority Leadership  
 Rep. Joel Briscoe, House Minority Leadership  
 Senator Gene Davis, Senate Minority Leadership  
 Senator Karen Mayne, Senate Minority Leadership  
 Greg Hartley, Chief of Staff, Utah State House of Representatives  
 Ric Cantrell, Chief of Staff, Utah State Senate  
 Missy Larsen, Chief of Staff, Utah Attorney General's Office  
 Gary Heward, CEO, Liberty Mountain  
 Bill Harmon, Goal Zero  
 Joshua Bradley, Amer Sports  
 Nazz Kurth, Petzl  
 Amanda Covington, Vista Outdoors  
 Ashley Kornblat, Western Spirit  
 Don Peay, Utah Sportsmen for Fish and Wildlife  
 Staff: Downey Magallanes  
 Laura Rigas  
 Heather Swift  
 BLM Photographer  
 Press: Closed  
 Format: 6:00-6:30pm: Mix & Mingle  
 6:30-7:00pm: Welcome by Justin Harding, Governor Herbert COS  
 Blessing by Senator Orrin Hatch  
 Buffet style dinner  
 7:00-7:40pm: Outdoor Industry Roundtable  
 7:40-7:50pm: RZK remarks  
 7:50-8:00pm: Governor Gary Herbert remarks  
 8:00-9:00pm: Mix & mingle  
 Advance: Rusty Roddy  
 Note: By Invitation Only

**9:00-9:10pm MDT:**

**Depart Capitol en route RON**

Location: Hampton Inn Salt Lake City-Downtown  
425 South 300 West  
Salt Lake City, UT 84101

Vehicle Manifest:

State Police Lead: (b)(6),(b)(7)(C)

Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**9:10pm MDT:**

**RON**

**Monday, May 8, 2017**

Salt Lake City, UT → Blanding, UT

**7:15-7:30am MDT:**

**Depart RON en route State Capitol Building**

Location: West Portico / Governor's Private Garage  
Utah State Capitol  
Salt Lake City, Utah 84114-2220

Vehicle Manifest:

State Police Lead:  
(b)(6),(b)(7)(C)

Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**7:30-8:30am MDT:**

**Breakfast Meeting with Utah Federal Delegation**

Location: Governor's Conference Room

Participants: RZ  
Governor Herbert  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Rep. Mia Love  
Justin Harding, Chief of Staff, Governor Herbert  
Mike Mower, Deputy Chief of Staff, Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Governor Herbert  
Jacey Skinner, General Counsel, Governor Herbert  
Cody Stewart, Director of Federal Affairs, Governor Herbert  
Ed Cox, Office of Senator Orrin Hatch  
Matt Whitlock, Communications Director, Office of Senator Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Matt Sandgren, Chief of Staff, Office of Senator Orrin Hatch

Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wisner, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, Chief of Staff, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love

Staff: Downey Magallanes  
Laura Rigas

Press: Closed

Format: Continental breakfast / Utah delegation roundtable

Advance: Rusty Roddy

Note: This will be the last event participation by Senator Hatch & Senator Lee

**8:30-9:00am MDT: Board Vehicle & Depart State Capitol Building en route Division of Aeronautics // Board Planes**

Location: 135 North 2400 West  
Salt Lake City, UT 84116

Vehicle Manifest:

State Police Lead: (b)(6),(b)(7)(C)

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

Downey Magallanes

Laura Rigas

Drive Time: ~15 minutes without traffic

**9:00-10:30am MDT: Wheels Up Salt Lake City, UT en route Blanding, UT (KBDG)**

Participants: RZ

Flight: B200 Turboprop 8 passenger plane

Flight time: 1 hour, 15 minutes

Vehicle Manifest:

Secretary's Plane:

RKZ

Governor Gary Herbert

Justin Harding

Governor's Security Detail

Downey Magallanes

(b)(6),(b)(7)(C)

Rep. Rob Bishop

Laura Rigas

Plane # 2:

Ryan Wilcox

Ed Cox

Wade Garrett

Devin Wisner

Brian Steed

John Tanner

Note: There will be a flyover of Grand Staircase Escalante National Monument en route



**10:30-11:00pm MDT: Wheels Down Blanding, UT // Proceed to Helicopters**

Location: 212 Freedom Way  
Blanding, UT 84511

**11:00am-1:30pm MDT: Wheels Up for Black Hawk Helicopter Tour (South Portion of Monument)**

Vehicle Manifest:

Secretary's Helicopter:

RZ  
Governor Gary R. Herbert  
Rep. Rob Bishop  
Utah State Senate President Wayne Niederhauser  
(b)(6), (b)(7)(C)  
Governor's Security Detail  
Downey Magallanes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Commissioner Rebecca Benally  
Bruce Adams, San Juan County Commissioner (Narrator)

Helicopter # 2:

Speaker Greg Hughes  
Senator David Hinkins  
Rep. Mike Noel  
Phil Lyman, San Juan County Commissioner (Narrator)  
John Tanner, Legislative Director, Office of Senator Hatch  
Devin Wisner, Chief of Staff, Office of Rep. Bishop  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Laura Rigas  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Wade Garrett, Rep Chaffetz District Director

**1:30-2:30pm MDT: Depart en route Bears Ears National Monument Media Availability and Hike**

Vehicle Manifest:

State Police Lead: (b)(6), (b)(7)(C)

Secretary's Vehicle:  
RKZ  
(b)(6), (b)(7)(C)  
Downey Magallanes  
Laura Rigas

Advance: Wadi Yakhour

Note: Box lunches will be provided for vehicles

Note: There is no cell service in the area of Bears Ears National Monument

**2:30-3:00pm MDT: Daily Media Availability**

Location: Bears Ears National Monument  
Butler Wash Ruins

Participants: RKZ  
Staff: Laura Rigas  
Heather Swift

Press: Open  
Advance: Wadi Yakhour

**3:00-5:00pm MDT:**

**Hiking Tour of Bears Ears National Monument**

Participants: RKZ  
Governor Gary Herbert  
Rep. Rob Bishop  
(b)(6),(b)(7)(C)  
Governor's Security Detail  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Commissioner Rebecca Benally  
Rep. Mike Noel  
Bruce Adams, San Juan County Commissioner  
Phil Lyman, San Juan County Commissioner  
John Tanner, Legislative Director, Office of Senator Hatch  
Devin Wiser, Chief of Staff, Office of Rep. Bishop  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Clay White, Legislative Director, Office of Rep. Chaffetz (TBD)/Wade  
Garrett, District Director  
Ed Roberson, Utah State Director, BLM

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

Press:  
Advance: Wadi Yakhour  
Format: 3:00-3:30: Hike along the Butler Wash Ruins  
3:30-3:45: Depart Butler Wash Ruins en route House on Fire Ruins  
3:45-5:00: Hike to the House on Fire Ruins

Note: This is the last event with Governor Herbert who will be flying back to Salt Lake City

**5:00-6:00pm MST:**

**Board Vehicles & Depart Bears Ears National Monument en route Blanding, UT**

Location: Edge of Cedar Mesa Museum  
600 W 400 N  
Blanding, UT 84511

Vehicle Manifest:  
State Police Lead: (b)(6),(b)(7)(C)  
Secretary's Vehicle: RKZ  
(b)(6),(b)(7)(C)

Staff Vehicle:  
Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~45 minutes without traffic

**6:00-7:00pm MDT:**

**Meeting with Friends of Cedar Mesa**

Location: Edge of Cedar Mesa Museum  
Met by: Fred Hayes and Chris Hanson  
Participants: RZ  
Edwin Roberson, State Director, BLM-Utah  
Lance Porter, District Manager, BLM Canyon Country District  
Don Hoffheins, Field Manager, BLM Monticello Field Office

Mike Richardson, Acting Communications Director BLM-Utah  
Tyler Ashcroft, Bears Ears Project Manager BLM-Utah  
Josh Ewing, Executive Director, Friends of Cedar Mesa  
Amanda Podmore, Assistant Director, Friends of Cedar Mesa  
Vaughn Hadenfeldt, Board of Directors, Friends of Cedar Mesa  
Steve Simpson: Board of Directors, Friends of Cedar Mesa  
Fred Hayes, Director, Utah Division of State Parks and Recreation  
Darin Bird, Deputy Director, Utah Department of Natural Resources  
Chris Hanson, Museum Director, Edge of Cedars State Park  
Johnathan Till, Curator, Edge of Cedars State Park

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

Press: Closed

Advance: Wadi Yakhour

Note: This is a state government building in a state park

Format: 6:00-6:10: Welcome and introductions

6:10-6:25: Abbreviated tour of museum and regional artifacts

6:25-6:30: Introduction to Friends of Cedar Mesa in Museum Library

**6:30-6:35: RZ gives brief remarks**

6:35-7:00: Information Sharing from Friends of Cedar Mesa

**6:30-7:15pm MDT:**

**Depart Edge of Cedar Mesa Museum en route Blanding Arts and Events Center**

Location: Blanding Arts and Events Center  
715 W 200 S  
Blanding, UT 84511

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~5 minutes without traffic

**7:30-8:30pm MDT:  
Commission**

**Dinner at Blanding Arts and Events Center Hosted by San Juan County**

Participants: RZ  
Rep. Rob Bishop  
Commissioner Bruce Adams, San Juan County  
100 Attendees

Staff: Downey Magallanes  
Laura Rigas  
Tami Heilemann

Press: Closed

Advance: Wadi Yakhour

**8:30-9:00pm MDT:**

**Depart Blanding, UT en route RON**

Location: Inn at the Canyons  
533 N. Main Street

Monticello, UT 84535

Vehicle Manifest:

State Police Lead: (b)(6),(b)(7)(C)

Secretary's Vehicle: RKZ

(b)(6),(b)(7)(C)

Staff Vehicle:

Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~30 minutes without traffic

**9:00pm MDT: RON**

**Tuesday, May 9, 2017**

Bears Ears National Monument → Kanab, UT

**7:30-8:15am MDT: Breakfast**

**8:15-9:00am MDT: Board Vehicles & Depart RON en route The Nature Conservancy's Dugout Ranch**

Location: Travel west & north past Shay Mountain

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Rusty Roddy  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~45 minutes without traffic

Note: There is limited cell service on the route to the Dugout Ranch and no Cell service once on the property except in the Canyonlands Research Center where service is decent but sometimes limited

**9:00-9:05am MDT: Arrive The Nature Conservancy's Dugout Ranch & Proceed to Canyonlands Research Center Pavilion**

Location: Canyonlands Research Center

Met by: Dave Livermore, Utah State Director, TNC  
Heidi Redd, Owner, Indian Creek Cattle Company

Participants: RKZ  
Ed Roberson, Utah State Director, BLM

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

Press: Closed

Advance: Rusty Roddy

**9:05-9:30am MDT: Welcome & Overview of Canyonlands Research Center**

Location: Canyonlands Research Center Pavilion

Participants: Dave Livermore, Utah State Director, TNC

Heidi Redd, Owner, Indian Creek Cattle Company  
 Sue Bellagamba, Canyonlands Regional Director, TNC  
 Kristen Redd, Field Station Manager, TNC  
 Matt Redd, Canyonlands Project Manager, TNC  
 Mark Aagenes, Director of Government Relations, Montana TNC  
 Tom Cors, Lands Director, US Government Relations, TNC  
 Dr. Mike Duniway, U.S. Geological Service

Staff: Downey Magallanes  
 Laura Rigas  
 Heather Swift  
 Tami Heilemann

Press: Closed

Advance: Rusty Roddy

**9:30-10:55am MDT: Hiking Tour & Discussion of Conservation in Indian Creek & Bear's Ears National Monument**

Participants: Dave Livermore, Utah State Director, TNC  
 Heidi Redd, Owner, Indian Creek Cattle Company  
 Sue Bellagamba, Canyonlands Regional Director, TNC  
 Kristen Redd, Field Station Manager, TNC  
 Matt Redd, Canyonlands Project Manager, TNC  
 Mark Aagenes, Director of Government Relations, Montana TNC  
 Tom Cors, Lands Director, US Government Relations, TNC  
 Dr. Mike Duniway, U.S. Geological Service

Staff: Downey Magallanes  
 Laura Rigas  
 Tami Heilemann

Press: Closed

Advance: Rusty Roddy

Discussion Stops

Include: Streamside Vegetation  
 Indian Creek  
 Cryptobiotic Soils  
 Geological Formations  
 Petroglyphs

Note: Group photo with RKZ and Dugout Ranch / TNC staff will be taken en route hike at the Ranch Tack Shed

Note: Participants will be walking in rough, dusty, sometimes muddy terrain, thru water when crossing Indian Creek, up / down a fairly steep incline after / before crossing Indian Creek, walking over cacti, etc.

**10:55-11:00am MDT: Return to Canyonlands Research Center & Proceed to Press Availability**

**11:00-11:25am MDT: Daily Media Availability**

Location: Canyonlands Research Center Pavilion

Participants: RKZ

Staff: Laura Rigas  
 Heather Swift

Press: Open

Advance: Rusty Roddy

**11:25-11:30am MDT: Board Vehicles & Depart Dugout Ranch en route Bears Ears National Monument**

**11:30-12:05pm MDT: Pick up Box Lunches en route Bears Ears National Monument**

Location: Inn at the Canyons

533 N. Main Street  
Monticello, UT 84535

**12:05-2:00pm MDT:**

**Travel to Bears Ears National Monument**

Location: Near Blanding in San Juan County, UT

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Rusty Roddy

Downey Magallanes

Laura Rigas

Tami Heilemann

Note: Box lunches en route provided by San Juan County Commissioners

Note: There is no cell service in the area of Bears Ears National Monument

**2:00-6:00pm MDT:**

**Horseback Tour of Bears Ears National Monument**

Participants: RKZ

(b)(6),(b)(7)(C)

, Secretary Zinke Security Detail

Ed Cox, Office of Senator Hatch

Ryan Wilcox, Office of Senator Lee

Justin Harding, Office of Governor Herbert

Bruce Adams, San Juan County Commission

Phil Lyman, San Juan County Commission

Rebecca Benally, San Juan County Commission

Rep. Mike Noel

Senator David Hinkins

4 Cowboy Support Riders

Staff: Downey Magallanes

Laura Rigas

Heather Swift

Tami Heilemann

Press: Amy Joi O'Donoghue, Environmental Reporter from the "Deseret News" out of Salt Lake City will be on ride

Advance: Rusty Roddy

**6:00-6:25pm MDT:**

**Break**

**6:25-7:15pm MDT:**

**Board Vehicles & Depart Bears Ears National Monument en route Blanding, UT**

Location: Blanding Municipal Airport

212 Freedom Way

Blanding, UT 84511

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Rusty Roddy

Downey Magallanes

Laura Rigas

Tami Heilemann

Drive Time: ~45 minutes without traffic

**7:15-7:30pm MDT: Arrive Blanding Municipal Airport // Board Planes**

**7:30-8:30pm MDT: Wheels Up Blanding, UT (KBDG) en route Kanab, UT (KKNB)**

Participants: **RKZ**  
Flight: B200 Turboprop 8 passenger plane  
Flight time: 1 hour  
Vehicle Manifest:

Secretary's Plane:  
RKZ  
Downey Magallanes  
Laura Rigas  
█ (b)(6),(b)(7)(C) █  
Justin Harding  
Rep. Mike Noel  
Brian Steed  
Rep. Chris Stewart

Plane No. 2:  
Cody Stewart  
Ryan Wilcox  
Ed Cox  
Tami Heilemann  
TBD Zinke Staff (If Needed)  
TBD Zinke Staff (If Needed)

**8:30-8:35pm MDT: Wheels Down Kanab Municipal Airport // Proceed to Vehicles**

Location: 2378 US-89A  
Kanab, UT 84741

**8:35-8:45pm MDT: Depart Kanab Municipal Airport en route RON**

Location: Comfort Suites Kanab  
150 West Center Street  
Kanab, UT 84741

Vehicle Manifest:

Secretary's Vehicle:  
RKZ

█ (b)(6),(b)(7)(C) █

█ (b)(6),(b)(7)(C) █

Staff Vehicle:  
Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~5 minutes without traffic

Note: Stop for dinner optional. Dinner Options:

Jake's Chaparral (Western Style Dinner, Wadi's recommendation)  
86 S 200 W  
Kanab, UT 84741

Nedra's Too (Mexican food, not highly reviewed, but open late)  
310 S 100 E  
Kanab, UT 84741

8:45pm

RON

**Wednesday, May 10, 2017**

Kanab, UT → Grand Staircase-Escalante National Monument → Salt Lake City, UT → San Diego, CA

**8:20-8:30am MDT:**

**Depart RON en route Kane County Water Conservancy District**

Location: 725 East Kaneplex Drive  
Kanab, UT 84741

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~5 minutes without traffic

**8:30-9:30am MDT:**

**Breakfast Meeting with Kane and Garfield County Commissioners and Area Legislators**

Location: Kane County Water Conservancy District

Participants: RZ

BLM Staff

Rep. Chris Stewart

Rep. Mike Noel

Brian Steed, Chief of Staff, Office of Chris Stewart

Gary Webster, District Director, Office of Chris Stewart

Justin Harding, Chief of Staff, Office of Governor Herbert

Jacey Skinner, General Counsel, Office of Governor Herbert

Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert

Adam Stewart, Natural Resources Committee, Office of Rep. Bishop

Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch

Ed Cox, Legislative Assistant, Office Senator Hatch

Dirk Clayson, Kane County Commissioner

Jim Matson, Kane County Commissioner

Lamont Smith, Kane County Commissioner

Leland Pollock, Garfield County Commissioner

David Tebbs, Garfield County Commissioner

Jerry Taylor, Garfield County Commissioner

Press: Closed

Staff: Downey Magallanes

Heather Swift

Laura Rigas

Tami Heilemann

Advance: Wadi Yakhour

Note: Breakfast provided by the Kane County Commission



**9:30-10:30am MDT: Depart Breakfast en route Big Water, UT**

Location:

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Downey Magallanes

Laura Rigas

Tami Heilemann

Drive Time: ~1 hour without traffic

**10:30-12:30pm MDT: Driving Tour of Portions of Grand Staircase-Escalante National Monument**

Location:

Participants:

RZ

BLM Staff

Rep. Chris Stewart

Rep. Mike Noel

Senator David Hinkins

Brian Steed, Chief of Staff, Office of Chris Stewart

Gary Webster, District Director, Office of Chris Stewart

Justin Harding, Chief of Staff, Office of Governor Herbert

Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin

Hatch

Ed Cox, Legislative Assistant, Office Senator Hatch

Dirk Clayson, Kane County Commissioner

Jim Matson, Kane County Commissioner

Lamont Smith, Kane County Commissioner

Leland Pollock, Garfield County Commissioner

David Tebbs, Garfield County Commissioner

Jerry Taylor, Garfield County Commissioner

Staff:

Downey Magallanes

Laura Rigas

Tami Heilemann

Press:

Advance: Wadi Yakhour

Note: Three Kane County Commissioners & Downey will join RKZ in his vehicle for first hour of tour & Three Garfield County Commissioners & Downey will join RKZ in his vehicle for the second hour of the tour

**12:30-1:30pm MDT: Lunch and Walking Tour**

Location: Top of Kaiparowits Plateau

Participants:

Staff: Downey Magallanes

Laura Rigas

Tami Heilemann

Advance: Wadi Yakhour

Note: Lunch provided by the Kane County Commission

**1:30-3:30pm MDT: State Helicopter Tour of Grand Staircase-Escalante National Monument**

Location: Coordinates -11 29.457, 37 14.748  
Helicopter Manifest: RZ  
Downey Magallanes  
(b)(6), (b)(7)(C)  
Justin Harding, Chief of Staff, Office of Governor Herbert

**3:30-4:30pm MDT:**

**Hold for Media Interviews**

Location: Grand Staircase Escalante National Monument  
Participants:  
Staff: Laura Rigas  
Heather Swift  
Advance: Wadi Yakhour

**4:30-6:00pm MDT:**

**Depart Grand Staircase-Escalante National Monument en route Kanab Municipal Airport**

Location: 2378 US-89A  
Kanab, UT 84741  
Vehicle Manifest:  
Secretary's Vehicle:  
RKZ  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Staff Vehicle:  
Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann  
Drive Time: ~1.5 hour without traffic

**6:00-6:30pm MDT:**

**Daily Media Availability**

Location: Kanab Municipal Airport  
Participants:  
Staff: Laura Rigas  
Heather Swift  
Advance: Wadi Yakhour

**6:30-6:45pm MDT:**

**Board Planes en route Salt Lake City, UT (SLC)**

Location: Kanab Municipal Airport  
Vehicle Manifest:  
Secretary's Vehicle:  
RKZ  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Staff Vehicle:  
Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann  
Drive Time: ~xx hour without traffic

**7:00-8:00pm MDT:**

**Wheels Up Kanab, UT (KKNB) en route Salt Lake City, UT (SLC)**

Participants: RZ  
Flight: B200 Turboprop 8 passenger plane

Flight time: 1 hour  
Vehicle Manifest:  
Secretary's Plane:  
RZ  
Laura Rigas  
(b)(6),(b)(7)(C)  
Justin Harding  
Rep. Chris Stewart  
Brian Steed - TBD  
Ed Cox  
Plane No. 2:  
Ryan Wilcox  
Heather Swift  
Tami Heilemann  
Rep. Mike Noel

**8:00-8:15pm MDT: Wheels Down Salt Lake City, UT // Proceed to Vehicles**

Location:  
Vehicle Manifest:  
Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Laura Rigas  
Tami Heilemann

**8:15-10:30pm MDT: Dinner / Private Time at Delta Sky Club**

Location: Salt Lake City International Airport  
776 N Terminal Drive  
Salt Lake City, UT 84122  
Note: Open until 1:00am

**10:30-11:14pm MDT: Depart Dinner en Route Gate for Flight**

Location: Salt Lake City airport  
Vehicle Manifest:  
Secretary's Vehicle:  
Drive Time: ~20 minutes without traffic

**11:14pm PDT: Wheels up Salt Lake City, UT (SLC) en route San Diego, CA (SAN)**

Flight: Delta 1909  
Flight time: 1 hour, 53 minute  
RZ Seat:  
AiC:  
*NOTE: TIME ZONE CHANGE MDT to PDT (-1 hours)*

**11:14-11:30pm PDT: Wheels Down San Diego International Airport**

Location: 3225 North Harbor Drive  
San Diego, CA 92101

**TBD-TBDpm PDT: Depart San Diego International Airport en route RON**

Location: Hotel del Coronado  
1500 Orange Avenue  
Coronado, CA

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Drive Time: ~20 minutes without traffic

**TBDpm PDT: RON**

**Thursday, May 11, 2017**

San Diego, CA

**3:30-4:00pm PDT: Meeting with Congresswoman Radewagen & the American Tunaboat Association**

Location: TBD, not at the hotel

Participants: Congresswoman Amata Radewagen  
Brian Hallman, Executive Director, American Tunaboat Association

**5:00-7:00pm PDT: Optional: Asian Pacific Islanders Reception**

Location: Garden Patio

Hotel del Coronado

Participants: RNC Chairwoman Ronna Romney McDaniel  
Governor Eddie Baza Calvo, Guam  
Congresswoman Amata Radewagen  
Governor Ralph DeLeon Guerrero Torres, Northern Mariana Islands

**7:30-9:00pm PDT: Keynote Remarks at the RNC Spring Meeting Dinner**

Location: Crown Room  
Main Victorian Building  
Hotel del Coronado

Note: 8:15 remarks

**9:00pm PDT: RON**

Location: Hotel del Coronado  
1500 Orange Avenue  
Coronado, CA

**Friday, May 12, 2017**

San Diego, CA → Billings, MT

**4:55-5:15am MDT: Depart RON en route San Diego Airport**

Location: 3225 North Harbor Drive  
San Diego, CA

Vehicle Manifest:

Secretary's Vehicle:

Drive Time: ~20 minutes without traffic

**6:15am PDT-**

**9:15pm MDT: Wheels up San Diego, CA (SAN) en route Salt Lake City, UT (SLC)**

Flight: Delta 2872

Flight time: 2 hours

RZ Seat: 2C

AiC:

Staff:

*NOTE: TIME ZONE CHANGE PDT to MDT (+1 hours)*

**9:15-11:00am MDT: Layover in Salt Lake City, UT // 1 hour, 45 minute layover**

**11:00am MDT-12:29pm MDT: Wheels up Salt Lake City, UT (SLC) en route Billings, MT (BIL)**  
 Flight: Delta 4669  
 Flight time: 1 hour, 29 minutes  
 RZ Seat:  
 AiC:  
 Staff:

**12:29-1:15pm MDT: Wheels down Billings, MT // Eat Snack at Airport // Proceed to Vehicles**  
 Location: Billings Logan International Airport  
 1901 Terminal Circle  
 Billings, MT 59105  
 Note: VPOTUS lands at 1:00pm MDT

**1:15-2:45pm MDT: Depart Billings, MT en route Hardin, MT**  
 Location:  
 Vehicle Manifest:  
     Secretary's Vehicle:  
     Staff Vehicle:  
 Drive Time: ~xx hour without traffic

**2:45-2:50pm MDT: Arrive at Westmoreland Coal Company**  
 Location: Absaloka Mine  
 100 Sarpy Creek Road  
 Hardin, MT 59034  
 Participants:  
 Staff:  
 Advance:

**2:50-3:45pm MDT: Tour of Westmoreland Coal Company Property on Horseback**  
 Location: Absaloka Mine  
 100 Sarpy Creek Road  
 Hardin, MT 59034  
 Participants:  
 Staff:  
 Advance:

**3:45-4:00pm MDT: Conclude Tour // Proceed to Roundtable Discussion**

**4:00-4:30pm MDT: Roundtable with Tribal Leaders & Absaloka Mine Energy Producers**  
 Location: Absaloka Mine  
 100 Sarpy Creek Road  
 Hardin, MT 59034  
 Participants:  
 Staff:  
 Advance:

**4:30-4:35pm MDT: Conclude Roundtable // Proceed to Vehicles**

**4:35-6:00pm MDT: Depart Hardin, MT en route Billings, MT**  
 Location:  
 Vehicle Manifest:  
     Secretary's Vehicle:  
     Staff Vehicle:

Drive Time: ~xx hour without traffic

**6:00-7:00pm MDT:**

**Rally for Greg Gianforte, Candidate for MT-AL**

Location: MetraPark Arena  
308 6th Avenue North  
Billings, MT 59101

Participants:

Staff: None

Advance: None

Format: RZ remarks at 6:18PM  
VPOTUS remarks at 6:35PM

**To:** Bowman, Randal[[randal\\_bowman@ios.doi.gov](mailto:randal_bowman@ios.doi.gov)]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-27T08:31:54-04:00  
**Importance:** Normal  
**Subject:** Fwd: FYI  
**Received:** 2017-05-27T08:31:57-04:00  
[20170525 bears ears Garfield County letter.docx](#)  
[2016 economic up school down.pdf](#)  
[Comparison of Laws Protecting Antiquities 1906 vs 2017.docx](#)  
[Garfield County Economic Data.pdf](#)  
[Protecting Paleontological Resources in GSENM.docx](#)

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

**From:** **Brian Bremner** <[engineer@color-country.net](mailto:engineer@color-country.net)>  
**Date:** Fri, May 26, 2017 at 5:40 PM  
**Subject:** FYI  
**To:** [downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)

This is what we submitted.

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

# ECONOMIC SNAPSHOT

## Garfield County

Updated 5/2/2017

Utah Department of Workforce Services

### Year-to-Year Change in Nonfarm Jobs

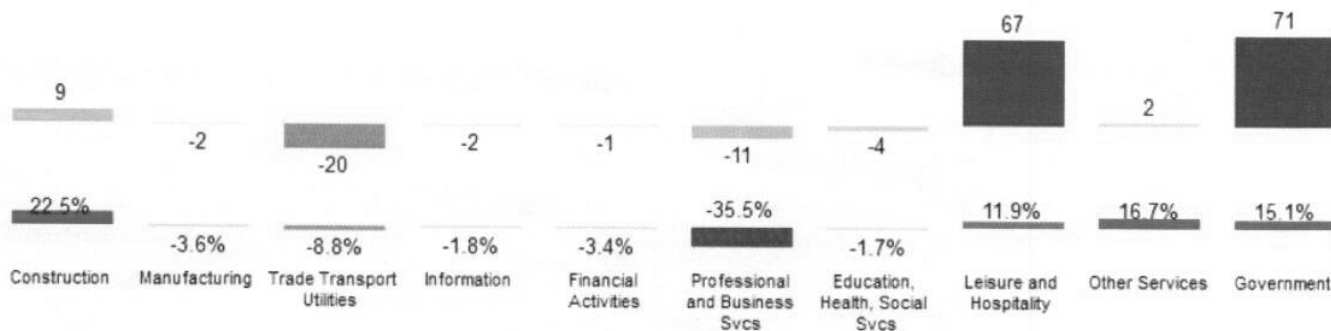
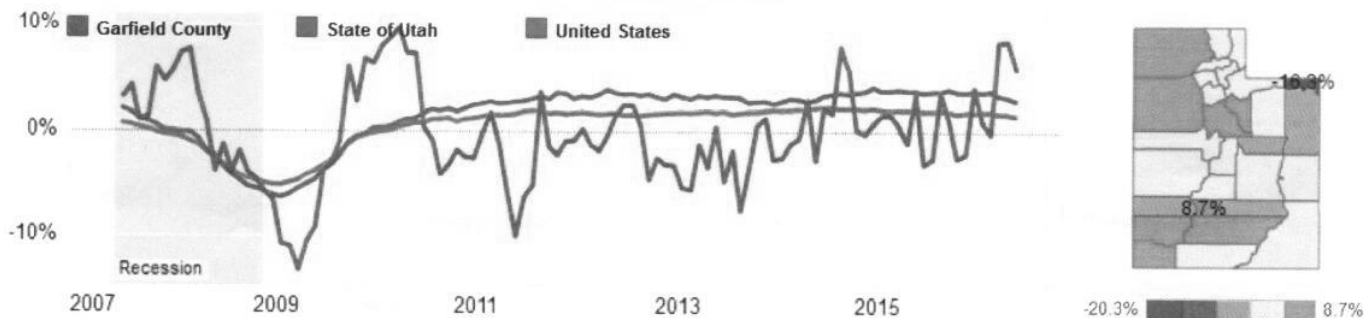
DECEMBER 2016\*

↑ 106

5.9%  
Garfield County

2.9%  
State of Utah

1.5%  
United States



### How's the economy?

After a period of vacillating employment expansion, Garfield County ended 2016 on a robust economic note. Jobs showed exuberant year-to-year job growth in every month of fourth quarter. The county's unemployment rate continues to edge lower and lower and currently measures at its lowest level since before the recession began. First-time claims for unemployment insurance are running at low seasonal levels and average wages are ticking upward. Gross taxable sales rounded out the positive economic picture with strong fourth quarter gains. All in all, the final quarter of 2016 showed Garfield County's strongest economic performance of the year.

### Jobs

On a year-to-year basis, job growth proved particularly strong in fourth quarter 2016, ranging from 8.5 percent in November to 5.9 percent in December.

The county added almost 110 jobs between December 2015 and December 2016.

Most of the job gains occurred in leisure/hospitality services and the public sector.

On the flip side, both retail trade and professional/business services showed a noticeable employment drop.



\*Preliminary

Source: U.S. Bureau of Labor Statistics; Utah Department of Workforce Services.



# Garfield County School District Move IN/OUT Stats for 2016

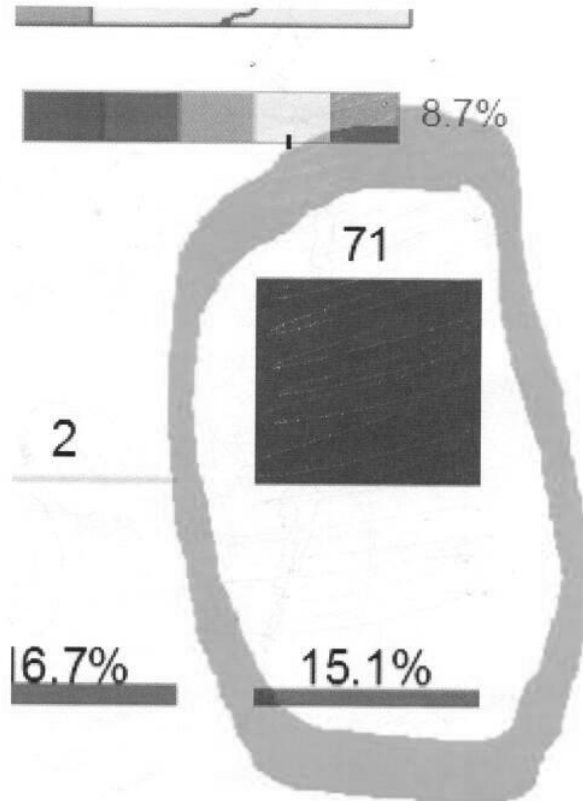
How many families **moved into** your school during the year 2016 that worked for a State agency? A federal agency?

How many students **moved into** your school during the year 2016 that worked for a State agency? A federal agency?

How many families **left** your school during the year 2016 that worked for a State agency? A federal agency?

How many students **left** your school during the year 2016 that worked for a State agency? A federal agency?

Number	School	Families State IN	Families FED IN	Students State IN	Students FED IN	Families State OUT	Families FED OUT	Students State OUT	Students FED OUT
104	ARS								
108	BES								
112	BVES	0	0	0	0	0	3	0	5
116	EES	0	0	0	0	0	0	0	0
124	PES	2	0	2	0	0	1	0	3
304	PMS	0	0	0	0	0	0	0	0
704	BVHS	0	0	0	0	0	2	0	2
708	EHS	0	0	0	0	0	0	0	0
712	PHS	0	0	0	0	0	0	0	0
		2	0	2	0	0	6	0	10



Garfield County (Utah) County Commission  
Comments Regarding the Future of the Bears Ears National Monument

Ryan Zinke, Secretary of the Interior

Dear Secretary Zinke,

This document constitutes the formal comments of the Garfield County Commission regarding the Department of Interior's review of the Bears Ears National Monument. The Commission is the governing body for Garfield County, Utah; and it is the Commission's responsibility to protect the health, safety and welfare of the residents of Garfield County. The Commission asserts this responsibility can best be implemented by actively working with, and supporting, nearby counties in our region facing issues similar to our own, including San Juan County, our neighbor to the immediate east.

San Juan County and Garfield County share many common characteristics. Both counties are rural, semi-arid and cover areas larger than some eastern states. In both counties the land base is overwhelmingly under federal control (83% federal/tribal in San Juan; 90%+ federal in Garfield). Limited acreage in either county is under private ownership (8% in San Juan; 3% in Garfield). Both counties have traditionally relied on resource-based economies – principally timber, minerals and livestock grazing and have been increasingly impacted in a negative way by a single industry, recreation dominant economy. With designation of Bears Ears, the two counties share the dubious distinction of hosting two of the largest land-based national monuments in the lower 48 states. It is these similarities that make Garfield County's twenty one-year experience with the Grand Staircase-Escalante National Monument (GSENM) particularly relevant to the discussion concerning the future of the Bears Ears National Monument.

Our 21 years of experience defending ourselves against unreasonable and irresponsible management at the GSENM, and our realization that a similar situation is imminent in San Juan County, lead us to strongly recommend the Bears Ears designation be rescinded or at the very least significantly reduced to meet the requirements of the Antiquities Act. We also strongly encourage that management of the lands revert to the non-monument Bureau of Land Management. Further, based on the unfortunate abuses of the Antiquities Act over the last two decades, and the fact that the Act is over a century old and has been superseded by more refined legislation, the Garfield County Commission believes that it is time to rescind or significantly revise the Antiquities Act.

The remainder of this comment presents our justification for the above conclusions. We defer site specific comments on Bears Ears to San Juan County and recognize them as the authoritative voice for lands in San Juan County. We will focus on considerations identified in Executive Order 13792 of April 26, 2017 and Garfield County's experience with the Grand Staircase-Escalante National Monument (GSENM).

### **The Requirements and Original Objectives of the Act**

A plain reading of the Antiquities Act and its Congressional Record makes evident Congress envisioned a specific and narrow purpose for the Act. It was meant to protect specific, tangible historic landmarks,

historic structures and objects of historic and scientific interest. Actions that were taken at the time of the Act best document its intended purpose.

From 1906 through 1916 presidents designated 33 monuments encompassing 1,749,654 acres. Congress recognized the significance of 8 of those monuments and re-designated them as National Parks. 1,367,833 acres were moved to Park status, leaving 381,721 acres in 25 monuments for an average of 15,269 acres. Only three of the remaining monuments had acreages larger than 14,000 acres (Dinosaur - 283,885 acres, Bandelier – 37,780 acres, and Pinnacles – 26,174). The remaining 22 monuments (two thirds of the original 33 monuments) had an average acreage of less than 1,600 acres.

From 2006 through 2016 presidents also designated 33 monuments but identified 770,773,801 acres, 440 times the acres designate in the first 33 monuments. While the 1906 through 1916 period included 8 designations worthy of National Park Status, Congress has not recognized any of the latest 33 monuments as worthy of National Park status. The 1.35 million acre Bears Ears Monument is roughly equivalent to the size of the eight 1906-1916 monuments that were designated National Parks. More than half of the monuments designated in the 2006-2016 period have acreages larger than 14,000 acres, and eleven are significantly larger than Dinosaur National Monument's 283,885 acres.

Clearly, there has been a shift in the understanding of “the smallest area compatible with the proper care and management of the objects to be protected”. Eight of the monuments created in the last decade were larger than 1 million acres. And these designations came after a full century of presidents using the Act to designate what they considered to be areas most worthy for designation. Logically, the most outstanding objects would have received monument status at the earliest time, and areas of lesser quality would be left for our present day.

### **Appropriate Designation as Historic Landmarks, Historic and Prehistoric Structures and Objects of Interest**

Presidents have also abandoned the original understanding of objects that merit protection. The Act identifies 1) historic landmarks; 2) historic and prehistoric structures; and 3) other objects of historic or scientific interest. Four terms need to be defined to evaluate if recent presidential actions are within authorized discretion or reach the level of abuse. Important terms are as follows:

- Historic: Famous or important in history
- Landmark: An object or feature of a landscape that is easily seen and recognized from a distance, especially one that enables someone to establish their location
- Prehistoric: Of or relating to the time or a period prior to recorded history
- Object: A material thing that can be seen and touched.

Applying the definitions to the language in the Act an object qualifying for monument must be: 1) a famous or important feature of a landscape that is easily seen and recognized from a distance, especially one that enables someone to establish their location; 2) a famous or important structure or a structure that is related to the time before recorded history; or 3) a material thing that can be seen and touched that is famous or important or has scientific interest.

Early designations clearly followed a process which presidents felt were within the limits of their discretion. A monument worthy object was identified and a boundary was drawn around it. For smaller monuments, the process seems to be similar in recent years. Presidents have used their discretion to identify discrete objects that are famous or important to national interests or science and then draw a boundary around it. However, for larger monuments boundaries seem to be drawn first and then indiscrete, flowery language is used to describe the general character of the area, without identifying any qualifying object. In Bears Ears, for example, the proclamation attempts to equate values, diverse vegetation, 15 species of bats, riparian communities and other generalized characteristics to discrete objects that need protection, which is inconsistent with the definition of an object. Many of the so-called objects are variable and come and go with seasons, precipitation and natural ecologic variations. There are no viable threats, so there is nothing to protect from. Interestingly the largest monuments have the least defined objects, a demonstration of abuse of the Antiquities Act.

Section 3 of the Act makes it abundantly clear that qualifying objects do not need to be maintained in their current condition. The Act authorizes extraction of qualifying objects for scientific study. Even today, monuments frequently encourage extraction of archeological and paleontological resources they are mandated to protect. Once an object is removed, what is the value of continued protection of the area from which the object was extracted?

Waco Mammoth National Monument appears to be a proper example of a valid designation process. The object is defined and limited to a specific location. The Waco monument appears to be a reasonable size that meets minimum area criteria. Bears Ears is the antithesis: an overlarge area with no defined objects. In order to meet Antiquities Act criteria, the managing agency should be able to list each object identified in the presidential proclamation and provide an associated GPS coordinate / longitude-latitude. The Bears Ears proclamation failed to do so.

The process used to designate the GSENM created anger and distrust that continues to this day. The designation process used for the GSENM is well-documented in the November 9, 1997 Congressional Record, in a House Resource Committee majority staff report and attachments to that report. Bears Ears' proclamation has similar flaws including:

- It failed to identify specific landmarks, structures or objects,
- It failed to identify any threats to specific landmarks, structures or objects,
- It failed to identify any management prescriptions for landmarks, structures or objects,
- It throws a broad net over almost all federal land between other established federal designations, (National Parks, Recreation Areas and Forests). Such a broad net with ill-defined objects violates the Act

While the process for Bears Ears may not have been as secretive as for GSENM, the Obama administration failed to truly communicate and coordinate with state and local officials. Rather, it conducted shuttle diplomacy with special interests and Native Americans whom special interests were using to bring legitimacy to their wilderness initiative. The president made the proclamation without any real consideration of the local officials in spite of lip service to the contrary.

## **Effects of Designation on Available Uses of Designated Federal Lands**

Grand Staircase-Escalante National Monument provides a graphic example of the effects of recent, overly broad monument designations. The Antiquities Act was not intended to create or protect large swaths of wilderness. That purpose was established with the Wilderness Act of 1964. Unfortunately, beginning with the designation of the GSENM, and replicated with the designation of Bears Ears, the Antiquities Act has become a vehicle for creating wilderness without Congressional consent.

Historical facts associated with GSENM accurately forecast the effects of monument designation for resource uses in Bears Ears. Those facts include:

- Two thirds of the County maintained road mileage that existed at the time of designation has been closed to the public by BLM.
- Although BLM does not claim management authority over any roads in GSENM under 23 CFR 460, it refuses to acknowledge Garfield and Kane Counties' claims and has forced the local governments into expensive litigation.
- BLM's refusal to allow reasonable improvements to high use transportation facilities has required Garfield County to grade the entire 56 miles of the Hole in the Rock Road an average of 17 times per year over the last 3 years, making it the intensive maintenance need on the County's road network.
- BLM's refusal to allow the Counties to install drainage culverts in maintained roads results in resource damage, erosion, emergency rescues, and washouts many times each year.
- GSENM has prohibited maintenance of vegetative treatments which has reduced land health and negatively impacted wildlife and livestock, while increasing erosion.
- All mining, commercial timber harvest and other traditional industries have been eliminated.
- Installation of needed infrastructure, communication facilities, powerlines, fiber optic lines, etc. has been delayed or prohibited – even when upgrades are located in existing rights of way.
- 94% of GSENM (approximately 1.77 million acres) is managed for wilderness with services restricted to signs needed to warn of natural hazards.
- Only 6% of GSENM (113,000 acres) is managed to accommodate.
- Extraction of common sand & gravel needed for community development has been prohibited.
- Grazing has been reduced.
- On 66% of the monument families are prohibited from recreation activities that include more than 12 people.
- On an additional 28% of the monument is restricted to a 25 person limit.
- BLM refuses to install restrooms at high use areas such as Peekaboo/Spooky slot canyons resulting in human waste concentrations and health hazards.

Simply and bluntly stated, the designation of both GSENM and Bears Ears was intended as a means to bypass Congress and lock-up large areas of land under management that follows wilderness prescriptions. Monument designation was not intended to protect specific objects, structures and landmarks as specified by the Antiquities Act and was not intended to serve the vast majority of the American public. Almost all uses in the GSENM have been eliminated or significantly reduced. A similar fate is anticipated for Bears Ears.

### **Effects of Designation on Uses of Non-Federal Lands**

Once again the best predictor of impacts in the Bears Ears Monument is irrefutable actions that have occurred in GSENM. All state lands in GSENM at the time of designation were subsequently transferred to BLM. The transfer included payments to the state as whole and some BLM properties outside the Monument. But those payments and lands benefitted populations outside Garfield and Kane Counties – the very counties impacted by GSENM. A similar fate is forecast for Bears Ears.

Payments to local schools and communities that are based on State trust land acreage were significantly reduced because state lands in GSENM were traded out the monument for lands outside Kane and Garfield Counties. Jobs associated with State Trust Lands were eliminated by monument regulations that prohibit continuation of traditional industries. Use of common materials needed in construction of homes, roads and communities available on the trust lands has been completely eliminated.

When state lands were transferred, it exposed the lands to the full complement of federal regulations and prohibited more efficient use of the lands. Livestock grazing permits were altered to comply with more onerous federal regulations. Permitting processes became more costly, and management moved from local control to the National Landscape Conservation System in Washington DC. The ability of lands to be sold or traded to communities for public purposes was lost, and local ability to improve facilities under beneficial laws such as the Recreation and Public Purpose Act was eliminated.

GENM designation and subsequent land transfers foreclosed opportunities for sale of Trust lands to private parties. This eliminated commercial opportunities and opportunities to support County property taxes. This would be a problem in any county, but is a particular problem in counties such as Garfield and San Juan where private property is a rare and precious commodity.

Monument employees – GSENM’s landscape architect in particular- have opposed reasonable projects outside GSENM and have lobbied against projects supported by the duly elected Garfield County Commission. They have continually harassed county employees engaged in authorized endeavors and have attempted to force monument authority outside their jurisdiction.

Based on our 21 year experience with the GSENM, Garfield County cannot identify a single benefit to the use of non-federal lands in and adjacent to GSENM. The Garfield County Commission strongly encourages San Juan County, the State of Utah and private individuals to resist all efforts to transfer any non-federal lands within the Bears Ears area to the federal government.

DOI also needs to be aware of serious unethical efforts by BLM to forcibly take private ground under the guise of federal authority. In 2009 BLM began organizing an armed occupation of a private property adjacent to GSENM in an effort to “encourage” the property owner to transfer a portion of the land to federal ownership. The action never took place, largely due to a monument employee’s declaration that he would publicly disclose the operation if it was carried out. Garfield County’s information regarding the armed operation is limited, but complete details can be obtained by contacting Drew Parkin, former GSENM Escalante Field Station Manager, at (435) 491-2160

### **Concerns of State, Tribal and Local Governments Affected by a Designation, Including Economic Development and Fiscal Condition**

We defer to the San Juan County Commission for the official local position on economic development and fiscal condition. However, we offer our experience regarding local economic conditions.

Much has been claimed regarding economic impacts of monuments on local economies. Generalized studies, however do not always apply to the site specific conditions associated with individual monuments. For example, in 2011 headwaterseconomics.org produced a document entitled *The Economic Importance of National Monuments to Local Economies*. On the surface, the document indicates that growth in communities near monuments do not demonstrate a cause-and-effect relationship and there is no evidence that new monuments prevent continued economic growth. In GSENM's case, the document was flawed in that it a) considered major communities that were not in GSENM's service area as contributors to the monument's economy and b) incorrectly lumped the lightly populated, federally dominated communities of Kane and Garfield Counties in with major metropolitan areas where a monument made up a small percentage of the land base and local economy. Garfield County asserts economic conditions regarding monuments are site specific. Statistics and demographics can be manipulated to push a decision in almost any direction. Analysis of community conditions often gives a clearer picture. The following describes conditions in Garfield County since creation of GSENM since September 1996:

- Escalante High School enrollment (the school possibly most impacted by monument designation) has declined from 150 in 1996 to less than 60 in 2016, a decline of 60%. The decline has forced the County Commission to declare a local state of emergency. The trend is especially alarming when considering Utah has one of the fastest growing school-age populations in the nation.
- Garfield County has high school graduation rates in excess of the national average. Yet, college degrees are below national average, and advanced degrees are well below national averages. We assert this documents an outmigration of individuals with higher education that is tied to a lack of jobs.
- An economic snapshot produced by Utah Workforce Services indicated 71 new government jobs in Garfield County in the last year. However, an inventory conducted by the local school district indicates a loss of 10 school children from families employed by the federal government. (See Attached 2016 Economic up school down.pdf)
- A simple glance at the unemployment rates for Garfield County in the last 20 years will quickly demonstrate an unstable economy tied to tourism/recreation. Winter unemployment is far in excess of state and national averages. (See attached Garfield County economic data.pdf)

The reality is that traditional jobs have been lost and that these have been replace by low paying, seasonal jobs that typically go to people from outside the community. People attracted to the monument outbid local residents for housing, and young families are forced to leave. The people replacing these families seldom have children, and the result is that our schools contract. When the GSENM was designated in 1996, Escalante, the city most directly affected by the GSENM, had a stable population of about 1,000 people. That year the population started on a downward trend and the City now has approximately 800 residents. In addition, the student population at Escalante High School has decreased from 150 students in 1996 to 60 today.

The Garfield County Commission is committed to supporting the economic and social wellbeing of county residents, and if life in our County indicated the GSENM enhanced the lives of County residents, we would say so. But we have concluded otherwise. On balance, from an economic perspective, the County would be better off without the monument. Given the similarity between Garfield and San Juan

counties, and the similarity between GSENM and Bears Ears, it is probable that after twenty years with Bears Ears San Juan County will experience similar difficulties. Garfield County's economic woes may not be connected solely to GSENM, but the monument has done nothing to relieve them. The best economic picture for Garfield County and its relationship with GSENM are the economic reports included in the GSENM Grazing EIS currently underway. Reports are available at the GSENM website.

### **Availability of Federal Resources to Manage Designated Areas**

Garfield County's experience is that resources needed to manage large blocks of land designated as monuments are totally insufficient. Management of monuments tends to expand administrative positions and limit on-the-ground staff. Just the opposite should happen. Monuments should have programs that enhance resources rather than programs that restrict use and promote bureaucratic regulation.

Improvements in GSENM are often connected to local and state programs that provide necessary funding. Nearly all public services (law enforcement, emergency medical, search & rescue, solid waste collection & disposal, road maintenance, etc.) are funded by local or state government. Creation of GSENM has only increased the difficulty and expense associated with federal land management.

### **Conclusion**

Thank you for allowing the Garfield County Commission to provide comments on the designation, management and community effects of national monuments, especially the Bears Ears National Monument. The decision that will be made concerning this matter will have dramatic effects on the future of this area and the surrounding region. We implore you to consider the effects that this decision will have on the people who have dedicated their lives to creating southern Utah's unique communities and culture. In this case, protection of antiquities located in the Bears Ears area is already required by numerous federal laws that were not in place when the Act was adopted in 1906. Implementation of existing laws and regulations adequately protect federal resources. Administration of the Bears Ears area should be conducted under reasonable multiple use management under the administration of the BLM's local area office and, on national forest system lands, the Manti-La Sal National Forest. Furthermore, it should be conducted in coordination and cooperation with local San Juan County officials.

Brian Bremner  
Garfield County Engineer  
55 South Main, P.O. Box 77  
Panguitch, Utah 84759  
Office (435) 676-1119  
Cell (435) 690-1050  
engineer@color-country.net



## Comparison of Laws Protecting Antiquities 1906 vs 2017

1906	2017
<p>Antiquities Act of 1906</p>	<p>Antiquities Act of 1906</p> <p style="text-align: center;"><b>Additional Laws</b></p> <ul style="list-style-type: none"> <li>• Historic Sites, Buildings and Antiquities Act of 1935</li> <li>• National Stolen Property Act of 1948</li> <li>• Management of Museum Properties Act of 1955</li> <li>• Reservoir Salvage Act of 1960</li> <li>• National Historic Preservation Act of 1966 (NHPA)</li> <li>• National Environmental Policy Act of 1969 (NEPA)</li> <li>• Archeological and Historic Preservation Act of 1974 (AHPA)</li> <li>• Archaeological Resources Protection Act of 1979 (ARPA)</li> <li>• Native American Graves Protection &amp; Repatriation Act of 1990</li> <li>• Illegal Trafficking in Native American Human Remains And Cultural Items 1990</li> <li>• Paleontological Resources Preservation Act of 2009</li> <li>• Theft and Destruction of Government Property 18 USC 1361</li> <li>• National Historic Landmark Program 54 USC 302102 – 302108</li> </ul> <p style="text-align: center;"><b>Regulations</b></p> <ul style="list-style-type: none"> <li>• Curation of Federally-Owned &amp; Administered Archeological Collections, 36 CFR 79</li> <li>• Native American Graves Protection &amp; Repatriation Act Regulations, 43 CFR 10</li> <li>• Preservation of American Antiquities 43 CFR 3</li> <li>• Protection of Archaeological Resources 43 CFR 7</li> <li>• Statement of federal Financial Accounting Standards #29 (2005)</li> <li>• Historic Sites Regulations 36 CFR 1-65</li> <li>• Theft and Destruction of Government Property 18 USC</li> <li>• National Historic Landmark Program 36 CFR 65</li> </ul> <p style="text-align: center;"><b>Executive Order</b></p> <ul style="list-style-type: none"> <li>• E. O. 11593 Protection &amp; Enhancement of the Cultural Environment (1971)</li> <li>• E. O. 13007 Indian Sacred Sites</li> <li>• E. O. 13175 Consultation and Coordination With Indian Tribal Governments</li> <li>• E. O. 13287 Preserve America</li> </ul>

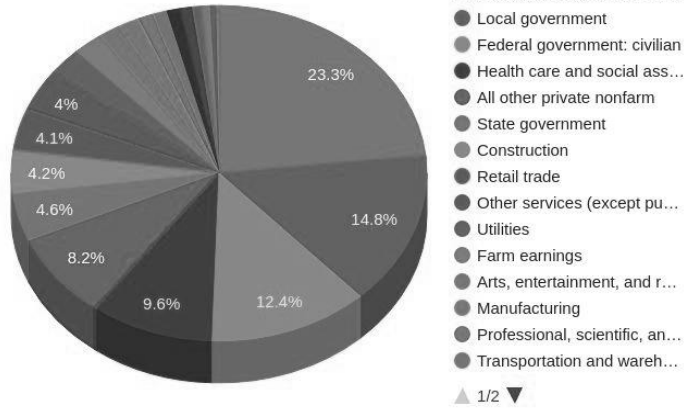
Current Methods for Protecting Paleontological Resources in GSENM  
(Dig it up and haul it off)



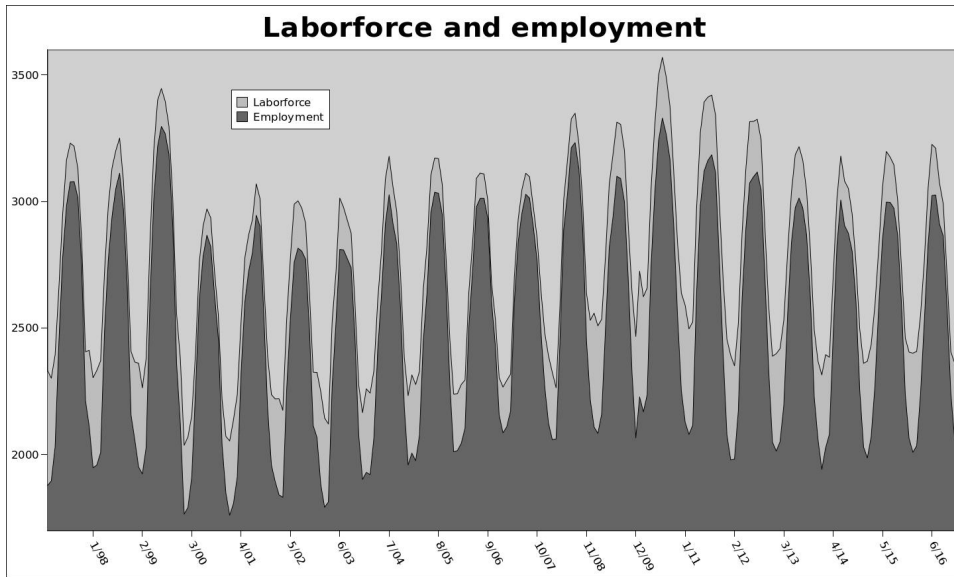
# Garfield County Economic Data

In a county as small as Garfield County, GDP data are generally not available; however, there are data on personal earnings by industry. Half of all earnings in Garfield County are represented by three sectors: accommodation and food services, local government, and civilian federal government. It is likely that agriculture represents a greater share of Garfield County's economy than the graph shows because of the way farm earnings are calculated.

All Earnings



When farm and government earnings are excluded, accommodation and food services represent more than a third of private nonfarm earnings.

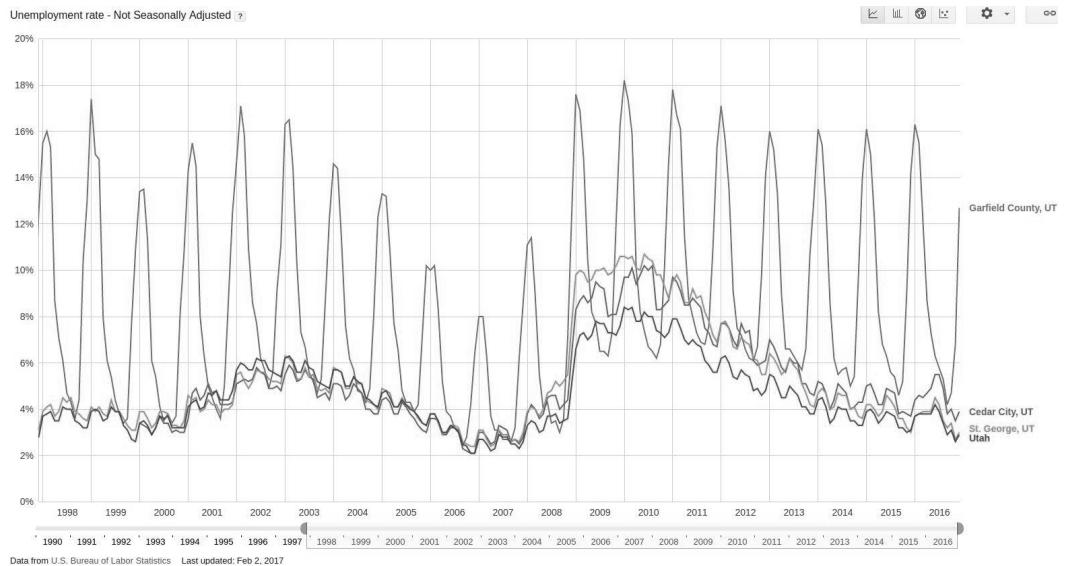


The year-round labor force in Garfield County consists of approximately 2,300 people. This swells to about 3,300 during summer months, given the seasonality of the accommodations and food services industry, and brings in transient employees from all over the world.

One result from this seasonal swell is difficulty providing housing in some areas of the county.

Among the permanent workforce, about one person in six will be unemployed in January every year.

While Garfield County unemployment dropped below the regional and state averages in the summer months during the early years of the Great Recession, it exceeds those areas in recent years.



Data from U.S. Bureau of Labor Statistics Last updated: Feb 2, 2017

**To:** Caroline Boulton[caroline\_boulton@ios.doi.gov]; Russell Roddy[russell\_rodny@ios.doi.gov]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-02T08:02:54-04:00  
**Importance:** Normal  
**Subject:** Fwd: Updated BLM Input  
**Received:** 2017-05-02T08:03:02-04:00  
MonticelloFieldOffice\_SanJuanCounty\_FieldTrip (v4) (2).docx

Here are three meetings which we can plug into the schedule which I shared with you on google drive (created by Justin harding). Let me know if you didn't receive it. I am going to get some feedback from Anita and then convey to you after. Otherwise plan to hand most of this off to you all I have done my best but am no professional :)

Lets plan to talk at noon today before the call you will participate in at 1 with Utah Gov office.

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

**From:** **Magallanes, Downey** <downey\_magallanes@ios.doi.gov>  
**Date:** Tue, May 2, 2017 at 7:58 AM  
**Subject:** Re: Updated BLM Input  
**To:** Anita Bilbao <abilbao@blm.gov>  
**Cc:** Kathleen Benedetto <kathleen\_benedetto@ios.doi.gov>, Edwin Roberson <eroberso@blm.gov>

Sorry I am not free until 11:30 let me know if that is ok. If not we can shoot for later in the day. For now please see my edits reflecting what we will do and comments.

Downey

On Tue, May 2, 2017 at 6:59 AM, Anita Bilbao <abilbao@blm.gov> wrote:

Good morning, Yes let's talk first, that's the plan. Would 10 or 1030 work?

Anita

Sent from my iPhone

On May 2, 2017, at 5:58 AM, Downey Magallanes <downey\_magallanes@ios.doi.gov> wrote:

This is very comprehensive thank you. The schedule is still in flux so please let's talk before you reach out. What is your availability today to meet? Thanks.

Sent from my iPhone

On May 1, 2017, at 11:39 PM, Bilbao, Anita <abilbao@blm.gov> wrote:

Downey and Kathy,

Thank you both for your time today. Attached is an updated outline with the 3 partner visits we discussed. I'll be at Main Interior tomorrow at 10:30 to walk through details with Kathy and identify any questions/logistics for attention. If possible I'd like to get the go ahead by mid-day to reach out to extend invitations so folks can plan.

Also, here are the Dept of Ag and Forest Service contacts. Both Dan and Glenn are familiar with the issues and have been out on the ground in Utah

***US Forest Service:*** Glenn Casamassa, Acting Associate Chief (202-205-3171)

***Dept of Agriculture:*** Dan Jiron, Acting Deputy Undersecretary for Natural Resources & Environment (NRE)

*\*Dan is on detail in the Deputy Undersecretary role - he is usually the USFS Associate Chief*

On Mon, May 1, 2017 at 1:16 PM, Edwin Roberson <[eroberso@blm.gov](mailto:eroberso@blm.gov)> wrote:

Downey, here is the itinerary I sent to Kathy last week. I have copied

Anita and provided her your contact information. She will reach out to you shortly and should be a MIB soon. Ed

--

**Anita Bilbao**  
**Associate State Director**  
**Bureau of Land Management - Utah**  
801-539-4010 (o)  
385-315-1211 (c)  
<https://www.blm.gov/utah>

<MonticelloFieldOffice\_SanJuanCounty\_FieldTrip (v4).docx>

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Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

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202-501-0654 (desk)  
202-706-9199 (cell)

## Monticello Field Office/San Juan County Field Trip

### Monday, May 8 – Friends of Cedar Mesa

#### Option 1- Edge of the Cedars State Park

Located in Blanding, Utah, just outside of the Bears Ears National Monument, the Edge of the Cedars State Park includes the largest collection of Ancestral Puebloan (Anasazi) pottery on display in the Four Corners Region. The State Park also includes an Ancestral Puebloan village.

*Estimated Time: 90 minutes meeting plus additional free time to view collections*

**Non-Agency Participants:** Josh Ewing, Executive Director; Amanda Podmore, Assistant Director; other Friends of Cedar Mesa Board of Directors and staff as appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

*\*Meeting times to be determined when additional schedule details are provided. The BLM Utah State Office will extend invitations to meeting guest.*

**Commented [MDP1]:** Tentatively 4:30 to 7:30 Monday total time including travel from monument and then back to Monticello by 7:30

**Formatted:** Not Highlight

### Tuesday, May 9 – The Nature Conservancy

Dugout Ranch is a working ranch in the Indian Creek corridor owned by the Nature Conservancy that includes the private residence of ranch lessee, Heidi Redd. Indian Creek is scenic corridor and global climbing destination with spectacular rock art. The area is also the gateway to Canyonlands National Park Needles District.

7:30-8:30 AM	Travel to Newspaper Rock
8:00-8:30 AM	Newspaper Rock
8:30-9:00 AM	Shay Canyon Rock Art
9:00-9:30 AM	Donnelly Canyon Recreation Site
9:30-11:00 AM	Dugout Ranch
11:00-12:00 AM	Travel to Blanding

**Non-Agency Participants:** Heidi Redd, Manager, Dugout Ranch; Tom Cors, Director, Lands, Nature Conservancy; other Nature Conservancy Representatives as determined appropriate

**Commented [MDP3]:** We will have

**Commented [MDP4]:** Let's make sure we are not overlapping with already planned touring of these sites. The purpose of reserving this morning was for the ranch but let me know if you have further thoughts.

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

*\*Meeting invitations to be extended by Department of Interior.*

### **TBD -- Bears Ears Commission**

**Commented [MDP5]:** Tentatively 3:30-4:30 Sunday

To reflect tribal expertise and traditional and historical knowledge, the proclamation established a Bears Ears Commission. The commission is composed of one elected officer from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe. The proclamation requires the BLM and the USFS to “meaningfully engage the Commission...in the development of the management plan and to inform subsequent management of the monument.”

#### Option 1- Governor’s Conference Room- Salt Lake City, UT

*Estimated Time: 60 minutes meeting time*

**Bears Ears Commission Representatives:** Alfred Lomahquahu, Vice Chairman, The Hopi Tribe, Kykotsmovi, AZ; James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation, Fort Defiance, AZ; Davis Filfred, Navajo Nation Council, Window Rock, AZ; Shaun Champoos, Chairman, Ute Indian Tribe, Ft. Duchesne, UT; Carleton Bowekaty, Councilman, Zuni Tribe, Zuni, NM; Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute, Towaoc, CO

**Bears Ears Commission Support Staff:** Natasha Hale, Native American Program Director, Grand Canyon Trust; Charles Wilkinson, Legal Advisor, University of Colorado; Leland Begay, Legal Advisor, Ute Mountain Ute; Gavin Noyes, Utah Dine Bikeyah, Executive Director; other Commission support staff as determined appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

**USFS Regional Participants:** Nora Rasure, Regional Forester, Brian Mark Pentecost, Forest Supervisor, Manti La-Sal National Forest, Mike Deim, District Ranger, Moab/Monticello District

**Commented [MDP6]:** Please advise which meetings you believe non BLM participants should be present for

*\*The BLM-Utah State Office recommends a closed-door session between the Bears Ears Commission and the abovementioned agency personnel to honor the government-to-government consultation process.*

*\*Total participation in Bears Ears discussion is approximately 25 people.*

*\* The BLM-Utah State Office will extend invitations to the Bears Ears Commission.*

*\* Meeting location to be determined when additional schedule details are provided.*



**To:** Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Boulton, Caroline  
**Sent:** 2017-06-08T13:13:04-04:00  
**Importance:** Normal  
**Subject:** Fwd: Map  
**Received:** 2017-06-08T13:21:03-04:00  
Both Maps for 2 sided print\_11by17.pdf

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

From: **Hudson, Tim** <[tim\\_hudson@nps.gov](mailto:tim_hudson@nps.gov)>  
Date: Thu, Jun 8, 2017 at 12:47 PM  
Subject: Re: Map  
To: Caroline Boulton <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)>

Here it is. It is a two-sided map and it reads best at 11 x 17. One side shows the area surrounding the monument and the other side has more detail in the monument. It is also on our website, but it will be easier for you to print off of the attached PDF.

I will have copies for all for next week.

Let me know if you have any questions.

Tim

Tim Hudson  
Superintendent  
Katahdin Woods and Waters National Monument  
National Park Service  
PO Box 446  
Patten, ME 04765  
<http://www.nps.gov/kaww>

207 242-0186 Work Cell  
907 350-8058 Personal Cell

On Thu, Jun 8, 2017 at 12:28 PM, Caroline Boulton <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Hi Tim!

Do you have a PDF of a map of the monument that you could send us?

Thanks!  
Caroline

Sent from my iPhone

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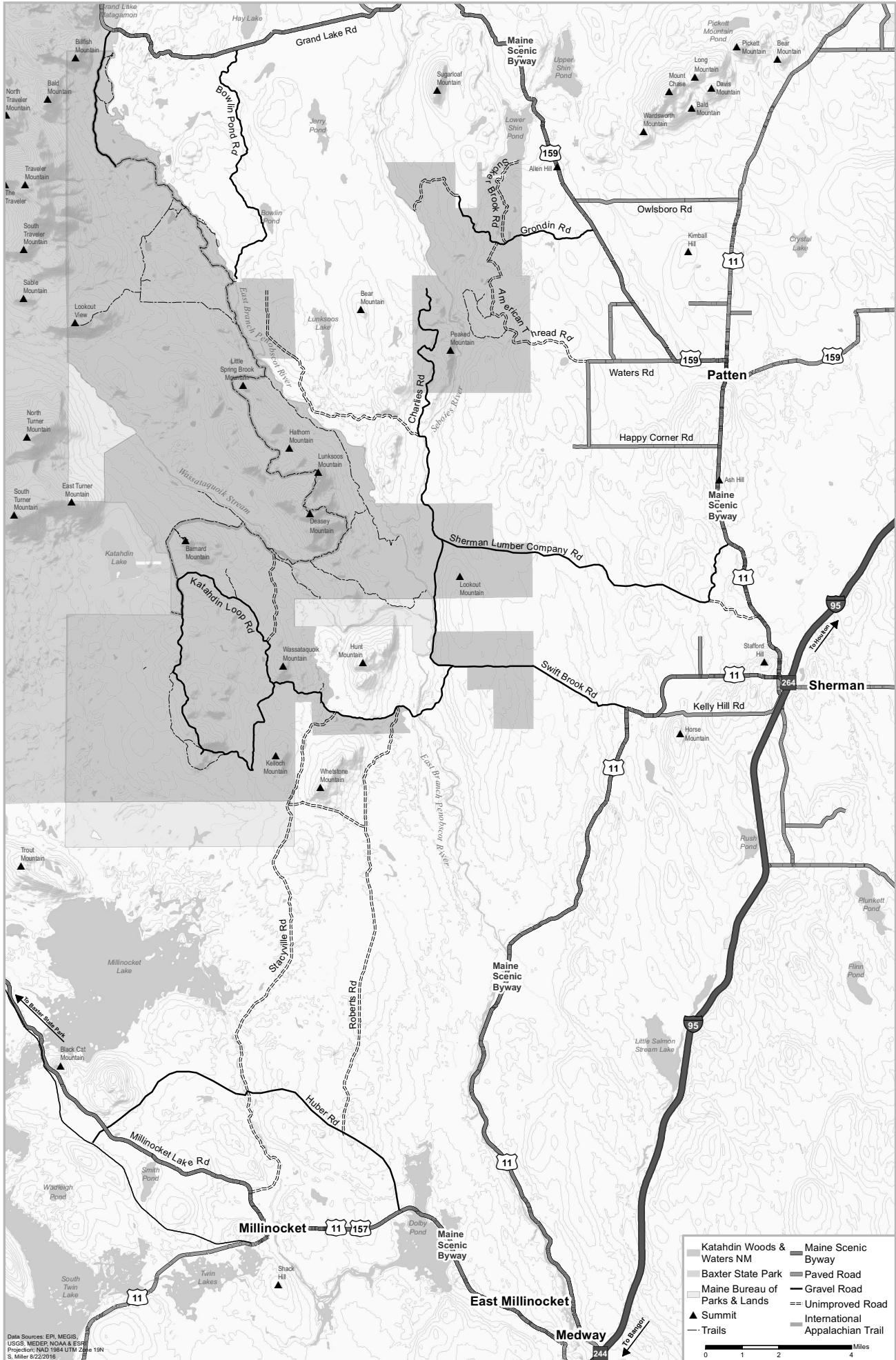
**Caroline Boulton**

Department of the Interior

Scheduling & Advance

[Caroline\\_Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | [Scheduling@ios.doi.gov](mailto:Scheduling@ios.doi.gov)

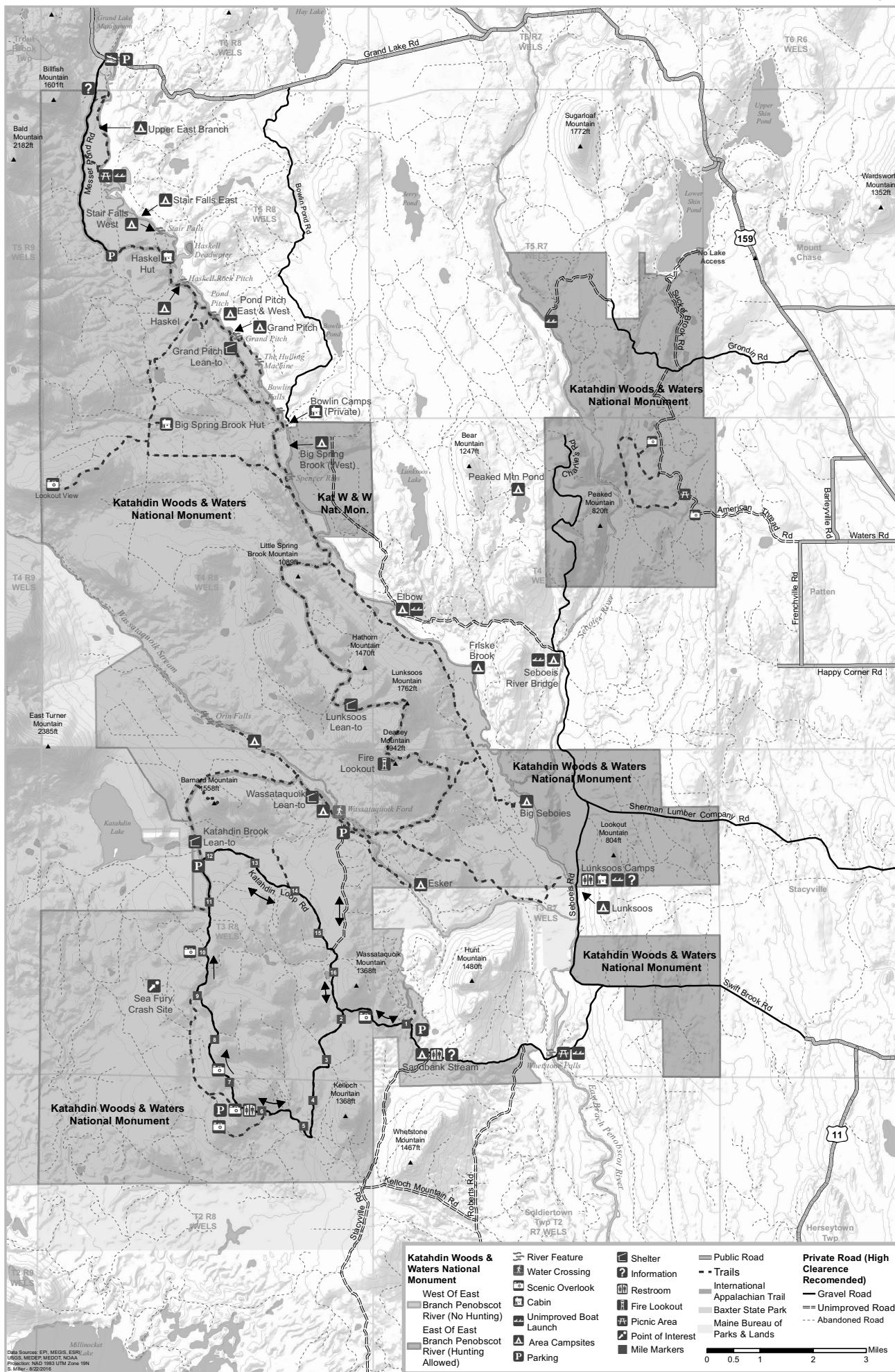
# Katahdin Woods & Waters Area Map



	Katahdin Woods & Waters NM		Maine Scenic Byway
	Baxter State Park		Paved Road
	Maine Bureau of Parks & Lands		Gravel Road
	Summit		Unimproved Road
	Trails		International Appalachian Trail

Data Sources: EPI, MEGIS  
 USGS, NAD 1984 UTM Zone 18N  
 S. Miller 6/22/2016

# Katahdin Woods & Waters National Monument Recreation Map



<p><b>Katahdin Woods &amp; Waters National Monument</b></p> <ul style="list-style-type: none"> <li>West Of East Branch Penobscot River (No Hunting)</li> <li>East Of East Branch Penobscot River (Hunting Allowed)</li> </ul>	<ul style="list-style-type: none"> <li>River Feature</li> <li>Water Crossing</li> <li>Scenic Overlook</li> <li>Cabin</li> <li>Unimproved Boat Launch</li> <li>Area Campsites</li> <li>Parking</li> </ul>	<ul style="list-style-type: none"> <li>Shelter</li> <li>Information</li> <li>Restroom</li> <li>Fire Lookout</li> <li>Picnic Area</li> <li>Point of Interest</li> <li>Mile Markers</li> </ul>	<ul style="list-style-type: none"> <li>Public Road</li> <li>Trails</li> <li>International Appalachian Trail</li> <li>Baxter State Park</li> <li>Maine Bureau of Parks &amp; Lands</li> </ul>	<p><b>Private Road (High Clearance Recommended)</b></p> <ul style="list-style-type: none"> <li>Gravel Road</li> <li>Unimproved Road</li> <li>Abandoned Road</li> </ul>
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Data Sources: EPI, MEIGIS, ESRI, etc.  
 UTM: MESEF, MEGCOT, NGA  
 Projection: NAD 1983 UTM Zone 18N  
 S. Miller - 8/22/2016



**To:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-06T13:59:13-04:00  
**Importance:** Normal  
**Subject:** Re: Utah BLM Facts  
**Received:** 2017-05-06T13:59:22-04:00  
[BLM Utah Statewide Overview 2017.pdf](#)  
[BLM Utah Statewide Overview Small 03-06-2017 \(2\).pdf](#)

oops - sent too quickly.

Topics and Facts - Shared with us from BLM Utah - Michael Richardson

On Sat, May 6, 2017 at 1:57 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Topics and Facts - Shared with us from BLM Utah - Michael Richardson

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# BLM Utah Statewide Overview



## LANDS AND MINERALS

- In Fiscal Year (FY) 2016, the Office of Natural Resources Revenue reported \$146,279,546 in revenue from oil and gas development activities in Utah (royalties, rentals and bonus bid payments). Total revenue generated from all minerals including coal was \$185,502,592. The State of Utah received nearly \$70 million from federal oil and gas revenues.
- As of Feb. 22, 2017, there were 2,973 authorized oil and gas leases covering 2,875,091 acres in Utah and 1,813 leases on 1,411,088 acres were held by production.
- In FY2016, BLM-Utah conducted two oil and gas lease sales:
  - Acres Nominated – 353,249
  - Acres Offered for Sale – 52,444
  - Acres Receiving Bids – 22,772
  - Total Receipts - \$314,255

### Greens Hollow Coal Lease by Applications (LBA)

- The competitive coal lease sale for a 6,175-acre tract containing ~55.7 million tons of recoverable coal was held on Jan. 4, 2017. Canyon Fuels Company, LLC secured the lease with a bid of \$22.85 million, or \$3,700.17 per acre.

### Alton Coal Mine Lease by Application (LBA)

- Alton Coal Development, LLC submitted an LBA to expand an existing surface coal mine from private mineral estate to federal mineral estate. Following receipt of the application, a tract delineation, scoping, publication of a draft EIS, and a supplemental EIS were completed.
- A record of Decision has not yet been signed. It is currently on hold subject to Secretarial “coal pause” order.

### San Rafael Desert Master Leasing Plan (MLP)

- Comprised of 525,000 acres in Emery and Wayne counties, the MLP considers whether to amend leasing decisions in the 2008 Price and Richfield Field Office Resource Management Plans (RMP). A NEPA document is in progress after public review of preliminary alternatives.

### Moab Master Leasing Plan

- The Moab MLP area covers 946,469 acres (785,567 acres of BLM lands) and addresses potash leasing in the planning area due to high interest as evidenced by the submission of

more than 300 potash prospecting permit applications.

- A Record of Decision was signed on Dec. 15, 2016.
- The newly established Bears Ears National Monument encompasses a small portion of the Moab MLP.

### Monument Butte Area Oil and Gas Project Record of Decision

- On Sept. 30, 2016, BLM-Utah signed the Record of Decision (ROD) for the Monument Butte Area Oil and Gas Project in the Uinta Basin to allow “infill” of up to 5,750 new wells.
- The project is estimated to generate about 540-600 million cubic feet of natural gas and about 335 million barrels of oil over the next 20 years. Total employment would peak at about 500 jobs during build up phases and sustain 40-50 jobs over the life of the project. About \$73.6 million in taxes would be paid to Uintah and Duchesne counties and about \$138.7 million would be paid to the state.

### Greater Chapita Wells Oil and Gas Infill Drilling Project

- A draft EIS for the Greater Chapita Wells project is expected in summer 2017. The project involves the infill drilling of 2,808 wells from 960 expanded existing pads and construction of 233 new pads.

### Daneros Uranium Mine Facility Expansion

- Energy Fuels proposes to expand facilities at the Daneros uranium mine and construct new facilities at two previously mined sites (Bullseye and South Portal Areas).
- Total production is expected to increase from 100,000 tons in seven years to 500,000 tons over 20 years. Although approved in 2009, the mine is not currently operating, due to market conditions.
- This proposal has been controversial due to the proximity to Bears Ears National Monument.

### Utah Test and Training Range

- The land exchange authorized by NDAA in the UTTR call up area 85K acres of SITLA for 95K of BLM

### Bears Ears Land Exchange

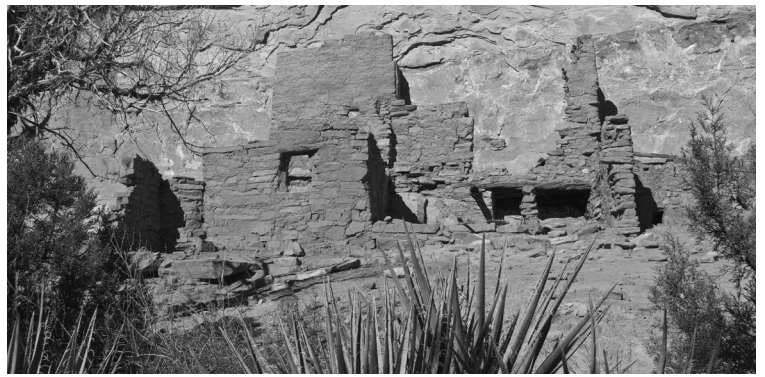
- The potential exchange in Bears Ears with SITLA is for 108K acres.

### Red Cliffs in-Private Holdings Exchange

- We don't have the staff/scarce skills to do it now.



# BLM Utah Statewide Overview



## NATURAL RESOURCES AND PLANNING

St. George RMP Amendment, Red Cliffs National Conservation Area (NCA) RMP, Beaver Dam Wash NCA RMP

- BLM-Utah met the court ordered deadline to sign a ROD for the Red Cliffs NCA RMP by Dec. 31, 2016. BLM-Utah also issued decisions for Beaver Dam Wash NCA and the St. George RMP Amendment.
- Washington County filed an appeal to IBLA; BLM-Utah is working on a response to the statement of reasons.

### Cedar City RMP

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah. It is currently under WO review.

### Grand Staircase-Escalante National Monument (GSENM) Livestock Grazing Plan Amendment

- GSENM is amending their Monument Management Plan to address livestock grazing planning-level decisions that were not made in the original 2000 plan.
- The planning decision addresses up to 2.1 million acres and includes lands within the Kanab and Arizona Strip field offices as well as lands managed by the National Park Service within a portion of the Glen Canyon National Recreation Area where the GSENM administers livestock grazing.

### Eastern Lake Mountains Recreational Target Shooting Closure Plan Amendment EA

- For public safety, and to protect archaeological sites, the Salt Lake Field Office has restricted target shooting within the area under temporary closure orders since 2012. The ROD and FONSI are under state office review.

### Resource Management Plan Litigation/Proposed Settlement

- The Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015.
- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation.
- BLM-Utah commitments in the pending settlement include preparing 12 new travel management plans for

approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years among other requirements.

### Wild Horse and Burro Program

- In Utah, March 2016 population estimates were 5,440 wild horses and 400 burros within 19 herd management areas (HMA), and 10 herd areas. The appropriate management level of animals established in Utah's land use plans is currently set at 1,956 wild horses and burros.
- In FY2017, BLM-Utah had three gathers in January and February.

#### Frisco HMA Gather (Beaver County) Jan. 6-16, 2017

- Gathered and removed 82 horses.
- Some horses will be returned to this HMA with research collars later this month.

#### Sulphur HMA Gather (Beaver/Millard County) Jan. 17-31, 2017

1. Gathered 655 horses.
2. Treated with PZP-22: 80 mares.
3. Total Removal: 463

#### Cedar Mountain HMA Gather (Tooele County) Jan. 17-31, 2017

1. Gathered 534 horses.
  2. Treated with PZP-22: 104 mares.
  3. Total Removal: 306
- BLM-Utah is the only state conducting research using neutering of wild stallions.

### Recapture Canyon ATV Trail EA

- The WO is reviewing the EA decision record that analyzes San Juan County's application for a right-of-way in Recapture Canyon for an all-terrain vehicle trail. The decision to approve a new trail system is pending.

### Utah's Watershed Restoration Initiative

- In 2016, BLM-Utah completed treatments on 56,148 acres that benefited greater sage-grouse and contributed \$8.3 million in funding, with over \$2 million matched by the State of Utah and NGO partners.

### Greater Sage-Grouse RMP amendments

- The BLM-Utah has been implementing the plan amendments for 14 land use plans in Utah.



**BLM Utah**

# 2017 Statewide Overview

March 6, 2017



# Energy

## Statewide Overview



### STATEWIDE ENERGY OVERVIEW

- In Fiscal Year (FY) 2016, the Office of Natural Resources Revenue reported \$146,279,546 in revenue from oil and gas development activities in Utah (royalties, rentals and bonus bid payments). Total revenue generated from all minerals including coal was \$185,502,592. The State of Utah received nearly \$70 million from federal oil and gas revenues.
- As of February 22, 2017, there were 2,973 authorized oil and gas leases covering 2,875,091 acres in Utah and 1,813 leases on 1,411,088 acres were held by production.
- In FY2016, BLM-Utah conducted two oil and gas lease sales:
  - Acres Nominated – 353,249
  - Acres Offered for Sale – 52,444
  - Acres Receiving Bids – 22,772
  - Total Receipts - \$314,255

### COAL LEASING IN UTAH

#### Greens Hollow Coal Lease by Applications (LBA)

- The Greens Hollow Lease by Application was submitted in 2005.
- The U.S. Forest Service (FS) is co-lead with the BLM on the project, with the Office of Surface Mining Reclamation and Enforcement as a cooperating agency. The FS signed the Record of Decision (ROD) on Oct. 5, 2015. The FS also sent a letter of consent to lease to the BLM.
- Since a FS ROD was signed prior to the Secretary of the Interior's "coal pause," the Greens Hollow LBA would be exempt from deferral during the pause.
- The BLM signed the ROD for a competitive coal lease sale for a 6,175-acre tract containing ~55.7 million tons of recoverable coal on Aug. 12, 2016., On Sept. 12, 2016, WildEarth Guardians, the Center for Biological Diversity, the Grand Canyon Trust, and the

# Energy

## Statewide Overview



Sierra Club jointly filed a Notice of Appeal and Petition for Stay for the Greens Hollow Tract coal lease sale. On Oct. 26, 2016, the Interior Board of Land Appeals issued a decision to deny the petition for stay, allowing the coal sale to be rescheduled. However, the appeal remains before the Interior Board of Land Appeals which has yet to rule on the full merits of the case.

- BLM-Utah's response to petition for stay was submitted to IBLA on Oct. 6, 2016.
- The coal lease sale was held on Jan. 4, 2017. Canyon Fuels Company, LLC, of Grand Junction, Colorado, submitted a bid in the amount of \$22.85 million, or \$3,700.17 per acre.

### Flat Canyon Coal Lease by Application

- BLM conducted the sale on June 17, 2015 offering 42 million tons from the 2,692-acre Flat Canyon tract.
- The BLM received a bid from Canyon Fuel Company, LLC, of Midvale, Utah, for \$17.2 million or \$6,388.92 per acre.

The BLM subsequently issued the Flat Canyon lease on July 1, 2015.

- On Sept. 11, 2015, WildEarth Guardians and Grand Canyon Trust filed suit in US District Court arguing that the BLM approved the lease based on outdated environmental review and inadequate analyses of potential impacts to air quality and climate. The case has not yet been decided and settlement negotiations are being pursued.
- The OSMRE is currently preparing an Environmental Assessment in conjunction with the approval of the federal mine plan for the tract which may also have bearing on the lawsuit.

### Alton Coal Mine Lease by Application

- Alton Coal Development, LLC submitted a lease by application to expand the existing surface coal mine from private mineral estate to federal mineral estate in 2004.

# Energy Statewide Overview



## Alton Coal (Continued)

Following receipt of the application, a tract delineation, scoping, publication of a draft EIS, and a supplemental EIS were completed.

- Key issues on this proposal include night skies, greater sage-grouse, and impacts to the town of Alton, Utah. The remaining wetland area is not included in the preferred alternative.
- A Record of Decision has not yet been signed. Consequently, it is subject to the “coal pause.”
- In March 2016 (amended in May 2016), Alton Coal submitted a request to divide the lease by application into two tracts and move forward with the smaller 640-acre tract under the emergency leasing criteria during the Secretary of the Interior’s “coal pause.” The federal tract bridges between two private tracts currently being mined and avoids waste of coal.

- On Aug. 17, 2016, BLM-Utah deferred the lease request stating it did not meet emergency leasing criteria, but continue to work on the original EIS.
- On Sept. 9, 2016, Alton Coal submitted additional information to support its request for an emergency lease. The request included a proposal to reduce the tonnage of the emergency tract and clarify current qualifying tonnages, production rates and future tonnage needs. The BLM and SOL are considering this information.

## San Rafael Desert Master Leasing Plan

- Comprised of 525,000 acres in Emery and Wayne Counties, the Master Leasing Plan (MLP) will consider whether to amend leasing decisions in the 2008 Price and Richfield Field Office Resource Management Plans (RMP).

# Energy Statewide Overview



- The MLP will enable the Price and Richfield Field Offices to resolve lease protests for four parcels that have been sold, but not issued, in the planning area. The MLP will also determine whether the BLM should cancel, modify, or lift the suspensions on 16 suspended leases in the planning area.
- A Notice of Intent to initiate scoping for the Environmental Assessment (EA) published in the Federal Register on May 18, 2016.
- The BLM-Utah is working with cooperating agencies to develop draft EA alternatives.

#### Moab Master Leasing Plan

- The Moab MLP area covers 946,469 acres - 785,567 acres of BLM-managed lands in west-central Grand County south of Interstate 70 and a portion of northern San Juan County.
- The MLP also addresses potash leasing in the planning area due to high interest in potash exploration and

development as evidenced by the submission of more than 300 potash prospecting permit applications.

- A Record of Decision was signed on Dec. 15, 2016.
- The newly established Bears Ears National Monument encompassed a small portion of the Moab MLP.

#### Monument Butte Area Oil and Gas Project Record of Decision

- On Sept. 30, 2016, BLM-Utah signed the Record of Decision (ROD) for the Monument Butte Area Oil and Gas Project in Utah's Uinta Basin to allow "infill" drilling of up to 5,750 new wells to aid in the secondary recovery of oil and gas resources in the area. The infill development plan includes 119,743 acres of an existing oil-and-gas producing area that currently has more than 3,000 wells on federal, state and private land. These activities would disturb about 10,122 acres, which would be reduced to about 4,978 acres through interim reclamation.

# Energy Statewide Overview



(Continued)

- The project is estimated to generate about 540-600 million cubic feet of natural gas and about 335 million barrels of oil over the next 20 years. Total employment would peak at just under 500 jobs during build up phases and sustain 40-50 jobs over the life of the project. About \$73.6 million in taxes would be paid to Uintah and Duchesne counties and about \$138.7 million would be paid to the state.
- The ROD incorporates an advanced air-quality mitigation and monitoring strategy that was developed by BLM, EPA and Newfield to reduce emission of ozone precursors. This strategy is unprecedented in the Basin, and Newfield committed to extraordinary measures to minimize not only future emissions from the proposed project, but also reduce current emissions from existing producing wells.

Greater Chapita Wells Oil and Gas Infill Drilling Project

- The proposed action for the Greater Chapita Wells project involves the infill drilling of 2808 wells from 960 expanded existing pads and construction of 233 new pads.
- 43,071 acres project area; 1600 to 1900 acres of disturbance (depending on alternative selected).
- Currently 1247 wells currently exist in the field and produce gas and natural gas liquids.
- Centralized liquids gathering systems proposed to minimize air emissions.
- Draft EIS expected to be published mid-summer

Daneros Uranium Mine Facility Expansion

- Energy Fuels proposes to expand facilities at the existing Daneros uranium mine located 67 miles west of Blanding, Utah, and construct new facilities at two previously mined sites (Bullseye and South Portal Areas).

# Energy

## Statewide Overview



- The proposal includes constructing up to eight additional mine ventilation holes and associated infrastructure. The proposed modification would increase initially approved disturbance from 4.5 acres to 46 acres. To minimize surface disturbance, the development would be done in phases. All disturbed areas would be reclaimed—including previously disturbed mine workings.
- Total production is expected to increase from 100,000 tons in seven years to 500,000 tons over 20 years. Although approved in 2009, the mine is not currently operating, due to market conditions.
- A draft EA was released for public comment on June 15, 2016. The comment period was extended by two weeks and ended Aug. 1, 2016. Comments are being addressed and incorporated into a final EA.
- This proposal has been controversial with some environmental groups and interest has recently

heightened since the mine is immediately adjacent to the recently proclaimed Bears Ears National Monument. Access to the mine is on state and county roads that pass through the monument.

# Planning and Environmental Program Overview



## STATEWIDE OVERVIEW

- Utah 1610 program has an average base budget of \$1.3 million.
- Utah issued almost 700 NEPA decisions in FY16.

## PLANNING

St. George RMP Amendment, Red Cliffs NCA RMP, Beaver Dam Wash NCA RMP

- The St. George Field Office (SGFO) is responsible for land use planning on approximately 635,000 acres of public lands in southwestern Utah.
- The 2009 Omnibus Public Land Management Act (OPLMA) established the two National Conservation Areas and directed BLM to consider actions on public lands that would require a plan amendment including identifying areas that are of “priority biological concern.” OPLMA also directed the BLM to identify one or more alternatives for a

northern transportation route within Washington County in the travel management process. The TMP is subsequent to the RMP process.

- This planning effort has been contentious with the Utah Delegation in regards to the Northern Transportation Route (NTR) that was identified in OPLMA. A field hearing to discuss this planning effort and the NTR was held in St. George in January 2016.
- BLM UT met the court ordered deadline to reach a decision on the Red Cliffs NCA RMP by Dec. 31, 2016. We also issued Decisions for Beaver Dam Wash NCA and the St. George RMP Amendment.
- Washington County filed an appeal to IBLA; BLM UT is working on a response to the statement of reasons.

## Cedar City RMP Revision

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah.

# Planning and Environmental Program Overview



- Existing land use plans for the Cedar City Field Office are the Pinyon Management Framework Plan, approved in 1983, and the Cedar/Beaver/Garfield/ Antimony RMP, approved in 1986. Since these plans were implemented, considerable changes have occurred in the area. There has been substantial population growth resulting in an increased use of public lands for recreational activities such as mountain biking, hunting and off-road vehicle use. There has been an increase in renewable energy proposals, such as wind and geothermal projects. In addition, there is new information for many resources of interest to the public, including threatened and endangered species, greater sage grouse, and wild horses.
- The Federal Register NOI was published Friday, Sept. 10, 2010.
- The Director's briefing on the Draft EIS/Draft RMP was held February 2014. However, due to the pending

greater sage-grouse planning effort, this planning effort was put on hold until June 2016 when WO approved moving forward now that the GRSRMP and step-down Instruction Memorandums are issued.

- ADEIS review completed by WO; awaiting WO SOL review which is dependent on administration priorities.

## Grand Staircase-Escalante National Monument (GSENM) Livestock Grazing Plan Amendment

- GSENM is amending their Monument Management Plan to address livestock grazing planning-level decisions that were not made in the original 2000 MMP.
- The planning decision could impact up to 2.1 million acres and includes lands within the Kanab and Arizona Strip field offices as well as lands managed by the National Park Service within a portion of the Glen Canyon National Recreation Area where the GSENM administers livestock grazing.
- The NOI published for the amendment in Nov. 2013.



# Planning and Environmental Program Overview



(Continued)

- GSENM provided draft alternatives for public input in December 2014.
- Draft alternatives were revised based on public feedback and updates were provided to the public in June 2016.
- GSENM anticipates an administrative draft EIS for review this fall.
- Extensive coordination with the counties has occurred and livestock grazing management remains a highly contentious issue in southern Utah.
- ADEIS review completed by WO; awaiting WO SOL review which is dependent on administration priorities.

## Gunnison Sage-Grouse Range-wide Plan Amendment

- BLM-Colorado is the lead for this planning effort. This effort may amend the Moab and Monticello 2008 RMPs to provide additional regulatory certainty for

the protection of critical habitat and for the listed species.

- DEIS comment period has closed.

## Lake Mountain Recreational Shooting Closure Plan Amendment

- Salt Lake Field Office has restricted target shooting within the area under temporary closure orders since 2012.
- An EA analyzing a permanent restriction has been completed; there were no protests and no issues raised during the Governor's consistency review.
- A Decision Record will likely be issued in March 2017 followed shortly thereafter by FRN for Supplementary Rules.

## Resource Management Plan Litigation/Proposed Settlement

- Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015.

# Planning and Environmental Program Overview



BLM-Utah is working aggressively to meet the remedy order including conducting on-the-ground class III cultural resource surveys along 100% of the 4,277 miles of designated routes and completing three new travel management plans in three years.

- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation. The Court allowed the Plaintiff's complaint to be amended to provide for challenges against the 2014 oil and gas lease sales within Price and Vernal Field Offices.
- After extensive negotiation, Plaintiffs, defendants, and some of the intervenors filed a settlement agreement with the District Court in January 2017. On February 17, 2017, the State of Utah and eight counties filed opposition briefs to the pending settlement agreement. The U.S. Government is planning to request an extension to file responses to these opposition briefs, and currently estimate that the responses will be due to

the District Court in early April 2017.

- BLM-Utah commitments in the pending settlement include:
  1. Preparing 12 new travel management plans for approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years. Only conducting on-the-ground cultural resource surveys along OHV routes proposed for designation where predictive modeling efforts determine that there is the highest potential for adverse effects to historic properties from continued public OHV use. The BLM will also conduct these surveys in ACECs that are designated to protect cultural resources.
  2. Monitoring motorized vehicle use off of designated routes in Wilderness Study Areas, Natural Areas, and lands with BLM-inventoried wilderness characteristics in those portions of the field offices where BLM is creating new travel management plans. If the BLM determines

# Planning and Environmental Program Overview



(Continued)

- that OHV use is causing considerable adverse effects to public land resources and/or to other authorized users, it will take appropriate management action as already required by regulation.
- Re-evaluating whether one previously proposed ACEC that was not designated in the 2008 Kanab Field Office RMP within two years; and evaluating whether ACEC designations are warranted for two special status species plants within the Vernal Field Office within five years, which was a previous commitment made in the 2008 Vernal Field Office RMP's Record of Decision. As part of these efforts, the BLM will determine whether further action is necessary to protect any relevant and important values of these areas.
- The BLM will update its 2011 Utah Air Resource Management Strategy and photochemical modeling

analysis, which are nonbinding tools that the agency relies on to ensure that new approvals of oil and gas development are consistent with federal air quality standards. In addition, for any lease sales or land use plan changes undertaken within the six field offices, BLM will determine through the NEPA process whether it may incorporate air quality mitigation measures into lease stipulations and notices.

#### Contacts:

- Pam Jarnecke, Branch Chief – Planning and Environmental Coordination.
- RMP Settlement Implementation: Aaron Curtis, Branch Chief – Outdoor and Heritage Resources

# BLM Utah Program Updates



## Wild Horse and Burro Program

- In Utah, population estimates as of March 1, 2016, were 5,440 wild horses and 400 burros that roam freely within 19 herd management areas (HMA), and 10 herd areas; two of the HMAs are wild burro areas.
- The HMAs range from 37,000 to 255,000 acres in size, and population numbers within the areas vary from 10 to over 950 animals.
- The appropriate management level (AML) of animals established in Utah Land Use Plans is currently set at 1,956 wild horse and burros.
- This put the current populations at nearly 300 percent of AML, or an excess of 3,884 animals, not taking into consideration the 2016 foal increase which is estimated at approximately 1,000 animals.
- In efforts to reduce numbers on the range, BLM-Utah removed 608 animals (474 horses and 134 burros) in FY 2016. In FY 2017 BLM-Utah has been approved to

remove approximately 900 horses from various HMAs.

- Approximately 350-400 mares are scheduled to be treated with fertility control vaccine in FY-2017 on four different HMAs.
- BLM-Utah is the only state conducting research using neutering of wild stallions. This research project is being conducted in the Conger HMA. Horses were removed from these areas in FY 2016 and animals were returned with radio collars and GPS trackers. The neutering will occur in FY 2017 along with some additional removals. This research project is being conducted in partnership with the U.S. Geological Survey and Colorado State University.

## Recapture Canyon ATV Trail

- The Monticello Field Office has prepared an EA to analyze an application from San Juan County for a right-of-way across public lands in Recapture Canyon for an all-terrain vehicle trail.

# BLM Utah Program Updates



(Continued)

- The EA examines six alternatives in detail, ranging from granting the county a right-of-way for an 11.6-mile trail system allowing motorized use through Recapture Canyon to a “no action” alternative that would limit travel to designated routes with no new ATV trail system authorized.
- Since the county’s first right-of-way application in 2006, the county has revised its proposal, the BLM developed a formal “consulting parties” agreement, and BLM delayed work while assessing damages resulting from the 2014 illegal ATV ride into the canyon—all of which has added time to the process.
- On Sept. 9, 2016, the EA was released for a 45-day public comment period.

## Utah Watershed Restoration Initiative

- The Utah Watershed Restoration Initiative (WRI) is a

partnership-driven effort to conserve, restore, and manage ecosystems since 2003.

- 1,658 WRI projects have been completed, or are in progress since fiscal year 2006.
- 1.5 million acres have been treated to date.
- Over 400 miles of stream have been restored to proper functioning condition.
- In 2016, BLM-Utah completed treatments on 56,148 acres that benefited greater sage-grouse, including mechanical vegetation treatments, seeding, etc.
- BLM-Utah has contributed over \$80 million to the Utah watershed restoration initiative. In 2016, the BLM contributed \$8.3 million in funding, with over \$2 million matched by the State of Utah and NGO partners.

## Greater Sage-Grouse Conservation Effort

- The BLM-Utah has been implementing the Greater Sage-Grouse Approved Resource Management Plan

# BLM Utah Program Updates



Amendments (ARMPA) for 14 land use plans in Utah. This has included coordination on many habitat improvement projects throughout the state using our relationship through the Watershed Restoration Initiative.

- The BLM-Utah has expanded engagement efforts, focusing now on the September 2016 sage-grouse IMs including: meeting with state and local agencies, working groups, and a diverse array of organizations regarding the content of the IMs.
- The BLM-Utah, U.S. Forest Service, and State of Utah developed a draft MOU for multi-agency coordination of greater sage-grouse conservation. The BLM and USFS approved the draft MOU language and are waiting for the State of Utah to review.
- The State of Utah is currently working on a state-level rule-making effort that addresses mitigation in greater sage-grouse habitat. BLM-Utah continues to work with

the State of Utah to make sure the new rule can be used to meet our needs regarding compensatory mitigation.

Grand Staircase-Escalante National Monument Livestock Grazing Monument Management Plan Amendment and Environmental Impact Statement

- The Grand Staircase-Escalante National Monument is currently engaged in a public planning effort that will modify the 1999 Monument Management Plan to more thoroughly address livestock grazing decisions. Once complete, this planning effort will result in decisions about which lands should be available for livestock grazing, how much forage could be available for livestock, and specific best management practices for grazing management on the Monument.
- The Presidential proclamation designating the Monument in 1996 included language allowing for the continuation of grazing on the Monument. Although grazing use levels have varied considerably from year to

# BLM Utah Program Updates



(Continued)

year due to factors like drought, no reductions in permitted livestock grazing use have been made as a result of the Monument's designation nearly 20 years ago.

- Currently, there are 79 active livestock grazing allotments (+17 allotments wholly or partially unavailable), with 91 permittees authorized to graze cattle and horses on the Monument.
- WO review and briefings process for the DEIS/DRMPA was initiated January 2017.

Cedar City Resource Management Plan Revision

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah.
- Existing land use plans for the Cedar City Field Office are the Pinyon Management Framework Plan, approved in 1983, and the Cedar/Beaver/Garfield/

Antimony RMP, approved in 1986. Since these plans were implemented, considerable changes have occurred in the area. There has been substantial population growth resulting in an increased use of public lands for recreational activities such as mountain biking, hunting and off-road vehicle use. There has been an increase in renewable energy proposals, such as wind and geothermal projects. In addition, there is new information for many resources of interest to the public, including threatened and endangered species, greater sage grouse, and wild horses.

- The Federal Register NOI was published Friday, Sept. 10, 2010.
- The Director's briefing on the Draft EIS/Draft RMP was held February 2014. However, due to the pending greater sage-grouse planning effort, this planning effort was put on hold until June 2016

# BLM Utah Program Updates



when WO approved moving forward now that the GRSG RMPA and step-down Instruction Memorandums are issued.

- ADEIS review completed by WO; awaiting WO SOL review which is dependent on administration priorities.
- WO review and briefings process for the second version of the DEIS/DRMP was initiated January 2017.

## Beaver Dam Wash and Red Cliffs National Conservation Areas Proposed Resource Management Plans

- On Sept. 2, 2016, the Bureau of Land Management Utah St. George Field Office published in the Federal Register the Notice of Availability of the Proposed Resource Management Plans (RMP) for the Beaver Dam Wash and Red Cliffs National Conservation Areas (NCA), the Proposed Amendment for the St. George RMP and associated Final Environmental Impact Statement (EIS).
- The key elements of the proposed plans for the NCAs include: protection for diverse threatened and

endangered plant and animal species and critical habitats including the Mojave Desert Tortoise, Southwestern Willow Flycatcher, and native fish of the Virgin River System; management actions to reduce the threat of wildfires and restore fire-damaged landscapes; development of trails and other facilities to provide for sustainable recreations experiences; and protection for the Old Spanish National Historic Trail.

- The proposed amendment to the St. George Field Office RMP addresses two primary management issues as directed by OPLMA: identification of areas where biological conservation is a priority and modifications of the off-highway vehicle area designations to prepare for the development of a comprehensive travel management plan.
- These plans are the culmination of several years of public involvement and gathering input from stakeholders, cooperating agencies, local government



# BLM Utah Program Updates



(Continued)

agencies, consulting parties, tribes, and comments from the general public. Approximately 6,000 comment letters were received on the Draft EIS.

- A Record of Decision was signed on Dec. 20, 2016.
- Washington County filed an appeal to IBLA; BLM UT is working on a response to the statement of reasons.

Lake Mountains Target Shooting Closure/Plan Amendment

- The Salt Lake Field Office is analyzing a proposal that would close approximately 2,000 acres of public land in the Lake Mountain in Utah County. The BLM received 291 comments on the draft EA, which required an extended period for review, analysis, research, preparation of comment responses, and revision of the EA.
- No valid protests were received nor did the Governor

identify consistency concerns. The Decision Record and Approved Plan amendment to close public lands to recreational shooting is expected to be signed in March 2017 with the supplementary rules process initiating shortly after issuance of the Decision.

- To meet some of the target shooting demands, the BLM transferred 160 acres of public land to Utah County to develop the Soldier Pass Shooting Range in the southeastern Lake Mountains. Utah County has arranged for the National Guard to begin construction this fall with completion planned in summer 2017. The new shooting range will be located less than three miles from the current closure area.
- In the interim, the Salt Lake Field office renewed the temporary public safety target shooting closure for this area located near the cities of Saratoga Springs and Eagle Mountain. This temporary closure

# BLM Utah Program Updates



covers the same land that has been closed to target shooting since December 2012. The temporary closure will continue to protect the public and passing motorists on the lower eastern slopes of the Lake Mountains from gunfire, while also protecting sacred prehistoric resources from shooting damage.

#### Resource Management Plan Litigation/Pending Settlement

- Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015. BLM-Utah is working aggressively to meet the remedy order including conducting on-the-ground class III cultural resource surveys along 100% of the 4,277 miles of designated routes and completing three new travel management plans in three years.
- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation. The Court allowed the Plaintiff's complaint to be amended to provide for challenges against the 2014 oil and gas

lease sales within Price and Vernal Field Offices.

- After extensive negotiation, Plaintiffs, defendants, and some of the intervenors filed a settlement agreement with the District Court in January 2017. On February 17, 2017, the State of Utah and eight counties filed opposition briefs to the pending settlement agreement. The U.S. Government is planning to request an extension to file responses to these opposition briefs, and currently estimate that the responses will be due to the District Court in early April 2017.
- BLM-Utah commitments in the pending settlement include:
  1. Preparing 12 new travel management plans for approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years. Only conducting on-the-ground cultural resource surveys along OHV routes proposed for designation where predictive modeling efforts

# BLM Utah Program Updates



(Continued)

- determine that there is the highest potential for adverse effects to historic properties from continued public OHV use. The BLM will also conduct these surveys in ACECs that are designated to protect cultural resources.
- Monitoring motorized vehicle use off of designated routes in Wilderness Study Areas, Natural Areas, and lands with BLM-inventoried wilderness characteristics in those portions of the field offices where BLM is creating new travel management plans. If the BLM determines that OHV use is causing considerable adverse effects to public land resources and/or to other authorized users, it will take appropriate management action as already required by regulation.
  - Re-evaluating whether one previously proposed ACEC that was not designated in the 2008 Kanab

Field Office RMP within two years; and evaluating whether ACEC designations are warranted for two special status species plants within the Vernal Field Office within five years, which was a previous commitment made in the 2008 Vernal Field Office RMP's Record of Decision. As part of these efforts, the BLM will determine whether further action is necessary to protect any relevant and important values of these areas.

- The BLM will update its 2011 Utah Air Resource Management Strategy and photochemical modeling analysis, which are nonbinding tools that the agency relies on to ensure that new approvals of oil and gas development are consistent with federal air quality standards. In addition, for any lease sales or land use plan changes undertaken within the six field offices, BLM will determine through the NEPA process whether it may incorporate air quality mitigation

# BLM Utah Program Updates



measures into lease stipulations and notices.

## MASTER LEASING PLANS

### Moab MLP

- The Moab Master Leasing Plan (MLP) area covers 946,469 acres (785,567 acres BLM-managed lands). This planning effort would amend mineral leasing decisions for oil, gas, and potash in the Moab and Monticello RMPs.
- The MLP addresses potash leasing in the planning area due to high interest in potash exploration and development as evidenced by the submission of more than 300 potash prospecting permit applications.
- The Record of Decision was approved December 23, 2016.

### San Rafael Desert MLP

- Comprised of 525,000 acres in Emery and Wayne counties, in eastern Utah, the MLP will consider whether to amend leasing decisions in the 2008 Price and

Richfield Office RMPs.

- The MLP will enable the Price and Richfield field offices to resolve lease protests for four parcels that have been sold, but not issued, in the planning area. The MLP will also determine whether the BLM should cancel, modify, or lift the suspensions on 16 suspended leases in the planning area.
- The NOI to initiate scoping for the EA published in the Federal Register on May 18, 2016.
- The BLM-Utah is working with cooperating agencies to develop draft EA alternatives
- San Juan MLP, Vernal MLP, and Cisco Desert MLP remains on hold.
- Western San Rafael Desert is a citizen-proposed MLP submitted in 2016 that is currently being evaluated to determine if it meets the MLP criteria. This proposal is very geographically similar to previous submittals that were found to not meet the MLP criteria.

**To:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-06T13:57:56-04:00  
**Importance:** Normal  
**Subject:** Utah BLM Facts  
**Received:** 2017-05-06T13:58:04-04:00  
[BLM Utah Statewide Overview\\_2017.pdf](#)

Topics and Facts - Shared with us from BLM Utah - Michael Richardson

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330



# BLM Utah Statewide Overview



## LANDS AND MINERALS

- In Fiscal Year (FY) 2016, the Office of Natural Resources Revenue reported \$146,279,546 in revenue from oil and gas development activities in Utah (royalties, rentals and bonus bid payments). Total revenue generated from all minerals including coal was \$185,502,592. The State of Utah received nearly \$70 million from federal oil and gas revenues.
- As of Feb. 22, 2017, there were 2,973 authorized oil and gas leases covering 2,875,091 acres in Utah and 1,813 leases on 1,411,088 acres were held by production.
- In FY2016, BLM-Utah conducted two oil and gas lease sales:
  - Acres Nominated – 353,249
  - Acres Offered for Sale – 52,444
  - Acres Receiving Bids – 22,772
  - Total Receipts - \$314,255

### Greens Hollow Coal Lease by Applications (LBA)

- The competitive coal lease sale for a 6,175-acre tract containing ~55.7 million tons of recoverable coal was held on Jan. 4, 2017. Canyon Fuels Company, LLC secured the lease with a bid of \$22.85 million, or \$3,700.17 per acre.

### Alton Coal Mine Lease by Application (LBA)

- Alton Coal Development, LLC submitted an LBA to expand an existing surface coal mine from private mineral estate to federal mineral estate. Following receipt of the application, a tract delineation, scoping, publication of a draft EIS, and a supplemental EIS were completed.
- A record of Decision has not yet been signed. It is currently on hold subject to Secretarial “coal pause” order.

### San Rafael Desert Master Leasing Plan (MLP)

- Comprised of 525,000 acres in Emery and Wayne counties, the MLP considers whether to amend leasing decisions in the 2008 Price and Richfield Field Office Resource Management Plans (RMP). A NEPA document is in progress after public review of preliminary alternatives.

### Moab Master Leasing Plan

- The Moab MLP area covers 946,469 acres (785,567 acres of BLM lands) and addresses potash leasing in the planning area due to high interest as evidenced by the submission of

more than 300 potash prospecting permit applications.

- A Record of Decision was signed on Dec. 15, 2016.
- The newly established Bears Ears National Monument encompasses a small portion of the Moab MLP.

### Monument Butte Area Oil and Gas Project Record of Decision

- On Sept. 30, 2016, BLM-Utah signed the Record of Decision (ROD) for the Monument Butte Area Oil and Gas Project in the Uinta Basin to allow “infill” of up to 5,750 new wells.
- The project is estimated to generate about 540-600 million cubic feet of natural gas and about 335 million barrels of oil over the next 20 years. Total employment would peak at about 500 jobs during build up phases and sustain 40-50 jobs over the life of the project. About \$73.6 million in taxes would be paid to Uintah and Duchesne counties and about \$138.7 million would be paid to the state.

### Greater Chapita Wells Oil and Gas Infill Drilling Project

- A draft EIS for the Greater Chapita Wells project is expected in summer 2017. The project involves the infill drilling of 2,808 wells from 960 expanded existing pads and construction of 233 new pads.

### Daneros Uranium Mine Facility Expansion

- Energy Fuels proposes to expand facilities at the Daneros uranium mine and construct new facilities at two previously mined sites (Bullseye and South Portal Areas).
- Total production is expected to increase from 100,000 tons in seven years to 500,000 tons over 20 years. Although approved in 2009, the mine is not currently operating, due to market conditions.
- This proposal has been controversial due to the proximity to Bears Ears National Monument.

### Utah Test and Training Range

- The land exchange authorized by NDAA in the UTTR call up area 85K acres of SITLA for 95K of BLM

### Bears Ears Land Exchange

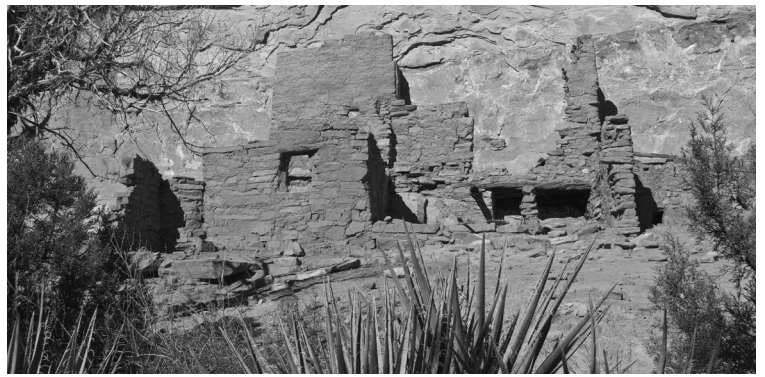
- The potential exchange in Bears Ears with SITLA is for 108K acres.

### Red Cliffs in-Private Holdings Exchange

- We don't have the staff/scarcely skills to do it now.



# BLM Utah Statewide Overview



## NATURAL RESOURCES AND PLANNING

St. George RMP Amendment, Red Cliffs National Conservation Area (NCA) RMP, Beaver Dam Wash NCA RMP

- BLM-Utah met the court ordered deadline to sign a ROD for the Red Cliffs NCA RMP by Dec. 31, 2016. BLM-Utah also issued decisions for Beaver Dam Wash NCA and the St. George RMP Amendment.
- Washington County filed an appeal to IBLA; BLM-Utah is working on a response to the statement of reasons.

### Cedar City RMP

- The Cedar City Field Office is preparing a new RMP for 2.1 million acres of BLM-administered public lands in Iron and Beaver counties, Utah. It is currently under WO review.

### Grand Staircase-Escalante National Monument (GSENM) Livestock Grazing Plan Amendment

- GSENM is amending their Monument Management Plan to address livestock grazing planning-level decisions that were not made in the original 2000 plan.
- The planning decision addresses up to 2.1 million acres and includes lands within the Kanab and Arizona Strip field offices as well as lands managed by the National Park Service within a portion of the Glen Canyon National Recreation Area where the GSENM administers livestock grazing.

### Eastern Lake Mountains Recreational Target Shooting Closure Plan Amendment EA

- For public safety, and to protect archaeological sites, the Salt Lake Field Office has restricted target shooting within the area under temporary closure orders since 2012. The ROD and FONSI are under state office review.

### Resource Management Plan Litigation/Proposed Settlement

- The Final Order from the District Court of Utah on the Richfield RMP litigation was issued May 22, 2015.
- The other five 2008 RMPs (Price, Vernal, Moab, Monticello, and Kanab) are also part of the litigation.
- BLM-Utah commitments in the pending settlement include preparing 12 new travel management plans for

approximately 50% of the public lands BLM Richfield, Moab, Price, Kanab, and Vernal field offices over the next 8 years among other requirements.

### Wild Horse and Burro Program

- In Utah, March 2016 population estimates were 5,440 wild horses and 400 burros within 19 herd management areas (HMA), and 10 herd areas. The appropriate management level of animals established in Utah's land use plans is currently set at 1,956 wild horses and burros.
- In FY2017, BLM-Utah had three gathers in January and February.

#### Frisco HMA Gather (Beaver County) Jan. 6-16, 2017

- Gathered and removed 82 horses.
- Some horses will be returned to this HMA with research collars later this month.

#### Sulphur HMA Gather (Beaver/Millard County) Jan. 17-31, 2017

1. Gathered 655 horses.
2. Treated with PZP-22: 80 mares.
3. Total Removal: 463

#### Cedar Mountain HMA Gather (Tooele County) Jan. 17-31, 2017

1. Gathered 534 horses.
  2. Treated with PZP-22: 104 mares.
  3. Total Removal: 306
- BLM-Utah is the only state conducting research using neutering of wild stallions.

### Recapture Canyon ATV Trail EA

- The WO is reviewing the EA decision record that analyzes San Juan County's application for a right-of-way in Recapture Canyon for an all-terrain vehicle trail. The decision to approve a new trail system is pending.

### Utah's Watershed Restoration Initiative

- In 2016, BLM-Utah completed treatments on 56,148 acres that benefited greater sage-grouse and contributed \$8.3 million in funding, with over \$2 million matched by the State of Utah and NGO partners.

### Greater Sage-Grouse RMP amendments

- The BLM-Utah has been implementing the plan amendments for 14 land use plans in Utah.

**To:** Lolita Zinke [REDACTED] (b)(6)  
**From:** Roddy, Russell  
**Sent:** 2017-04-22T20:14:42-04:00  
**Importance:** Normal  
**Subject:** Fwd: thanks and follow-up from Nat Geo  
**Received:** 2017-04-22T20:14:52-04:00  
[2012-10-12\\_Middleton\\_WSJ\\_OpEd.pdf](#)  
[Middleton\\_NYTimes\\_March2014.pdf](#)  
[WLA Beyond Boundaries Final Report.pdf](#)

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

**From:** **Arthur D. Middleton** <[amiddleton@berkeley.edu](mailto:amiddleton@berkeley.edu)>  
**Date:** Fri, Apr 14, 2017 at 2:40 PM  
**Subject:** thanks and follow-up from Nat Geo  
**To:** [russell\\_rodny@ios.doi.gov](mailto:russell_rodny@ios.doi.gov), [amanda\\_kaster@ios.doi.gov](mailto:amanda_kaster@ios.doi.gov)

Dear Amanda and Rusty,

It was a great pleasure to meet you, the Secretary, and his family at National Geographic on Monday night. I very much hope to find ways to work together with your office and serve as a resource going forward. I was inspired by the Secretary's remarks and I see enormous opportunity linking some of his big-picture insights and concerns to the landscape and community where I have been working. I believe Greater Yellowstone could provide significant demonstration cases for how we to better conserve wildlife corridors because its story is projected widely and inspires replication elsewhere.

On a slightly different subject: Mrs. Zinke asked me my opinions about a couple issues, particularly around the wolf reintroduction, and I told her about two op-eds I wrote several years ago for the Wall Street Journal and New York Times. I told her I would send them along to you, to share on with her. These are attached. They are part of my long, slow effort to translate between the western communities I love, and the coastal communities that drive so much (too much) of the funding and policy priorities. Would you please pass these on to her?

I also attached a report from a symposium I co-hosted last year with major ranches (with 1.4 million acres under their full or partial management) and other stakeholders (agencies, county commissioners, sportsmen) east of Yellowstone in Cody, Wyoming. I know you are very busy, but in case you have a moment to skim this it may give you a sense of some of the opportunity ahead.

Thank you, and going forward please do let me know how I (and National Geographic) can help.

Best,

Arthur

-----



**Arthur Middleton**

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CROSS COUNTRY | October 12, 2012, 7:07 p.m. ET

## As Wolves Return to the West, Greens Go to Court

*The goal of environmental groups should be to find ways that humans can coexist with carnivores. Endless lawsuits do the opposite.*

By ARTHUR MIDDLETON

*Jackson, Wyo.*

The U.S. Fish and Wildlife Service this month handed over its wolf-management efforts to the state of Wyoming, leaving all three northern Rockies states, including Montana and Idaho, to manage wolves on their own. Environmental groups—including Earthjustice, the Natural Resources Defense Council, Sierra Club and the Center for Biological Diversity—have vowed to sue Fish and Wildlife, arguing that its action has put wolves "back on the brink."

Another lawsuit will not advance conservation. With the wolf population secure in many wild areas, incessant litigation is only alienating rural westerners and compounding their antipathy for wolves and the federal government. Ultimately, this battle risks undermining the statutory basis of endangered-species conservation.

When I moved from the East Coast to Wyoming five years ago to conduct research on wolves and elk, I had only an abstract sense of the human fight over wolves that was going on in the Rockies. One bright June morning, I put a tracking collar on a lanky male wolf. Six weeks later, I was pulling that collar back off his bloated carcass. After killing a beef calf from a nearby ranch, he had been shot by a federal predator-control agent. In later years, I lost other study wolves because they damaged things that people cared about.



Associated Press

A wolf walking through the snow in Yellowstone National Park in Wyoming.

Wolves and other large carnivores are challenging to live with. Environmental groups often understate the challenges, and ranchers and hunters often overstate them. But the bottom line is that these predators can kill cattle, sheep or the family dog, and they can also reduce populations of big game that are valuable to rural economies.

The fact that large carnivores—including some, like bears, that can be extremely dangerous to humans—conflict with human interests is itself unsurprising.

It's the main reason they were extirpated across most of the U.S. a century ago. What's surprising is that even in 2012, environmental groups still have not addressed the root of the problem. After struggling for decades to bring these animals back, and spending a great deal of money in the process, they can offer few practical, collaborative ways of helping people live with them. Instead, they resort to the coercion of the courtroom.

In the case of the wolf, this outdated model of conservation advocacy has begun to backfire. Last year, regional resentment of incessant litigation led to an unprecedented congressional intervention—a bipartisan measure that sidestepped the Endangered Species Act to strip federal protection for wolves in Montana and Idaho. But wolf advocates press on, claiming that science indicates that wolves remain in peril.

These claims are disingenuous. There is little doubt among biologists that states in the region—including Wyoming—will maintain viable wolf populations. Earlier concerns about possible reproductive problems associated with low genetic diversity have been laid to rest by peer-reviewed study. Many critics of state management take exception to wolf hunting and policies such as allowing livestock-killing wolves to be shot. But wolves' high rates of reproduction and their ability to colonize new habitats make them unusually resilient.

We know this in part because wolves have thrived despite such management since their recovery began almost two decades ago. When the federal Fish and Wildlife Service transplanted 66 Canadian wolves to Idaho and Yellowstone National Park in 1995 and 1996, any wolves that harmed livestock could be killed despite their then-endangered status.

Even so, by 2002, the Northern Rockies wolf population exceeded the federal recovery goal of 300 wolves in 30 packs. In the decade since then, Fish and Wildlife has killed about 7% of wolves annually (1,200 in total over the years)—and yet the population has grown steadily and now exceeds 1,700.

Environmental groups not only have ignored clear evidence of wolves' resilience. These groups have also oversold a story that wolves heal degraded landscapes by keeping their herbivorous prey on the move. But previous studies suggesting that wolves might scare elk from overbrowsing aspen and willow communities have been refuted by new, more comprehensive research. Clearly, wolves make ecosystems wild again, but mythologizing their benefits does little to build support for them in rural communities.

The real question is not whether wolves will persist. It is how far they will expand into rural landscapes where people live and work. The crude, inflammatory demand—often embodied in environmental litigation—that communities accept the costs and risks of living with these predators might be fair if our country had a proven record of coexisting with large carnivores. But we don't. For those who seek expansive populations of wolves and other large carnivores, a key step is to identify those landscapes where human-carnivore coexistence can take root.

Some small but exemplary efforts are pointing the way. A new nonprofit, People and Carnivores, works with livestock producers to develop risk-management strategies. These include deterrent electric fencing, livestock guardian dogs, range riders, and new grazing strategies that are better suited to patterns of wolf predation and livestock vulnerability.

The grass-roots group Blackfoot Challenge in northwest Montana is using approaches such as the routine removal of livestock carcasses so that they will not attract predators, community-based wolf-activity monitoring, and a system of phone alerts about bear sightings. The group has already

reported a reduction in human-carnivore conflicts.

Both projects seek to work with, not against, the government agencies that manage large carnivores. Their findings suggest that killing large carnivores may not be the only option when they come out of the mountains into rural communities, and they highlight the empathy and collaborative spirit required to make progress in reducing conflicts.

No single model will apply everywhere. Some will prove too expensive or labor-intensive, and none is likely to eliminate the need for lethal wildlife management. Combative lawsuits and facile, Web-based advocacy campaigns attract donors' attention more readily than intensive, on-the-ground collaborations that show only modest and incremental gains. But pouring ever more conservation capital into the old, litigious model only promises to further erode tolerance for wolves and political support for endangered-species conservation.

*Mr. Middleton recently received a Ph.D. in ecology at the University of Wyoming, studying wolf-elk interactions in the Greater Yellowstone ecosystem, and is now a fellow at the Yale School of Forestry and Environmental Studies.*

*A version of this article appeared October 13, 2012, on page A11 in the U.S. edition of The Wall Street Journal, with the headline: As Wolves Return to the West, Greens Go to Court.*

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THE OPINION PAGES | OP-ED CONTRIBUTOR

# Is the Wolf a Real American Hero?

By ARTHUR MIDDLETON MARCH 9, 2014

FOR a field biologist stuck in the city, the wildlife dioramas at the American Museum of Natural History are among New York's best offerings. One recent Saturday, I paused by the display for elk, an animal I study. Like all the dioramas, this one is a great tribute. I have observed elk behavior until my face froze and stared at the data results until my eyes stung, but this scene brought back to me the graceful beauty of a tawny elk cow, grazing the autumn grasses.

As I lingered, I noticed a mother reading an interpretive panel to her daughter. It recounted how the reintroduction of wolves in the mid-1990s returned the Yellowstone ecosystem to health by limiting the grazing of elk, which are sometimes known as "wapiti" by Native Americans. "With wolves hunting and scaring wapiti from aspen groves, trees were able to grow tall enough to escape wapiti damage. And tree seedlings actually had a chance." The songbirds came back, and so did the beavers. "Got it?" the mother asked. The enchanted little girl nodded, and they wandered on.

This story — that wolves fixed a broken Yellowstone by killing and frightening elk — is one of ecology's most famous. It's the classic example of what's called a "trophic cascade," and has appeared in textbooks, on National Geographic centerfolds and in this newspaper. Americans may know this story better than any other from ecology, and its grip on our imagination is one of the field's proudest contributions to wildlife conservation. But there is a problem with the story: It's not true.

We now know that elk are tougher, and Yellowstone more complex,

than we gave them credit for. By retelling the same old story about Yellowstone wolves, we distract attention from bigger problems, mislead ourselves about the true challenges of managing ecosystems, and add to the mythology surrounding wolves at the expense of scientific understanding.

The idea that wolves were saving Yellowstone's plants seemed, at first, to make good sense. Many small-scale studies in the 1990s had shown that predators (like spiders) could benefit grasses and other plants by killing and scaring their prey (like grasshoppers). When, soon after the reintroduction of wolves to Yellowstone, there were some hints of aspen and willow regrowth, ecologists were quick to see the developments through the lens of those earlier studies. Then the media caught on, and the story blew up.

However, like all big ideas in science, this one stimulated follow-up studies, and their results have been coming in. One study published in 2010 in the journal *Ecology* found that aspen trees hadn't regrown despite a 60 percent decline in elk numbers. Even in areas where wolves killed the most elk, the elk weren't scared enough to stop eating aspens. Other studies have agreed. In my own research at the University of Wyoming, my colleagues and I closely tracked wolves and elk east of Yellowstone from 2007 to 2010, and found that elk rarely changed their feeding behavior in response to wolves.

Why aren't elk so afraid of the big, bad wolf? Compared with other well-studied prey animals — like those grasshoppers — adult elk can be hard for their predators to find and kill. This could be for a few reasons. On the immense Yellowstone landscape, wolf-elk encounters occur less frequently than we thought. Herd living helps elk detect and respond to incoming wolves. And elk are not only much bigger than wolves, but they also kick like hell.

The strongest explanation for why the wolves have made less of a difference than we expected comes from a long-term, experimental study by a research group at Colorado State University. This study, which

focused on willows, showed that the decades without wolves changed Yellowstone too much to undo. After humans exterminated wolves nearly a century ago, elk grew so abundant that they all but eliminated willow shrubs. Without willows to eat, beavers declined. Without beaver dams, fast-flowing streams cut deeper into the terrain. The water table dropped below the reach of willow roots. Now it's too late for even high levels of wolf predation to restore the willows.

A few small patches of Yellowstone's trees do appear to have benefited from elk declines, but wolves are not the only cause of those declines. Human hunting, growing bear numbers and severe drought have also reduced elk populations. It even appears that the loss of cutthroat trout as a food source has driven grizzly bears to kill more elk calves. Amid this clutter of ecology, there is not a clear link from wolves to plants, songbirds and beavers.

Still, the story persists. Which brings up the question: Does it actually matter if it's not true? After all, it has bolstered the case for conserving large carnivores in Yellowstone and elsewhere, which is important not just for ecological reasons, but for ethical ones, too. It has stimulated a flagging American interest in wildlife and ecosystem conservation. Next to these benefits, the story can seem only a fib. Besides, large carnivores clearly do cause trophic cascades in other places.

But by insisting that wolves fixed a broken Yellowstone, we distract attention from the area's many other important conservation challenges. The warmest temperatures in 6,000 years are changing forests and grasslands. Fungus and beetle infestations are causing the decline of whitebark pine. Natural gas drilling is affecting the winter ranges of migratory wildlife. To protect cattle from disease, our government agencies still kill many bison that migrate out of the park in search of food. And invasive lake trout may be wreaking more havoc on the ecosystem than was ever caused by the loss of wolves.

When we tell the wolf story, we get the Yellowstone story wrong.

Perhaps the greatest risk of this story is a loss of credibility for the

scientists and environmental groups who tell it. We need the confidence of the public if we are to provide trusted advice on policy issues. This is especially true in the rural West, where we have altered landscapes in ways we cannot expect large carnivores to fix, and where many people still resent the reintroduction of wolves near their ranchlands and communities.

This bitterness has led a vocal minority of Westerners to popularize their own myths about the reintroduced wolves: They are a voracious, nonnative strain. The government lies about their true numbers. They devastate elk herds, spread elk diseases, and harass elk relentlessly — often just for fun.

All this is, of course, nonsense. But the answer is not reciprocal myth making — what the biologist L. David Mech has likened to “sanctifying the wolf.” The energies of scientists and environmental groups would be better spent on pragmatic efforts that help people learn how to live with large carnivores. In the long run, we will conserve ecosystems not only with simple fixes, like reintroducing species, but by seeking ways to mitigate the conflicts that originally caused their loss.

I recognize that it is hard to see the wolf through clear eyes. For me, it has happened only once. It was a frigid, windless February morning, and I was tracking a big gray male wolf just east of Yellowstone. The snow was so soft and deep that it muffled my footsteps. I could hear only the occasional snap of a branch.

Then suddenly, a loud “yip!” I looked up to see five dark shapes in a clearing, less than a hundred feet ahead. Incredibly, the wolves hadn’t noticed me. Four of them milled about, wagging and playing. The big male stood watching, and snarled when they stumbled close. Soon, they wandered on, vanishing one by one into the falling snow.

That may have been the only time I truly saw the wolf, during three long winters of field work. Yet in that moment, it was clear that this animal doesn’t need our stories. It just needs us to see it, someday, for what it really is.



Arthur Middleton is a postdoctoral fellow at the Yale School of Forestry and Environmental Studies.

A version of this op-ed appears in print on March 10, 2014, on page A21 of the New York edition with the headline: Is the Wolf a Real American Hero?.

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# Beyond Boundaries

## in the Greater Yellowstone Ecosystem

Ranchers and Scientists Exploring Solutions for the Future

August 2-4, 2016 - Cody, Wyoming



# Final Report

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- Hoodoo Land and Cattle Company
- Ishawooa Mesa Ranch
- TE Ranch
- J Bar 9 Ranch
- Sage Creek Ranch
- The Nature Conservancy

Cover photo courtesy of Joe Riis

# BEYOND BOUNDARIES IN THE GREATER YELLOWSTONE ECOSYSTEM

## Ranchers and Scientists Exploring Solutions for the Future

August 2-4, 2016 - Cody, Wyoming

### Final Report

By: Arthur Middleton - University of California, Berkeley &  
Lesli Allison - Western Landowners Alliance

## ABSTRACT

The creation of Yellowstone National Park (YNP) opened the first chapter in conservation, one which focused on the acquisition and protection of public lands. Even at 2.2 million acres in size, though, YNP is only a tenth of the "Greater Yellowstone Ecosystem" (GYE) on which it depends. Evolving knowledge, particularly about the wide-ranging movements of ungulates and the predators that hunt them, is illuminating the vital role that working lands on the edges of the GYE play for both YNP's wildlife and nearby communities. Yet these working lands are increasingly imperiled. Conserving landscapes like the GYE requires recognition of both the ecological and human needs that are at stake, and increased cooperation among private landowners and managers, scientists, government agencies, and non-governmental organizations. Therefore, in August 2016, representatives of these groups convened in Cody, Wyoming to encourage dialog within the working lands community and across the Greater Yellowstone Ecosystem (GYE). In particular, the symposium sought to elicit the perspectives of private landowners and managers (hereafter, "landowners") on costs and opportunities associated with sustaining GYE wildlife – particularly migratory ungulates, but also the predators that hunt them.

Geographically, the symposium focused primarily on private lands and adjoining public lands in the Greybull and South Fork watersheds of the eastern GYE. The symposium's specific goals were to: 1) highlight the role of working lands in the GYE; 2) Strengthen landowner relationships in the GYE; 3) discuss ways to keep working lands intact, healthy, and economically viable; 4) share experiences from landowner-led collaborations around the West; and 5) identify next steps in fostering greater regional cooperation in the symposium's focal geography. A total of 77 participants included landowners from the eastern GYE, representing the management of approximately 1.4 million acres of deeded and leased grazing lands; representatives of collaborative efforts and landowners from several other areas around the West; federal, state, and county officials, university researchers; and NGO representatives.

The symposium combined formal presentations, facilitated discussions, and topical field discussions on Cody-area ranches. During the symposium, landowners expressed a collective vision of a landscape in which the

working lands remain intact, in family ownership, agriculturally productive and supportive of both people and wildlife. Landowners also generally agreed that greater cooperation could help achieve this vision by providing “strength in numbers” within management and policy discussions; a venue for information-sharing; a platform for communicating shared values and management activities to the public; and a means to counter polarization on key issues. Landowners also expressed interest in regulatory flexibilities and/or incentives that would help offset the costs of high ungulate densities; reduce conflict with large carnivores; combat encroachment of invasive plants; and increase the value of locally-produced beef. Landowners also perceived a need to communicate more clearly with the general public about the values their lands provide, and with scientists about research needs on private lands. The primary concerns about increased cooperation were landowners’ time limitations and capacity to determine the scope of such an effort. At the end of the symposium, the Cody landowners expressed interest in a follow-up meeting to assess symposium findings and explore organizational possibilities. Further background and discussion details are elaborated in this report, which combines background material from the program with findings from the event itself.

## **INTRODUCTION**

### **The Yellowstone Challenge**

Yellowstone National Park (YNP) was established to protect extraordinary geological features, but is now equally valued for its wildlife. Today, YNP harbors North America’s most diverse assemblage of large mammals and is one of the few landscapes where their predatory and competitive interactions are mostly intact. The opportunity to observe wildlife in the area, and to hunt some species outside the park, plays a major role in the region’s economy. However, YNP’s wildlife depend on a mosaic of public and private lands much larger than YNP alone.

The recognition that YNP is too small to sustain key wildlife is almost as old as the park itself. Soon after the park was created in 1872, army general Philip Sheridan, charged at that time with managing YNP, recommended to Congress that the park boundary be extended 40 miles east (to present-day Cody, Wyoming) and 10 miles south, “to make a preserve for the large game of the West now so rapidly decreasing.” Congress declined, opting to avoid strict limits on economic activity. Still, Sheridan’s vision was partly fulfilled during the early 20th Century as agencies created nearby game reserves, national forests, and Grand Teton National Park. Later, state hunting regulations, federal wilderness designations, and endangered species law further protected YNP’s widely ranging wildlife.

The “Greater Yellowstone Ecosystem” concept of the 1970s and 1980s crystallized the notion of YNP as being strongly dependent upon a larger landscape. This concept grew most immediately from recognition of the expansive habitat needs of the grizzly bear population, and its eventual application to land and wildlife management fostered greater coordination of federal and state authorities in recovering that species. The Greater Yellowstone Coordinating Committee (GYCC), a federal entity, currently defines the GYE as a 22.6-million-acre area of ecologically interdependent lands, centered on the parks.

However, while sustaining wildlife and habitat beyond park and wilderness boundaries is a desirable outcome for agencies, NGOs, and the national public they represent, significant costs are borne by private landowners. For example, ungulates like elk, mule deer, and bison can compete for forage with cattle, transmit diseases, and damage fences and hay fields. Predators that follow them, like wolves and bears, can kill livestock, incur safety concerns, and change quality of life. Sustaining natural, economic, and cultural values within the GYE, then, partly requires finding new ways to alleviate such conflicts.

Though several coordinating efforts have taken place in the GYE, they have typically focused on federal land. The GYCC provides an important venue for coordination among federal agencies in the region. However, it has very limited staff and financial capacity, and while GYCC sometimes incorporates state, local, and private landowner participation on a project-by-project basis, these interests are not part of its formal governance. This can lead to mistrust, misunderstanding and conflict. As a result, there is significant need and opportunity for leadership and cooperation to conserve natural, economic, and cultural values across working lands along the GYE frontier.

### **Collaborative Conservation in the West**

Across the American West, working lands that span the transition zone between wilderness and human communities – like those ringing the GYE – are perhaps the most complex and important yet least understood landscapes. They are the buffer between the wild and the urban; they span public and private land boundaries; and they simultaneously supply ecological services, agricultural products, and recreational opportunities. They are biologically diverse places where ecosystems transition from high to low elevations, over which many wildlife species migrate between their summer and winter ranges. Landowners themselves are also diverse, spanning the socio-economic spectrum and representing variable, complex political perspectives.

In the complexity of these landscapes, centralized bureaucracies, blanket management prescriptions, and ideological dogmas often falter. This is in large part why, over the past two decades, place-based collaborative conservation has risen spontaneously from numerous working land communities in the West. The growing success of these organizations in sustaining both ecological and human values can be attributed to the fact that they operate from an intimate knowledge of place and people, and in a context that has little alternative but to find common ground.

The concept of the “Radical Center” as applied to land was first articulated and embodied in the formation of the Malpai Borderlands Group, when ranchers, scientists and environmental organizations came together in the common interest of keeping their working landscape intact and healthy. Founding member Bill McDonald said at the time, “We’d gotten pretty good at knowing what we were against, and it was time to figure out what we were for.” Together they have restored fire, secured conservation easements, fostered wildlife populations, sustained ranches, supported scholarships and more. Similar groups have since arisen around the West, often with similar successes to show.

The “Radical Center” approach focuses on identifying common ground and seeking collaborative, constructive paths forward on key issues. It serves as an antidote to the increasingly polarized politics and rhetoric currently dividing people across the nation. Landowners who are directly engaged in the stewardship of working landscapes, and who have a vested stake in both economic and environmental outcomes, have emerged as natural leaders.

## **SYMPOSIUM APPROACH & FINDINGS**

### **Symposium Goals**

The Beyond Boundaries symposium was designed by the primary partners and sponsors to broaden dialog within the working lands community, especially the GYE. The original goals were to: 1) celebrate the role of working lands in this ecosystem; 2) strengthen working relationships in the region, particularly among landowners; 3) advance the dialogue about what it will take to keep these lands intact, healthy, economically viable and supportive of wildlife; 4) share lessons from landowner-led collaboration around the West; 5) identify next steps in fostering greater collaboration in the Cody area and the GYE.

In the symposium’s focal geography, the Greybull and South Fork of the Shoshone watershed, migratory ungulate populations are directly or indirectly related to a number of key challenges for landowners. A recent elk study has highlighted that this area comprises the winter range of one of the largest migratory elk herds in the GYE, which summers in one of the remotest areas of the lower 48 states. Additionally, a new mule deer study is revealing extraordinary migrations between overlapping winter ranges and the Teton wilderness south of YNP.

These migrations cause, or are central to, several challenges often cited by local landowners. When elk and deer come down from the mountains for winter, they bring hungry mouths and disease. They draw predators near livestock and people. They attract hunters in large numbers. Their productivity and abundance, like that of cattle, is adversely affected by invasive plants and subdivisions. These issues provided a natural focus for the symposium, which sought to elicit landowner perspectives on costs and opportunities associated with sustaining key wildlife and the working lands they depend on.

### **Symposium Participants**

The symposium’s primary convening partners included the Western Landowners Alliance, National Geographic Society; Buffalo Bill Center of the West, University of California, Berkeley; Pitchfork, Hoodoo, Ishawooa Mesa, J Bar 9 and Sage Creek Ranches; Wyoming Migration Initiative; Nature Conservancy of Wyoming; and George B. Storer Foundation.

Participants were assembled in an effort to combine broad, regional experience in collaborative problem-solving with localized knowledge and influence over land and wildlife management, research, and business. A special

effort was made to include ranchers in the Greybull and South Fork of the Shoshone River. The event included 77 participants:

- 20 Cody landowners representing management of about 1.4 million acres
- 11 other landowners from elsewhere in GYE and the West
- 6 collaborative leaders representing the stewardship of >15 million acres
- 13 federal, state, and county officials
- 17 representatives from 7 NGOs
- 6 university or agency researchers
- 4 other Cody residents with experience in ranching and earlier collaborative efforts



*Left to right: WLA's executive director, Lesli Allison, Wyoming Senator (former) Al Simpson and his wife, Anne. Senator Simpson delivered opening remarks for the symposium emphasizing with a blend of good humor and frank seriousness the need for honesty, integrity and thoughtful public discourse in the important work of sustaining our lands, wildlife and communities.*

## **Symposium Findings**

The symposium was designed to foster open discussions and enable participants to share their values and insights into the stewardship of the GYE landscape. In introductory materials, participants were offered the broad principles that the land and wildlife of the GYE deserve our best ideas; that GYE landowners might be able to learn from others' experience, and vice versa; and that "all of us know more than any of us." It featured an opening presentation on the ungulate migrations of the GYE, a panel of representatives from collaborative groups; two facilitated sessions, two field tours, and social time.

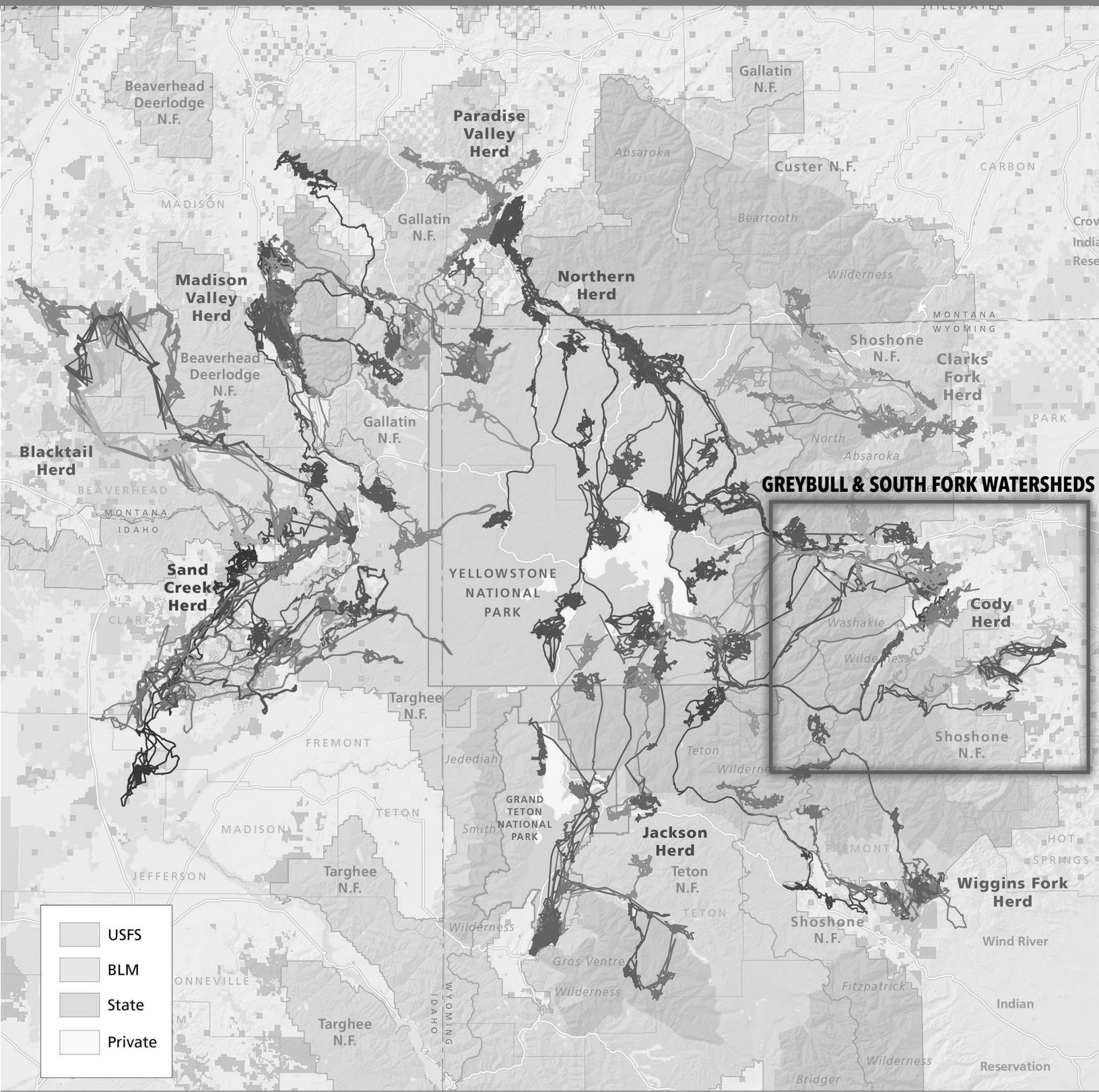


### *Migrations of the Greater Yellowstone Ecosystem*

In this presentation, recent studies of migratory herbivores as well as accompanying photography and film were used to illustrate the GYE concept. Though some area residents have long known the migrations, the advent of GPS technology and new analytic approaches have greatly expanded public awareness of their extent and importance. For example, collaring of mule deer and pronghorn in the southern GYE have identified 100-150-mile corridors with unprecedented detail, and a new synthesis of elk collaring data details the movements of 20-25,000 elk in nine herds between core areas and private, working lands. It is now clear that herds of elk, mule deer, pronghorn, bighorn sheep, moose, and bison migrate 25-150 miles twice a year between low-elevation winter ranges on the edges of the GYE and high-elevation summer ranges near its core. At the same time, nutritional studies are showing that migrants can grow fatter and more productive than their resident counterparts. Altogether this work suggests that the migrations' productivity sustains biodiversity, tourism, hunting, and related business around the ecosystem.

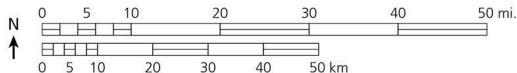
These new findings are bringing greater recognition of the role of private lands in the GYE, which comprise about 6 million acres – or more than 30% – of the entire ecosystem. Importantly, due to historical patterns of cultivation and settlement in the West, the private lands of the GYE are often productive areas at low elevations along riparian corridors, and are used heavily by herbivores (and the carnivores and scavengers that follow them). Along with associated public grazing leases, these lands play an outsized role in maintaining key wildlife and other natural values.





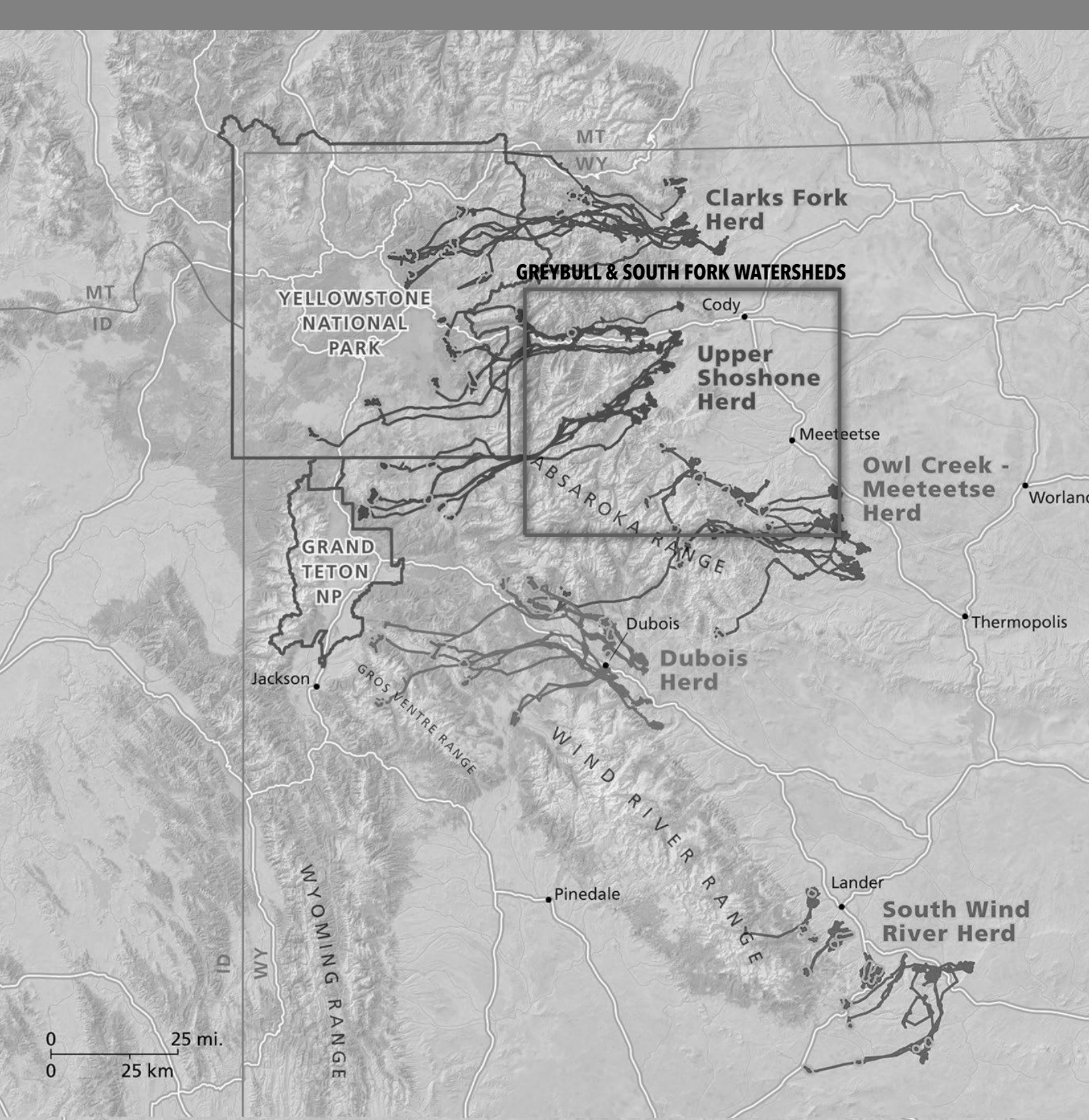
## Elk Migrations of the Greater Yellowstone Ecosystem

- Blacktail Herd
- Northern Herd
- Clarks Fork Herd
- Paradise Valley Herd
- Cody Herd
- Sand Creek Herd
- Jackson Herd
- Wiggins Fork Herd
- Madison Valley Herd



© 2015 University of Wyoming  
 Source: *Atlas of Wildlife Migration: Wyoming's Ungulates* (in production)  
 Cartography: University of Oregon InfoGraphics Lab  
 Elk data contributed by: Wyoming Game and Fish Department, Montana Fish, Wildlife, and Parks; Idaho Fish and Game, National Park Service, US Fish and Wildlife Service, Wildlife Conservation Society, Wyoming Cooperative Fish and Wildlife Research Unit, Iowa State University, and Yale School of Forestry and Environmental Studies

September 18, 2015 DRAFT



**Tracking Mule Deer Migrations  
of the Eastern Greater  
Yellowstone Ecosystem,  
June 23, 2016**



Cartography by InfoGraphics Lab,  
University of Oregon



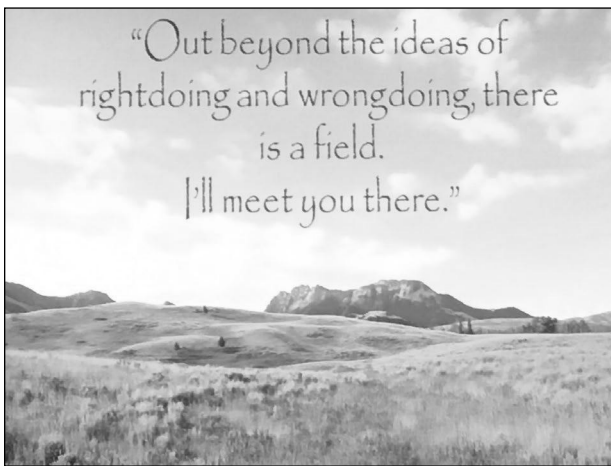
### Working lands and wildlife in the GYE: challenges and opportunities for landowners

Wildlife biologists Rick Danvir, representing Western Landowners Alliance, and Doug McWhirter, representing the Wyoming Game and Fish Department, provided an introductory overview of challenges and opportunities facing ranchers and wildlife managers in the GYE. Among the most pressing challenges are disease transmitted between wildlife and livestock, forage competition, harvest/hunting management, development, carnivore-livestock conflict and invasive species. At the same time, wildlife can also provide for ecological and economic diversity and resilience. McWhirter also spoke about the passion that agency biologists have for wildlife and that it's not just a job for them, but a deep personal commitment. When landowners and biologists engage together in addressing these challenges it can create productive and meaningful relationships and outcomes. Danvir, who was the long-time wildlife manager for Deseret Land and Livestock, told participants that the Deseret operation was profitable because of the fact that they were able to generate income both from wildlife and livestock. This combination also enabled the ranch to increase land health and resilience. As he said, "Diversity equals stability." Danvir also highlighted the role of collaboration and the value of diverse perspectives among people. He offered a quote from "Old Joe Longhurst" that "Two heads are better than one-- even if one is a knothead."



*Doug McWhirter of the Wyoming Game and Fish Department explained strategies and challenges in managing migratory ungulate populations, and also the personal commitment he and other agency biologists have to both people and wildlife in these landscapes.*

### Presentation and panel discussion of place-based collaboration around the West



*Panelist Hilary Anderson of the Tom Miner Basin Association framed her presentation around the theme illustrated in this slide.*

As part of the symposium, Beyond Boundaries brought together representatives of landowner-led collaborative conservation organizations from around the West to offer their experiences and insights into improving management across large landscapes. These included Malpai Borderlands Group, Blackfoot Challenge, Chama Peak Land Alliance, Thunder Basin Grasslands Prairie Ecosystem Association, Granger Ranches O'Dell Creek Restoration, and the Tom Miner Basin Association. In summary, common observations and recommendations conveyed by this group included:

- Collaboration works. Representatives of landowner-led collaborative groups spoke of their successes in reducing conflicts between wildlife and livestock, improving relationships between people and in slowing land development.
- Collaboration requires long-term investments in relationships. Hilary Anderson from the Tom Miner Basin captured this notion with the following quote: "Out beyond the ideas of right-doing and wrong-doing there is a field. I'll meet you there."
- Landscapes, people and issues vary such that each community needs to identify the tools and strategies that work best for them.
- Improving partnerships and incorporating science can help landowners manage well, drive policy action, and respond more effectively to anti-ranching groups.
- Successful conservation begins at a manageable scale and grows from there. Groups that now measure their impact in the millions of acres started at a smaller scale.
- It is important to recognize and celebrate successes.

### Facilitated Session 1: Hoodoo Ranch<sup>1</sup>

In this session, participants were divided into 8 groups by professional and geographic affiliation, i.e., Cody-area landowners, other landowners, researchers, agency officials, non-profit organizations, and collaborative leaders. A facilitator then asked them to identify individual values (on notecards) and shared values, then perceived threats to those values. Additionally the entire symposium group was asked to identify any recent successes.

Specifically, the first question for landowners was: "There are a lot of reasons to ranch... but what do you really love about ranching? Based on your individual answers, identify three shared core values as a group." The commonly cited values among landowner groups included: family, a ranching and outdoor lifestyle, community, keeping lands intact and in family ownership, and the desire to leave the world a better place than they found it. The simultaneous question for non-landowner groups was: "There are a lot of career paths that you could have taken, but what do you love about what you do? Based on your individual answers, identify three shared core values as a group." The commonly cited values among non-landowner groups included:



*Park County Commissioner and professional outfitter Lee Livingston (right) underscored the importance of both ranching and wildlife to the community and local economy.*

<sup>1</sup>For a full report on facilitated discussion results, see Appendices A through C.

wild places and the natural world, a sense of larger purpose or meaning, relationships with diverse people, an outdoor lifestyle, learning, teaching, and the desire to steward land and wildlife well for future generations.

The next question for the individuals and their groups was, "What are the greatest threats or challenges that impede your ability to achieve core ownership or management objectives that support these values? As a group, which of these do you believe are most immediate/urgent (indicated in bold)?" The perceived threats among landowner groups included: limited qualified labor force, regulatory complexity, low commodity prices relative to costs, overpopulation, difficulty finding common ground among stakeholders, and lack of time and money. The perceived threats to values among non-landowner groups included: adverse public perceptions and attitudes, lack of education, political polarization, overpopulation and development, policy and legal complexity, lack of resources (time, money, and qualified labor), fear of change, and administrative constraints.

As a whole, then, the entire symposium group found common ground in the desire to keep landscapes, including working lands, intact; improve relationships and trust between people; and improve the world for future generations. They also commonly identified a lack of time, money, and qualified labor and political polarization as threats.



*Photographer/filmmaker Joe Riis presented photographs to Greg Hertel, Lenox and Fran Baker, JD Radakovich and his family, and Mary Anne Dingus in appreciation for the support and encouragement their ranches provided in the Yellowstone elk migration study.*

The final question, asked of all participants at once, was, "What's working well that should be sustained?" Individual responses referenced existing cooperation and trust among Cody-area agencies and landowners; the occurrence of the symposium itself; positive relationships resulting through a recent project on elk migration ecology; a recent black-footed ferret reintroduction in the Greybull River valley; the fact that numerous large ranches have remained intact up to the present; a sense that problems can be solved together; several landowner-led efforts in other landscapes; the resilience of landowners and their commitment to stewardship; and next-generation engagement.

### ***Beyond Boundaries: the public-private interface***

Opening day two of the symposium, USDA Undersecretary for Natural Resources and the Environment Robert Bonnie and DOI Deputy Assistant Secretary for Land and Minerals Jim Lyons addressed the future of large landscape management and conservation.

Bonnie began with a story of his connection to a long-time family property that was identified as supporting the endangered red cockaded woodpecker. His family is conservation minded but also wondered what the presence of the bird was going to mean for their management. They eventually entered a safe harbor agreement so they could have greater certainty that they could continue to use and manage the land as they long had. He related through that experience to ranchers in the Cody landscape.

"You have ranches that are providing enormous public benefits and they have challenges maintaining those benefits," he said. "We in the public sector have a responsibility to facilitate and help those folks keep doing what they are doing."

He cited several themes that need to be addressed in this effort, including locally-driven collaboration in which government agencies are not leading but participate as partners; a larger-scale approach; keep working lands working so they remain economically viable; technical and financial support for conservation actions; certainty through assurance agreements, better market opportunities and public recognition for the values ranches are providing.

He then provided insight into what he felt the opportunities were in interacting with the USDA, including the use of Farm Bill and NRCS funding and programs, opportunities to apply Land and Water Conservation Funds



*USDA Undersecretary for Natural Resources and the Environment Robert Bonnie spoke about the many public benefits provided by ranches in the GYE and opportunities to improve the economics, assurances and public recognition necessary to sustain working lands and the habitat benefits they provide into the future.*

to keeping large landscapes intact through conservation easements, and the opportunity to lay groundwork for positive and productive engagement with the next administration.

Lyons suggested that the research showing elk migrations sprawling across the landscape reminds him of a quilt, and that the business of conservation is to patch that quilt together. For Lyons, cooperative and partnership-oriented conservation work that balances natural and social values at large scales is the essence of "21st Century Conservation" and a major departure from the last century's business model. He cited the recent success of West-wide collaboration to conserve greater sage grouse populations and their habitat as an example.

Both federal officials impressed strongly upon participating landowners that their collective voice holds significant weight among agencies and decision makers in Washington, DC.

### Facilitated session 2: Ishawooa Mesa Ranch

In this session, participants were divided into two groups: Cody-area landowners and all other participants. The first group was asked to share their visions for the future of the landscape, and the degree of their interest in working cooperatively toward that vision. Other participants were divided into random groups and asked to answer a series of questions related to sustaining working lands, connectivity, and wildlife. At the conclusion of these two, separate group discussions, all participants gathered for a discussion of the results. Numerous participants commented that they wished for more time than the symposium schedule permitted in order to discuss these issues in greater depth.

Specifically, the Cody-area landowner group was led through the following, five-minute exercise: "Think of a young person (under 30) you care about, either in your own family or the broader community, who has a stake in the future of this landscape. Choose a postcard (blank postcards featuring images of Cody area land, people and wildlife were provided) and address it to the person you are thinking of. Placing yourself ten years down the road, write a postcard to this person about what you're most proud of contributing to this landscape and its values." Facilitators then asked for volunteers to read their postcards aloud. Common themes expressed in the postcards included a desire to keep the landscape open and wild, to see wildlife continue to prosper and for families to be able to continue ranching.



*Cody rancher Lenox Baker (left) recently reintroduced black-footed ferrets to his Pitchfork Ranch. U.S. Department of the Interior Deputy Undersecretary for Land and Minerals Jim Lyons (right) spoke during the symposium about a different, more collaborative model of conservation for the 21st Century.*



Concerns expressed during the related discussion among Cody-area landowners included:

- A need for people with the knowledge and commitment to manage land
- Planning for next generation/succession
- Family ranches being sold and subdivided in the area
- Being able to maintain privacy and personal enjoyment of property
- Impacts to quality of life due to the increasing presence of large predators

The Cody-area group was then asked, "We have identified shared goals, challenges and visions for the future. Is there value/utility in working together toward shared goals, what would that look like and is now the right time?" Participants agreed that greater collaboration and "strength in numbers" might help achieve their shared vision and ensure their values are supported into the future. When asked to identify outcomes they might be able to achieve through increased collaboration, they cited:

- Telling the story of working-land stewardship
- Building community support for projects and policy regarding working lands
- Increased flexibility in regulations and land management practices
- Improved noxious weed management
- Improved public relations with non-resident landowners
- Accelerated development of a brucellosis vaccine

Though Cody-area landowners agreed that increased cooperation could be of value in achieving shared goals for the landscape, time constraints prohibiting extensive participation were a prominent concern for most present. Still, all were interested in exploring organizational options, starting with the models being used by other landowner-led collaborative organizations in the West<sup>2</sup>.

As the Cody-area landowners discussed their vision for the future and the potential to increase local cooperation, other participants numbered off into six small groups. Each group was assigned one question and allowed to choose one question, in both cases from the list below. Groups then reported out on their recommendations, which are summarized here<sup>3</sup>.

<sup>2</sup>See Appendices D and E for more information on how place-based collaborative conservation efforts have been organized and implemented in other landscapes.

<sup>3</sup>See Appendix C for more detail.

1. Agree to one policy change that could better support both working lands and wildlife in the GYE.

- Delist wolves and grizzlies throughout the GYE to increase management flexibility.
- Develop new public wildlife-private lands elk hunting programs to increase rewards for supporting wildlife populations.

2. What are three ways to best engage the scientific community to better respond to land management needs and community values?

- Including scientists in collaborative groups can help landowners increase knowledge-sharing and the promotion of innovative or successful practices.
- Funding from government agencies including National Science Foundation should be more strongly tied to community research priorities.
- Researchers need to connect with people on the ground and build relationships.
- Research results need to be made available to landowners.

3. What advice do you have related to the mapping of wildlife habitat and species presence on private or leased lands. Can it be positive for landowners? If so, how?

- While telling the important story, recognize concerns of publicly sharing .
- Use maps to support what is working (rather than what should be restricted).

4. What are the three most relevant messages landowners in the West could bring to policy makers in DC to improve support for working land stewardship? Would they be any different at the state level?

- Working lands create major public benefits at cost of private landowners.
- Many valuable changes can be made without major policy shifts if the will exists.
- Need for increased cooperation and trust between state and federal agencies.
- Financial programs to allow landowners to simultaneously support families and provide habitat..



*Ishaoowa Mesa Ranch owner Paul Klingenstein (on left with Pitchfork Ranch owner Lenox Baker) hosted lunch and flipped burgers made from homegrown beef.*

5. Agree on three options to better align the economics of supporting wildlife with the need to make a living/income from the land? Should landowner compensation/assistance programs be improved, and if so, how (if more \$, where would it come from?)
  - Develop additional public wildlife-private land hunting programs that support landowners in recognition of the public benefits of habitat they provide.
  - Labeling of beef/agricultural products as locally produced and/or wildlife friendly.
  - Property tax relief if a landowner is managing for wildlife.
  
6. What could the Cody-area landowners accomplish together that they couldn't accomplish as individuals?
  - Strength in numbers, i.e. a landowner seat at the table for policies and initiatives.
  - Educate others about ranching and public values provided by ranches.

## **Field Discussions**

A series of field discussions were held while touring participating ranches. The topics had been identified during one-on-one discussions with landowners during the months leading up to the symposium. The discussions generally focused on common challenges associated with harboring high densities of wintering ungulates on private lands. On each topic, a subject-matter expert such as a scientist or agency official provided an overview at the regional or the ecosystem scale, then a landowner shared a perspective on that topic, then the group asked questions and discussed the topic. The subject-matter experts provided advance briefs on each issue<sup>4</sup>.

The topic of hunter harvest was addressed on the Hoodoo Ranch. Big game hunting is critical to the economy and culture of the GYE and to the operations of the Wyoming Game and Fish Department. The group heard an overview of elk harvest in northwest Wyoming, including how the state manages harvest, with emphasis on issues surrounding hunter access to private lands and the challenges and opportunities for area ranches. Related discussion focused on ideas of how to provide or allow landowners revenue streams that incentivize wildlife conservation, such as modifying state regulations to allow landowners to sell hunting licenses. However several constraints were identified. Some ranches do not currently accept government money. Others will accept government money but some programs, particularly of the USDA, come with prohibitive income caps (which landowners understand, but still feel frustration about). Finally there is not public support for allowing landowners to market hunting licenses at the state level in Wyoming. It was generally agreed here (and throughout the symposium) that a key to future policy change is greater outreach to the public to articulate the benefits ranches provide public wildlife.

<sup>4</sup>See Appendix F.

The topic of brucellosis was also addressed on the Hoodoo Ranch. Brucellosis was originally passed from cattle to elk, which are now a reservoir. The disease poses a major threat to livestock operations in the region and has incurred severe costs on adjacent ranches. Landowners confirmed that the disease looms large in their cattle operations. Several landowners supported increased investment in research, including but not limited to vaccines, to address brucellosis. In addition, at least one landowner identified the need for better land-use planning to minimize contact between wildlife and livestock. As an example, new oil and gas facilities located in important elk habitat might displace some infected elk into areas with heavy livestock use, increasing the risk of disease transmission. Several landowners felt that greater cooperation and coordination among landowners and agencies could potentially help reduce conflicts.



*Chuck Preston, Natural History Chair and Founding Senior Curator of the Draper Museum of Natural History leads a field discussion near a golden eagle nest on the Hoodoo Ranch.*

The topic of invasive plants was addressed on the TE Ranch. Species such as cheatgrass and Dalmatian toadflax are spreading quickly across public and private lands in the GYE, with important and poorly understood impacts on forage for both wild and domestic ungulates. The group heard an overview of current distribution across the GYE followed by concerns of several area ranches. For several major landowners, cheatgrass is a primary concern with the potential to significantly reduce forage for both wildlife and livestock and because it is particularly prone to fire. In fact, during the symposium, a grassfire on a local ranch rapidly grew into a major wildfire that destroyed at least one residence and forced temporary evacuations of people and livestock. The concerns of both landowners and agencies strongly overlapped on this topic. Several of the landowner-led collaborative organizations, such as the Blackfoot Challenge, have developed integrated weed programs spanning multiple ownerships and jurisdictions and demonstrated the benefits of working together on the issue. Recommendations offered during discussions included collaboration locally on weed control, continued research on control strategies for cheatgrass, and local information sharing on successes and failures combating the invasion.

The topic of livestock depredation by large carnivores was also addressed on the TE Ranch. High densities of wintering ungulates are one major factor that determines where wolves and some bears den and roam in spring – but then, when the native prey migrate away for summer, cattle sometimes become an alternative prey. The group

heard an update on the status of large carnivore management in Wyoming, followed by ranch perspectives. The management of large carnivores was also a topic of much discussion throughout the forum. Capturing the views of many participants, one landowner stated during the meeting that he recognizes the biological significance of large carnivores but that with populations now exceeding recovery goals, better management is needed to minimize conflicts with livestock and people. Landowners and managers repeatedly cited the high numbers of grizzly bears now present in and around ranch buildings and pastures, causing them to keep children under close supervision and exercise high vigilance during common ranch chores such as irrigating. They also highlighted the lack of US Fish and Wildlife Service personnel available in the area to provide management support. Representatives from the Blackfoot Challenge and the Tom Miner Basin Association spoke about their successes in reducing conflicts through carcass removal, routine monitoring, shared riders, and specific grazing strategies, and recommended that Cody ranches consider some of these options. Some landowners felt that monitoring and information sharing on predator locations could help them reduce conflict, but noted that wildlife agencies are not typically willing to share such information. Overall participants hoped for better cooperation among agencies and between agencies and ranches on this issue.



*Dan Thompson of the Wyoming Game and Fish Department addresses depredation and predator management at the TE Ranch. The TE once belonged to Buffalo Bill Cody and the original ranch buildings seen here have been carefully restored and preserved. One of the current owners, Carlos Duncan, described the experience of regularly watching wolf packs and grizzly bears in close proximity to these buildings and the need to improve management of the species as their populations continue to grow.*

The topic of exurban development was also discussed on the TE Ranch. An overview demonstrated that perversely, the beauty, open space, and rich wildlife of the GYE create a strong draw for development, which can in turn undercut these same values in the long run. Private ranches on the frontiers of the GYE are often situated in critical habitat not just for migratory ungulates but many other species. Intact ranches have done a great deal to conserve these species to present. In the ensuing discussion, Cody landowners generally expressed a desire to slow or stop future development, and felt that policies which increase revenue associated with wildlife and help sustain cattle production could work against pressure to subdivide and develop land. Some collaborative groups discussed successes in protecting key working lands and habitats with conservation easements.

## DISCUSSION & RECOMMENDATIONS

Several elements of this symposium were aimed at simply describing key ungulate migrations of the GYE, the ecosystem services they provide, and the degree to which these depend on working lands at the edges of the ecosystem. This message was clearly illustrated by research indicating that nine migratory elk herds whose productivity anchors critical ecological, economic, and cultural values around the GYE spend 20%-80% of their winter, including late spring and early summer, on private lands. Landowners who harbor hundreds or in some cases thousands of these animals in winter described resulting conflicts, including financial costs that can pose serious, long-term threats to the agricultural operations that help many ranches to remain economically viable and intact.

### Landowner-led Collaborative Conservation

Representatives from collaborative groups in other parts of the GYE and the West presented case studies showing the potential benefits of increased cooperation to address diverse types of conflicts. These groups' experience



*From this hilltop during a Hoodoo Ranch field visit, a fire can be seen burning on the neighboring TE Ranch.*

demonstrates traction in reducing conflicts between wildlife and livestock, improving working relationships, slowing land development, enhancing water quality, and restoring land health. However, successful cooperation started at a manageable scale, invested significant time and skill into building relationships, focused on common-ground issues rather than those likely to divide participants, and partnered with outside groups that understood the context-dependency of such efforts.

### The Policy Process

Landowner participants in the symposium highlighted a number of broad concerns about the contemporary public policy process. Many expressed frustration that regulatory complexity and poorly conceived public policies present significant challenges to those landowners who seek to keep working lands intact and productive for both livestock and wildlife. Landowners felt that they are not included often enough in the development of public policies and regulations, and suggest that agencies and non-profit organizations make special efforts to engage them early in the policy process. At the same time, participants agreed that political polarization is a major and growing threat to any sound public policy process, and to achieving a shared vision. Many landowners explicitly stated that a collaborative approach might help address both these issues by helping them gain a "seat at the table" and by fostering common-ground pragmatism to counter polarization.

## Economics and Labor

Landowner participants also highlighted broad, market-based challenges to keeping working lands intact and productive, including a limited qualified work force and low commodity prices relative to costs. When the profitability of ranches is reduced as a result of regulatory compliance or litigation and national and international economic and trade policies, it becomes less feasible to keep operations economically viable or to support well-paying jobs that can attract qualified workers. Landowners repeatedly, strongly, and universally expressed that if ranches could capture more economic value for the diverse values and services they provide, it would increase profitability along with the number of quality jobs they can support. This can help strengthen local economies and communities, which can in turn support better schools and services needed to maintain the work force.

## Wildlife Conflicts

Conflicts with wildlife, a focus of this symposium, were discussed within this broader context by many landowners. Wildlife bring costs yet at the same time, pressures are mounting for landowners to support large wildlife populations and provide other ecosystem services for public benefit. Participants recommended a number of strategies to help ranches remain economically viable while sustaining wildlife. Some focused on increasing revenue to offset costs. In this vein, a common refrain was the need for hunting programs or other wildlife-related sources of revenue for ranches. In these discussions, landowners cited a need for outreach to help the public understand that they care about wildlife and open space, and that caring for public resources on private lands comes with a significant economic cost to landowners, so that in future the public may be more supportive of relevant programs. Another potential source of revenue discussed by landowners was the ability to market locally produced, wildlife-friendly products, whether through labeling or new local finishing and processing operations to bring consumers closer to land operators. Other discussions focused on alleviating specific costs. For example, many landowners felt that costly, labor-intensive, and stressful carnivore-livestock conflicts might be reduced through enhanced public-private partnerships focused on better monitoring, information-sharing, flexibility to try new approaches to grazing on public land, and other conflict management strategies. An essential part of this equation was to increase management flexibility through removal of the wolf and grizzly bear from the endangered species list.



*Wyoming State Treasurer Mark Gordon speaks with Malpai Borderlands Board Member Peter Warren at the Hoodoo Ranch. Gordon also addressed the symposium on the need for integrated and thoughtful management of the many resources important to Wyoming.*

## **The Role of Science**

Landowners generally viewed science as an important element of addressing these challenges that can help them innovate and increase knowledge and the sharing of knowledge. However, many felt that academic research often does not address working land management needs. Some recommended that academic researchers need to “get out on the ground,” connect with people, build relationships and understanding, and make research results more available and accessible. Some also felt that landowners should more proactively engage with scientists to improve coordination, identify research needs, and let universities know their interests, and cited extension services as one way to connect to universities and researchers. One policy suggestion was that funding from entities such as National Science Foundation and state wildlife agencies should be tied to research priorities identified by communities.

## **Public Outreach and Education**

Outreach and education of both the general public and policymakers was a significant theme of discussion because landowners and other participants felt that public support is necessary to creating new policy, adding flexibility in existing policy, and building durable partnerships. When asked to identify key messages to the public, a common response was that healthy working lands provide clean water, clean air, wildlife and recreational opportunities, and landowners bear the majority of the cost for providing these public benefits. When asked to identify key messages to policy makers, common responses were that those making policy need to experience and understand Western landscapes first-hand, that clearer and more flexible regulation is needed to manage land well, and that many valuable changes can be made within existing policy. All the participants recognized that respect and trust is lacking between many landowners and government agencies and that while it takes time and money to build relationships and trust, this investment is critical to cooperation and future successful outcomes.

## **Future Collaboration in the Eastern GYE**

An important goal of the symposium was to evaluate the degree to which participants, especially landowners, shared core values and topical interests sufficiently to warrant a cooperative approach to conservation of working lands and wildlife in the eastern GYE. During the symposium, a strong collective vision emerged among landowners in which the working lands remain intact, in family ownership, agriculturally productive and able to sustain both people and wildlife. The values expressed by non-landowner participants largely supported this vision. Ultimately, landowners agreed that greater cooperation and collective action would be valuable to ensure their shared values are supported into the future. As Undersecretary Bonnie said during his presentation, this type of “place-based, collaborative conservation” is the way of the future in large landscape management. While many voiced concern about the requirements of time and energy necessary to participate in a new initiative or organization, they nevertheless agreed to participate in follow-up conversations and meetings to assess symposium findings and discuss organizational options<sup>5</sup>. Based on symposium discussions, immediate issues in the eastern GYE that could potentially be better addressed through a collaborative effort than by individuals



operating in isolation include: cheatgrass, livestock depredation, scientific research, land fragmentation, and educational outreach to increase understanding of the vital role these ranches are playing and the needs they have in sustaining both people and wildlife in the GYE and beyond.

<sup>5</sup>See Appendix E for organizational models and related case studies



*Left to right: GYE landowners Wasim Hassan, Kelly Bennett, Jeff Laszlo, Anne Young and Anne Duncan gather in the original ranch home of Buffalo Bill Cody on the TE Ranch.*

## **Acknowledgements**

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# APPENDIX A

## Hoodoo Ranch Facilitated Discussion

**Question 1 for landowners:** There are lots of reasons to ranch that we just heard about when we shared our management objectives, but what do you really love about it? Based on your individual answers, identify three shared core values as a group.

### Question 1 Answers:

#### **Cody landowners/managers (table 1):**

- Family experiences and values
- Ranching is a tangible working experience
- Leaving the land in better condition than when found

#### **Cody landowners/managers (table 2):**

- The outdoors
- Family
- Cody/Park County area

#### **Other landowners/managers (table 5):**

- Living and working in a beautiful place and leaving it in better condition than we found it
- Learning and problem solving
- Family

#### **Other landowners/managers (table 6):**

- Responsibility toward the future
- Respect for the natural world
- Collaboration

#### **Landowner-led collaborative organizations (table 3):**

- Love wild places
- Feel "spirited" connection to something bigger
- Importance of stewarding land for the future

**Question 1 for other participants:** There are a lot of career paths that you could have taken, but what do you love about what you do? Based on your individual answers, identify three shared core values as a group.

**Public agency representatives (table 7):**

- Passion for wildlife and wild places
- Building relationships and community
- Contributing to a greater good for current and future generations

**Academic researchers (table 8):**

- Exploring and discovery, pursuing curiosity
- Teaching, sharing, inspiring and connecting
- Making a difference to conserve places that we love

**NGOs and Funders (table 4):**

- Passion for the land and working (and playing) outdoors
- Savoring, while saving the world
- Working with diverse people, topics and needs

**Question 2 for all participants:** What are the greatest threats or challenges that impede your ability to achieve core ownership or management objectives that support these values? As a table, which of these do you believe are most immediate/urgent?

**Cody landowners/managers (table 1):**

- Limited qualified labor force
- Regulatory complications
- Low commodity prices relative to costs

**Cody landowners/managers (table 2):**

- Over population
- Getting entities involved on common ground
- Time and money

**Other landowners/managers (table 5):**

- Public perceptions of what we are doing
- Change in land use/conversion
- Ill-conceived policy (ESA & food safety)/government agencies
- Complacency
- Time to network/learn new things

- Imagination, courage, resources
- Climate change/drought

### **Other landowners/managers (table 6)**

- Political ignorance
- Lack of education
- Fear
- Ecological failure
- Over regulation
- Population explosion
- Economic insolubility

### **Landowner-led collaborative organizations (table 3)**

- Land fragmentation due to suburban development sprawl
- Policies the preclude successful collaboration
- Loss of connection between urban people and wild land/education including lack of understanding of where stuff comes from
- Lack of economic support for collaboration
- Lack of trust
- Inability to respond to changing conditions
- Loss of people who live on the land and know how to take care of it
- Rising operating costs
- Taxation

### **Public agency representatives (table 7):**

- "Polarization industry"
- Not enough investment in relationships
- Resource limitations (funding and people)
- Development and encroachment of people
- Fear of change
- Lack of creative and pragmatic problem solvers
- Workload/paperwork
- Recruiting and retaining
- Wild places no longer wild
- Divisive attitudes prevail
- People settle for mediocrity
- Inertia, i.e. of old ideas
- Politics and greed hurting relationships
- Lack of education promoting long-term thinking

### **Academic researchers (table 8)**

- Funding limitations
- Administrative constraints
- Self doubt and fear of failure
- Polarization/entrenchment
- Competitive emotions
- Organizational priority shifts
- Under-performance/under-achievement
- Political/cultural lack of appreciation for knowledge/science
- Pessimism and bitterness
- Not persevering or being creative
- Population growth
- Unsustainable economy based on premise of unlimited growth
- Development

### **NGOs and Funders (table 4)**

- Development and parceling of the land
- Unwillingness to compromise and work together (“win or die” approach)
- Close mindedness
- “Busy-ness” distracting from the important
- Greed
- Loss of public lands
- EGO/breakdown of communication
- Changes in leadership

**Question 3 for all participants (no breakout groups):** What’s working well that should be sustained?

### **Answers (in order of response):**

- This event
- Collaboration by landowners
- Good people lead to good things
- Storytelling
- WY Game and Fish working well with landowners on depredation issues
- Cody ranches are intact
- Resilience of landowners/commitment to stewardship
- Cooperation of WY Game and Fish and BLM on the Hoodoo

- Spirit/willingness to work together in the future—one community with a common goal
- What Arthur and Joe have accomplished here in this community
- Civil servants here in our midst—willingness to participate/engage in our conversation, moving us in new directions
- Next generation engagement

# **APPENDIX B**

## **Facilitated Discussion Individual Responses**



APPENDIX B  
FACILITATED DISCUSSION INDIVIDUAL RESPONSES

Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
1 - Cody Ranches	<p>It's the best way to raise a family</p> <p>Working outdoors and with livestock</p> <p>Challenges and responsibility of managing</p> <p>Conservation projects</p> <p>People interactions</p> <p>Outdoor projects (gardening, ranch work)</p> <p>Animals</p> <p>Wind</p> <p>People who aren't Easterners</p> <p>Family history</p> <p>Geography</p> <p>Preservation</p> <p>Raising children in agriculture</p> <p>It's real because of what it represents</p> <p>Opportunity to make the world a better place with a few acres</p>	<p>Losing public grazing</p> <p>Environmental activists</p> <p>Wilderness designation</p> <p>Limited qualified labor force</p> <p>Regulatory complications</p> <p>Rising costs vs. commodity prices</p> <p>Threats to private land ownership</p> <p>Environmentalists using half truths and false information to create a negative image with the public about ranching.</p> <p>Finding qualified employees</p> <p>Conflicts with wildlife, eg brucellosis, listed animals</p>	<p>Meaningful work/contributions (4)</p> <p>Family (3)</p> <p>Land/Nature (3)</p> <p>Outdoor/ranching lifestyle (2)</p>	<p>Policy/Regulation (5)</p> <p>Environmentalists (2)</p> <p>Lack of resources/limited labor force (2)</p>
Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
2 - Cody Ranches	<p>Being outdoors</p> <p>Variety in the day/week/month</p> <p>People/team work with</p> <p>Time with family</p> <p>Flexibility</p> <p>Outdoors and with animals</p> <p>Park County community</p> <p>Raising children in great place</p> <p>Work outdoors</p> <p>Share great place with lots of people</p>	<p>None submitted - combined with table 1</p>	<p>Outdoor/ranching lifestyle (4)</p> <p>Relationships/people/ community (3)</p> <p>Family (2)</p>	<p>None listed (combined with table 1)</p>

APPENDIX B  
FACILITATED DISCUSSION INDIVIDUAL RESPONSES

Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
3 - Collaboratives	Working with the land in a productive, responsible way that improves conditions both for ranching and the environment	Development	Meaningful work/contributions (10)	Development (5)
	Working with nature as opposed to imposing will on it The beauty of the land and people	Population growth Rising operating costs	Land/nature (6) Relationships/people/community (5)	Population growth (3) Attitudes/perceptions (3)
	Being part of shaping and caring for part of a very special property Knowing what I do today will have long term impacts The solitude of being in an area where I know I will be the only person	Taxation Policy Development	Personal growth/challenge (2)	Lack of education/ignorance (3)
	Conservation is the most important issue of our time Public service	Population growth Lack of support from agencies/other landowners		
	The way of life allowed in this public service Understanding and seeing a profound connection to place and making that come to life in the form of art/photography	Lack of trust Inability to respond to changing conditions		
	Building lasting relationships and deeply exploring a way of life	Lack of understanding where stuff comes from		
	The opportunity to see and be a part of someone's life and passion and to see an intimate connection between people, land and wild	Lack of community and communication		
	Wildness fulfilling Genuine relationship Connection, being a part of something bigger Personal challenge Doing something that adds value	Development Human population Threatened habitat Development Failure to collaborate, be open-minded, face change		
	Live in a very special area Always something new Being in a wild place and sharing it with wildlife Seeing the grass come in thicker after a fire Being out on the land with someone who knows it and learning something new from him	Lack of connection to the land Policies that preclude successful outcomes Lack of economic support for conservation Development Loss of people to live on the land and know how to take care of it Loss of connection between urban kids and wild land		

APPENDIX B  
FACILITATED DISCUSSION INDIVIDUAL RESPONSES

Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
4-NGOs, Funders	Working on something that achieves something I am proud of and can share with my children, my community and the world at large Passion for the land and working outdoors  Love of the stock and working with them Being self-employed Working with a diversity of people to achieve important wins for communities and the planet Being a catalyst for positive change and making things happen Working on things I am passionate about Living in a place I love Contributing to projects or initiatives that protect wildlife, help people have meaningful experiences in the outdoors, and help maintain Wyoming's communities and heritage Community engagement Highlighting opportunity Freedom to listen	Breakdown of communication, ego  Development  Change over of leadership Land seizure movement Development -poorly planned  Win or die approach  Lack of time Lack of persistence Lack of money  Ignorance Stubbornness Greed Development Self-interest overwhelming shared interest Development Unwillingness to compromise and work together Closemindedness	Meaningful work/contributions (5)  Relationships/people/community (5) Lifestyle (4)	Attitudes/perceptions (8)  Development (4)  Lack of resources (2)

APPENDIX B  
FACILITATED DISCUSSION INDIVIDUAL RESPONSES

Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
5- Landowners/ managers (West)	Never ending challenges	Getting caught up in daily work and don't have time to appreciate the beauty	Meaningful work/contributions (7)	Lack of resources/time (3)
	Making good food	Takes time to learn	Land/nature (6)	Attitudes/perceptions (3)
	Connecting to the community of neighbors	Children grow up and leave	Outdoor/ranching lifestyle (5)	Lack of education/ignorance (2)
	Leaving land and wildlife a better place	Governmental agencies	Personal growth/challenge (4)	Policy/regulation (2)
	Positively impacting local communities and families	Climate change		Development (2)
	Hope to export/share with others in the West	Public perception		
	Stars and sunsets	Lack of time		
	Family	Development		
	Making a difference	Complacency		
	Learning from land	Ill-conceived policy		
	Ability to spend time on the land and see change	Public who doesn't care about nature or where food comes from		
	Being able to share knowledge with others and learn from others	Thought leaders who don't understand role of grazing for soil health		
	Diversity of the operations	Development		
	Working the land			
	Working with animals			
Living in a beautiful place				
Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
6-Mixed West	Knowing we are keeping a very large landscape intact	Federal and state regulation	Meaningful work/contributions (8)	Attitudes/perceptions (6)
	Finding innovative ways to approach a century-old way of life and business	Extreme points of view dominating discussion	Personal growth/challenge (7)	Lack of education/ignorance (3)
	Tangible connection to the land	Fear of the unknown, change, each other, innovation, going against the grain	Land/nature (6)	Policy/regulation (3)
	Having a large landscape to share with my friends and future family	Ignorance; lack of education	Relationships/people/community (5)	Polarization/divisiveness (3)
	Learning something new every day	Prejudice/close-mindedness		
	Meeting fascinating people	Greed and selfishness		
	Helping change the world	Regulations, laws		
	Working with producers to put conservation on the ground	Economy (lack of)		
	The work we do together will help generations to come	Divisive political climate and behavior		
	Conserve the land, give back to the land what the land gave me	Unwillingness to partner or compromise		
	Finding creative solutions & common ground	Insufficient funding		
	Bringing people together	Failure to recognize and address global change		
Seeing results of my work	Transfer of public lands			

APPENDIX B  
FACILITATED DISCUSSION INDIVIDUAL RESPONSES

Love seeing freshly cut hayfields	Lack of civility
Working with multi-generational families and learning and appreciating what they do	Increasing dominance of the haves over the have-nots in our neighborhood
Seeing our vast public landscapes and wildlife roaming as if I was in Africa	Burgeoning population
Rubbing my nose in the landscape every day, all day	Political leadership that doesn't understand how the earth works
Experimenting and learning at this messy interface between ag and conservation	Economic insolubility
Experiencing the diversity of tasks/seasons/animals/people that are involved in landscape issues	Ecological instability
Including my children in my work every day	Lack of communication
The responsibility of being the steward of the land and people that form my ranch and way of life	
Horses, cattle, wildlife	

Group	What do you love about what you do?	Threats and Challenges	Common Values by Table	Common Threats/Challenges by Table
7-Agencies	Wildlife and wild places	Lack of social process focused on common interests rather than opposing interests	Relationships/people/community (9)	Attitudes/perceptions (5)
	Building relationships and community	Excessive individualism	Land/Nature (8)	Lack of resources (7)
	Contributing to greater good for community and later generations	Limited institutional support for needed collaborations	Lifestyle (7)	Polarization/divisiveness (3)
	Partnerships	Lack of resources (money and people)	Meaningful work/contributions (4)	
	Working for the greater good	Lack of creative problem-solving people		
	Being in the West	Fear of change (by others)		
	Conservation success stories	Polarization industry		
	Developing positive/productive relationships	Funding (lack of)		
	Unique partnerships, diverse interests	Inertia		
	Contributing to conservation of natural resources	Workload, paperwork		
	Travel to places like this	Relationships take time		
	Working with wildlife	Recruitment/retention		
	Helping people	Wild places no longer wild and unable to support wild animals due to neglect, apathy, lack of attention		
	Finding new great hunting areas	Divisive attitudes prevail		
	Working in wild places with wild animals	People settle for mediocrity		
	Working with interesting people			
	Being challenged by what I do and looking forward to going to work every day			
Learning about nature				
Helping people share in the wonder of nature				
Being part of a community I love				

# APPENDIX C

## Ishawooa Mesa Ranch Facilitated Discussion - Small Group Report Out

1. Agree to one policy change that could better support both working lands and wildlife in the GYE.
  - Delist wolves and grizzlies throughout the GYE to increase flexibility
  - Provide landowner tags for elk hunts to increase rewards for harboring wildlife
  - Address climate change due to its overarching effects on both ranching and wildlife
  
2. What are three ways to best engage the scientific community to better respond to land management needs and community values?
  - Identifying community values, clear questions and management needs
  - Outreach informing community of research results
  - Landowners can increase knowledge-sharing, promotion of innovative practices, and efficiency of information transfer through a collaborative group
  - Landowners need to let universities know their interests and proactively engage with scientists to identify research needs and improve coordination.
  - Extension service can be helpful in connecting landowners to universities and researchers.
  - Funding should be more strongly tied to research priorities identified by the community. NSF and state wildlife research departments were suggested as funding sources that could potentially help link management needs to research.
  - A paradigm and funding shift is needed away from publishable research to applicable research.
  - Research results need to be made available to landowners and others on the ground. Information needs to flow both ways.
  - Researchers need to connect with people on the ground and build relationships.
  - Professors need to get out on the ground.
  
3. What advice do you have related to the mapping of wildlife habitat and species presence on private or leased lands. Can it be positive for landowners? If so, how?
  - Recognize concerns of public sharing but importance of telling the story
  - Demonstrate benefits of habitat vs. liability
  - Use mapping to engage public
  - Use maps to celebrate and support what is working (rather than what should be restricted)
  - Need to work with landowners on their wants and needs

4. What are the three most relevant messages landowners in the West could bring to policy makers in DC to improve support for working land stewardship? Would they be any different at the state level?
- Importance of private lands and habitat
  - Private lands as a public benefit
  - Healthy rangelands create huge public benefits at cost of private landowners
  - Existing authorities can make many changes without major policy shifts
  - Demonstrate stewardship intents and specific accomplishments
  - Need for increased cooperation and trust between state and federal agencies.
  - Seek financial programs to allow landowners to support families and provide habitat
  - Focus on wildlife but also on food production
5. Agree on three options to better align the economics of supporting wildlife with the need to make a living/ income from the land? Should landowner compensation/assistance programs be improved, and if so, how (if more \$, where would it come from?)
- Modify state regulations to reward landowners with hunting licenses in recognition of the public benefits of habitat
  - Labeling of beef/agricultural products as local and/or wildlife friendly
  - Property tax relief if managing for wildlife
6. What could the Cody-area landowners accomplish together that they couldn't accomplish as individuals?
- Strength in numbers
  - Better able to communicate with and educate others about ranching and public values provided by ranches
  - Better able to draw attention to issues of concern
  - Landowner seat at the table for policies and initiatives

# APPENDIX D

## Collaborative Stewardship in the West

### Malpai Borderlands Group

The Malpai Borderlands is a roughly one-million-acre triangle in the “Sky Islands” region of Arizona, New Mexico and the country of Mexico where the Rocky Mountains and the Sierra San Madre Range of Mexico collide. Elevations range from 3,500-foot valley grasslands to 8,500-foot forested mountains, creating a diverse and rugged landscape and home to many rare and at-risk plants and animals. Species from the far northern and southern region of the North American continent occur here, including bighorn sheep, coatimundis, elegant trogons, the occasional jaguar and historically the Mexican wolf.

The Malpai Borderlands Group (MBG) was created in 1991 at a gathering of neighboring ranchers at the Malpai Ranch in the San Bernardino Valley. They were concerned about the future of their land and livelihoods. Living on remote ranches, individually they felt ill-equipped to deal with ensuing threats, and it seemed the dig-in-your-heels approach was doomed to failure. So they decided to try something new—reach out to people we normally considered “outsiders” to find common ground and solutions.

For the next two years, a small group of ranchers and environmentalists, together with an ecologist, met to discuss shared concerns for the health and open space future of our land. They identified two major concerns/threats; fragmentation of the landscape via subdivision and development, and the declining productivity and loss of biological diversity accompanying the encroachment of woody species on grasslands. They weren't sure what to do, but felt that the solution should be driven by good science, contain a strong conservation ethic, be economically feasible, and be initiated and led by the private sector. Agencies were welcome to work with them as partners (and they have).

The MBG became a non-profit organization in 1994, and since that time has made substantial progress to resolve the original issues.

Accomplishments include:

- Conservation easements on 78,000 acres of private land on fifteen ranches, affecting 202,000 acres of associated state and federal land. Well over half the private land in the area is permanently protected.
- Six prescribed burns with agency partners, including the largest successful prescribed fire in US history. These have been effective in reducing woody plant cover and stimulating the growth of perennial grasses.



- A number of efforts aimed at making the protection of endangered species more compatible with rural livelihoods.
- Technical and cost share assistance program to help landowners put in place conservation projects and sound management practices. MBG's watershed restoration program is responsible for the construction of over 10,000 small structures within gullies and draws to control erosion. So far, nearly 25 miles of watersheds have been treated using native materials. As important as any single accomplishment is the fact that this small group in a remote corner of Arizona and New Mexico has had significant, wide-reaching influence on the way that ranchers, the environmental community, the government, and the public perceive conservation and ranching today. They stepped away from confrontation, regulation, and litigation and found common ground, worked together, used best available science, worked at the level closest to the ground, and exhibited real stewardship. Working in the "Radical Center" is gaining more converts every day.

Peter Warren is a senior land protection specialist with The Nature Conservancy and board member of the MBG. Speaking on behalf of the group during the Beyond Boundaries Symposium, Warren said the group's embrace of science helped them become critical drivers of public agency action in the region and kept "anti-ranching" non-profits at bay. Initially, the Group created a big "win" in ending over 80 years of fire suppression, which involved two states, four landowners, eight different public agencies, a proposed Wilderness Study Area, NEPA, the ESA, and coordination with Mexico. That exercise helped the group move into discussions to create a "Multi Species Management Plan" that required ongoing coordination.

Warren said he believes that moving into the future, one important initiative should be to create policies that add certainty and value, not risk, to Forest Service public lands grazing allotments that are attached to private lands on the valley floor which have been protected through conservation easements. He would like to see policies created that would recognize the value of private landowner organizations in the management of private lands. He said, "There are a couple of aspects to that: one is that we know the wildlife move between these mountains. The mountains are National Forest; the valleys are private and state. These open corridors are critical. There are 15 ranches in our area that are now under conservation easement. That means that those families are now completely dependent upon the productivity of that land as ranchlands - they no longer have the option of selling out for development should they have some financial need, but they are providing this important benefit to wildlife and watershed management on lands adjacent to the national forest. They also have forest leases, so someone recognizing and creating a benefit in the management of those public land leases - for example making them longer - would be important and reduce risk."

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

## **Blackfoot Challenge**

The Blackfoot Challenge is a conservation collaborative that works in the Blackfoot Watershed of western Montana, 1.5 million acres extending from the Continental Divide westward for some 132 miles to its confluence with the Clark Fork River. This landscape is the only ecosystem in the lower 48 states with the full complement of wildlife that inhabited the area when the Lewis and Clark Expedition traveled up the Blackfoot River in 1806.

The Blackfoot Challenge story began in the 1970s when private landowners and public managers came together to work on areas of agreement like sharing access to resources. The Challenge formed in 1993 to follow an inclusive, consensus-based approach to coordinate efforts that conserve and enhance the natural resources and rural way of life in the Blackfoot Watershed. Today, the group remains a cooperative of local landowners, federal and state land managers, local government officials, corporate landowners, and conservation partners.

Early projects included noxious weed control in partnership with local landowners and the Bureau of Land Management, and education efforts coordinated with local teachers. One of the hallmarks of the group's work is their predator coexistence program.

Gary Burnett, executive director for the Blackfoot Challenge explained during the Beyond Boundaries Symposium that removing livestock carcasses is a key co-existence strategy. "Carcass pick up is important because you are trying to avoid attractants," he said. "Boneyards are attracting and they can be attracting for a fairly long period of time. We're trying to move those boneyards and pick up those carcasses as they come."

The Challenge hires the carcass truck driver needed for the 2-3 day/week circuit that covers nearly 120 ranches during the calving season across some 1.2 million acres in portions of five western Montana counties. Through a partnership with Granite County, they pick up approximately 300-350 carcasses per year. They are exploring options with the Confederated Salish and Kootenai Tribes and a local Conservation District to expand the program to a larger landscape and build a partnership for a more inclusive effort. Two well-managed carcass composting facilities (one County, one State Department of Transportation) convert the carcasses to an effective roadside re-vegetation project material.

To date, the Challenge has removed 5,600 carcasses removed from 50 ranches and experienced a 93% reduction in grizzly bear conflicts. Burnett added that it's not all the same in every landscape so every landscape needs to apply these tools in the way it works for them. "I think that's an important point to emphasize," he said. "So for us, calving in the springtime is a high attractant for grizzly bears and wolves. You contain the attractant, you fence out beehives (those boxes of little sugar coated protein -- the bears kinda like those). We also have a range rider program, which ultimately is a social program increasing communication and trust building. Those tools plus composting carcasses instead of taking them to the dump are some of the tools we use. Everybody needs to use those tools the way it works for them."

The Challenge's range rider program is another strategy to reduce conflict and facilitate co-existence. The Challenge hires one full-time and two assistant range riders to monitor grizzly bears and wolf packs with

telemetry, where range riders also work as volunteers under an agreement with Montana Department of Fish, Wildlife & Parks (FWP). The riders work with ten to twelve producers to increase herd supervision on pastures during the six-month grazing season. The range rider program offers an array of services ranging from: keeping track of grizzly bear and wolf activity on ranches, following and monitoring cattle on private lands and livestock allotments on the summer ranges, assisting with monitoring radio collared bears and wolves and providing support to FWP bear and wolf specialist and federal trappers during research and management trapping efforts. The range rider assists with the carcass removal program, community bear awareness and education, setting up and educating the public on the use of electric fence and grizzly bear and wolf management calls involving residential/agricultural attractants. In 2016 they began experimenting with electrified fladry on calving areas to further reduce losses to wolves.

As a result of these efforts, livestock depredations and conflicts, and grizzly bear and wolf deaths related to improper management of garbage and other attractants, have been greatly reduced. Despite grizzly bear population growth of 3% annually, and rapid wolf population growth since 2007, confirmed livestock losses to bears and wolves have remained low, with the average annual number of confirmed livestock lost less than three per year (~2.4/yr.). An average 2.5 wolves were killed annually due to those conflicts from 2007-2015. These metrics are based on the Challenge's core project area encompassing some 800,000 acres, across 40 ranches, with approximately 15,000 livestock present in the watershed.

The Challenge is also beginning to work on elk conflict with pasture and crop production in partnership with local landowners and Montana Department of Fish, Wildlife & Parks.

Another issue that the group works on collaboratively is stopping the spread of noxious weeds. A strong private-public partnership has evolved since the 1980's to cooperate on integrated weed management across the watershed, linked by twelve landowner-led Vegetation Management Areas (VMA), three county weed districts, and public agencies.

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

## **Tom Miner Basin Association**

Tom Miner Basin is a small ranching community located in a valley in the Gallatin Mountain range in southwest Montana, on the northern edge of Yellowstone National Park. The basin is a highly productive area for livestock and wildlife such as grizzly bears, wolves, moose and elk, and this, combined with the beauty of landscape, attracts hikers, hunters and tourists.

Hilary Anderson is a rancher and representative for the Tom Miner Basin Association. "Given the unique ways the Basin is shared, our community has realized the need for a holistic approach and proactive management across the landscape," Anderson said.

The Association's programs center on "Weeds, Water, Wildlife and Wildfire." Anderson's first slide read: "Out beyond the ideas of rightdoing and wrongdoing there is a field. I'll meet you there."

Anderson emphasized the Association's belief in the natural systems that sustain wildlife habitat, biological diversity and functioning watersheds.

"These are the same systems that make land productive for wildlife and livestock, and therefore our goal within our ranching community is to manage our livestock in a such a way that works to keep those systems healthy and in place. We are striving for a healthy and productive rangeland, thriving and diverse wildlife populations, sustainable ranching businesses, and a wild, healthy landscape to share with the public and leave better than how we found it and for generations to come."

The Association's current projects include: predation mitigation between grizzlies, wolves, and livestock; weeds and range; and public outreach and education.

With one of the largest populations of grizzlies in the lower 48 states, and resident wolf packs since 1998, the group has dealt with many predation challenges. One tool the Association uses is range riding.

According to Anderson, "range riding is a combination of what I would consider progressive ranch and livestock management. For us, in those two communities, Tom Miner and the Centennial (valley), range riding is part of progressive livestock ranch management and handling that we use along with increasing our awareness about the locations of wolves and grizzly bears and how they are using the landscape, so it's very similar to what Joe and Arthur did with elk. We were then able to modify grazing plans and just modify the movement of these animals and understand why they congregate, and where, and combine that with low-stress livestock managing taught by Bud Williams to actually rekindle the herd instinct in cattle to make them behave more like bison when they are approached by predators. We've had zero depredations in the last two years and zero lethal removal in all of the wolf packs that we're working with. And the goal is not "lethal removal" or "not lethal removal." The goal is minimizing livestock loss due to predation. We also have one of the highest grizzly bear populations in the lower 48 and this year we've had zero conflict with grizzlies. Last year we had one."

In addition to land and livestock management, the Association uses ground tracking, visual observation, and remote field cameras to increase awareness of wildlife and to determine the presence and travel routes of various species in the Basin. With this information they are better able manage their cattle in ways that reflect and support the diversity on their landscape.

<http://tomminerbasinassociation.org>

### **Thunder Basin Grasslands Prairie Ecosystem Association**

Thunder Basin Grasslands Prairie Ecosystem Association is a non-profit, landowner-led organization working to develop a practical, science-based approach to long-term management of members' lands in Campbell, Converse, Crook, Niobrara, and Weston counties. The Association formed in 1999 with the objective of addressing habitat needs of several species of concern within the context of sustainable economic and social activities and preservation of cultural values. The Association began proactively implementing conservation measures in 2001 and was incorporated as a non-profit organization in 2002. At present, there are 24 ranch, one oil and gas, and 14 coal members that encompass almost 1.2 million acres of lands where conservation will occur.

The Association addresses landscape conservation in the context of two primary ecotypes and their associated at-risk species. Species within the sagebrush steppe ecotype include the greater sage-grouse, sage sparrow, Brewer's sparrow, and the sage thrasher. In the shortgrass prairie ecotype, species include the black-tailed prairie dog, mountain plover, burrowing owl, and ferruginous hawk.

Working with the US Fish & Wildlife Service, Bureau of Land Management, US Forest Service, and the Wyoming Game & Fish Department, the Association has developed a conservation strategy intended to purposefully place conservation effort within the action area where it is most likely to achieve durable conservation benefit. The Strategy addresses multiple threats identified in the Conservation Objectives Team (COT) report by incentivizing measures of greatest conservation value and by placing them in the action area regardless of surface ownership. Recognizing threats associated with multiple land uses, including split estate mineral development rights, the Strategy goes beyond grazing management to explicitly address the likelihood of energy development within the action area. Thus, covered activities include farm and ranch operations, recreation, and mineral extraction. Implementation of the Strategy is directed by three integrated conservation agreements consisting of a Candidate Conservation Agreement with Assurances (CCAA) for private property; a Candidate Conservation Agreement (CCA) for property with a federal nexus; and a Conservation Agreement (CA), which addresses conservation efforts associated with foreseeable energy development within the coverage area.

Conservation measures are tailored to address specific threats on each property in ways that are consistent with the landowner's long-term management goals. Typical conservation measures include practical items such as spraying herbicide to help control cheatgrass or replacing a windmill with solar to eliminate potential raptor perching sites. Best management practices and extensive monitoring are used to ensure sustainable results.

The Association believes that this comprehensive ecosystem-based approach represents the best opportunity to achieve conservation of at-risk species within the action area.

The Association's executive director, David Pellatz told symposium participants that working with the energy companies has been a good partnership. "The ag producers have the land, but not the funding; The energy companies generally don't have the land, but can provide some of the funding," he said.

In support of the conservation strategy, the Association has partnered with the USDA-Agricultural Research Service-Rangeland Resources Research Unit and the University of Wyoming to initiate and support the Thunder Basin Research Initiative. This multi-year research partnership currently funds two graduate projects addressing issues of local concern. In addition, the Association maintains over 800 transects, monitoring vegetative conditions at select locations annually, and has recently added an additional 1.5 million acres of high-resolution aerial photography to its existing 1.7 million acre database.

Pellatz said he thinks that it's important to recognize when things go right. "We need to acknowledge and celebrate that, and always be thinking about how we can make things better," he said. "It's also important to remember that conservation happens on the ground. It's very different than thinking about it in theory. We grew into these big acreages we work in and think about. You don't have to swallow everything in one chunk. Originally we looked at 500,000 acres and then bumped that up to a million. Working with Fish & Wildlife we increased our action area to over 13 million acres. Nothing would have happened if we began there; it's too large to even conceptualize."

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

### **Chama Peak Land Alliance**

The Chama Peak Land Alliance (Alliance) is a diverse group of conservation-minded landowners committed to embracing and practicing responsible land, water and wildlife stewardship in southern Colorado and northern New Mexico for the benefit of the region's tri-cultural heritage and for generations to come. The Alliance formed in 2010 out of concern about how elk were being managed across the Colorado/New Mexico state line. As they began to meet, other issues came up including county ordinances that challenged the ability to manage land in a holistic manner.

Members of the Alliance represent a land area that runs from the headwaters of the Navajo River in southern Archuleta County, Colorado and the Conejos River system to the Brazos headwaters and Rio Nutrias in Rio Arriba County, New Mexico. The membership currently consists of a land block of approximately 250,000 acres but is continually growing and adding members. Elevation ranges from over 12,000 feet and the Continental Divide to around 7,000 feet.

Aaron Jones is a founding board member and long-time ranch manager in the Alliance. According to Jones, wildlife migration issues are a central theme because the region spans two states and includes both critical summer and winter range for species such as mule deer and elk. The Little Chama Valley, in particular, is an important migration route for elk that starts on private lands within the Alliance, crosses the state line, and then ends on winter range within the Jicarilla Apache Nation. Protecting the integrity of this important wildlife corridor is a priority for the Alliance. Tools they have used to assess and protect the corridor include: conservation easements, land management and stewardship, and outreach to landowners about the importance of this landscape for elk movement regionally.

The Alliance also conducts research on wildlife migration in the region to better understand how landowners can help facilitate movement. Recently, the Alliance completed a study of mule deer and elk in the region. The report was an attempt to consolidate all of the pertinent information regarding mule deer and elk populations inhabiting the upper San Juan and Chama River Basins for the benefit of landowners interested in maintaining healthy wildlife populations in the region.

Numerous past and on-going radio-telemetry studies have documented the migratory patterns of mule deer and elk in this region, and highlighted the need for cooperative management among the four wildlife agencies which oversee harvest in these shared herds.

Jones pointed out the group's successes as well as its failures in tackling this issue. He believes that often "it is from our failures that we improve," and told a story where a small group of landowners -- before the Alliance was formed -- created an initiative called "Association Landowners Against Resource Mis-management," or "ALARM." Among the many public agency staff working in the area, says Jones, "we didn't exactly hit a home run."

In addition to hunting, the group takes in the "whole realm of issues -- livestock management, oil & gas leasing, policy," he said. "I really like this idea of "Beyond Boundaries" because we put a big emphasis on learning how to cross boundaries -- going to your neighbor's house and working it out, whatever the issue that goes across 'my land,' 'my boundary,' 'your land,' 'your boundary' -- it's about successfully learning how to cross boundaries. That's why I love this idea. It's about working together in a friendly, neighborly way. I tell people it's like an AA meeting for ranch managers. I have issues and you do too. Let's get together and talk about them."

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

## **Granger Ranches/O'dell Creek Collaborative Restoration**

O'Dell Spring Creek is an important tributary to the Madison River, one of Montana's Blue Ribbon Trout Streams. O'Dell's perennial and constant flow of cool water into the Madison River provides a refuge during warm summer months, spawning habitat in fall and spring, and open water in the depths of winter. Waterfowl, raptors, shorebirds, and grassland bird populations are such that Montana Audubon declared the entire O'Dell Creek floodplain an Important Bird Area (IBA).

Jeff Laszlo is managing partner of Granger Ranches and also board chair of Western Landowner's Alliance. Laszlo explained that in the 1950s, six miles of drainage canals were excavated into O'Dell's headwaters and wetlands to lower the water table and make haying of native grasses more efficient. Over the course of 50 years this draining along with excessive grazing, drought, erosion and a warming climate, led to a serious decline in the historic wetlands' functionality and the health of O'Dell's fishery.

"The O'Dell Creek Headwaters Restoration project began as a response to this decline," Laszlo said. "It is a collaborative multi-partner effort to restore wetlands and degraded stream channels from O'Dell's headwaters to its confluence with the Madison River, twelve miles downstream."

The project began in 2005 on The Granger Ranches with 4,500 feet of drainage canal closed and an equal amount of extinct stream restored. PPL Montana (now Northwestern Energy) provided initial project funding as part of its FERC license mitigation requirements for hydroelectric dams along the Madison and Missouri Rivers. Laszlo said the results were immediately apparent, and the work accomplished in the Phase 1 project quickly caught the attention of Montana Fish Wildlife and Parks, Ducks Unlimited, Trout Unlimited, and U.S. Fish and Wildlife Service. The potential for this project as well as its public benefits were apparent and led to an extensive public-private partnership that continues to evolve. Nonprofits such as the Trust for Public Land, the Montana Land Reliance, and the Madison River Foundation, along with neighboring ranches and the Patagonia Company have also become highly engaged partners.

A decade since the project's inception, all the major drainage canals are closed, and eleven miles of stream channel and 1,000 acres of wetlands are restored. The project's wetlands now host over 200 plant species, including six listed by the state of Montana as "Species of Concern". Monitoring by the University of Montana's Avian Science Center documented an increase from ten bird species to approximately 130. Water temperatures in the restored stream channels dropped 20 degrees and stabilized. Efforts to re-introduce threatened trumpeter swans and Arctic grayling are ongoing. One thousand greater sandhill cranes have been observed staging along O'Dell prior to fall migration. "In short," Laszlo said, "the O'Dell Project has succeeded beyond anyone's expectations." He also explained that the project has helped the community grow more aware and more supportive of the ranch as a whole.

In 2010, Granger Ranches received The National Wetland Award. College students, resource professionals, agency managers, government officials, and interested landowners from across the West visit Granger Ranches regularly to learn about the synergies between sustainable ranching and collaborative conservation.



# APPENDIX E

## Collaborative Governance Options

### Informal

Interested parties agree to meet periodically to discuss and collaborate on issues of common interest or concern.

- Pro: Simple, flexible, control and responsibility lies at local level
- Con: Difficult to maintain momentum, no added capacity/staff support, no ability to receive grant funding, no leadership guaranteed, no formal commitment
- Examples: Local coffee shop group, local group of ranchers meet at local community site (ranch, church, community hall, school) with invited partner organization representatives and other community interests

Many initiatives begin as informal groups that come together over common interests, to exchange information, and to build relationships. While they may not have an identifiable leader in the traditional sense, these networks may still rely on informal leadership roles such as a pioneer or champion to generate interest in the issue among stakeholders, or a volunteer coordinator to facilitate communication. Some groups choose to remain informal, coming together or regrouping as the need arises, but not maintaining a sustained, organized presence. If the issue is more complex or widespread, or if the proposed solutions require more resources and coordination than can be provided on a casual or volunteer basis, informal groups may move towards a more formal model.

### NGO Embedded

NGO facilitates formation of a chapter, committee, advisory group, or sponsored project and the NGO serves as a fiscal sponsor for grants and provides some administrative and facilitative support.

- Pro: Simple to moderate complexity, flexible, added capacity, ability to receive grants, greater level of commitment, increased inclusivity, responsibility shared between NGO and participants
- Con: Can lack independent identity and control, requires more resources and commitment
- Examples: Agricultural trade group local chapter, NGO sponsored project or chapter

### Governmental Assisted

Collaboration is facilitated by an appointed civil servant or governmental organization, such as a state or federal wildlife or natural resource agency, conservation district or local government.

- Pro: Moderate level of complexity, added capacity, ability to receive some grants, agency support and resources
- Con: Turnover of appointed staff, changes in agency administration and priorities, government affiliation

not acceptable to some, reduced independent identity and control

- Examples: County appointed task forces, conservation district working groups, agency employed private land coordinators/field staff

### **Independent Non Profit or Trade Organization**

Interested parties form an independent tax-exempt organization, typically a 501c3 or similar non-profit structure.

- Pro: Independent identity and control, ability to receive grants, option for administrative support, responsibility lies in membership of organization, more inclusive of diverse interests, shared responsibility, higher credibility
- Con: Requires time commitments, fiscal accountability, fundraising, higher complexity and structure, longer term commitment
- Examples: Western Landowners Alliance, Malpai Borderlands Group, Blackfoot Challenge, Tamarisk Coalition, Rural Voices for Conservation, Colorado Cattlemen's Agricultural Land Trust, Coalition for the Poudre River Watershed

## **Examples of Collaborative Group Formation<sup>1</sup>**

### **Case Study: Informal to Embedded Fiscal Project to Independent Non-Profit**

The Chama Peak Land Alliance began as an informal, periodic gathering of neighboring ranch managers and landowners to discuss issues and concerns of common interest. The group met over approximately ten years before deciding that a more formal organization could provide a stronger collective voice to represent their interests at the local and state levels.

Individuals in the groups took turns drafting and editing a charter and bylaws but because they all had full time commitments running ranches and other businesses, they were unable to complete the paperwork to launch a formal organization. Hearing about the landowners efforts to work together collaboratively on conservation-related issues, the Western Environmental Law Center (WELC) offered to help facilitate the groups efforts by providing administrative support and fiscal sponsorship. It was an odd pairing since landowners in the group had been on the opposite side of litigation with WELC just a few years before. After extensive discussions, the group decided to take a chance and accept WELC's offer of support.

<sup>1</sup>Case studies provided by Western Landowners Alliance and the Colorado State University Center for Collaborative Conservation

Over the ensuing year, WELC provided the services of conservation strategist Monique DiGiorgio to assist the group in completing the paperwork, forming a board, applying for grants and filing for non-profit status with the IRS. The Chama Peak Land Alliance received approval as an independent non-profit organization and eventually separated all functions from WELC, though the two organizations continue to maintain a strong, collaborative relationship.

### **Case Study: Informal to Government Assisted Initiative**

The Gunnison Sage Grouse Working Group was the first Sage Grouse Working Group to form in Colorado (and perhaps in the U.S.). The goal of the Working Group was to create a conservation plan that would establish a process and put into place a framework that would guide management efforts aimed at improving Gunnison Sage Grouse populations and reversing long-term declines population declines. The group identified 42 factors that may have contributed to the sage grouse decline and developed over 200 conservation actions that could halt or reverse the decline. The group was informal and open to anyone interested in joining, and decisions were made by consensus. Perhaps due to broadly inclusive and informal nature of the group, however, they had difficulty implementing the plan once it was developed. The Gunnison Basin Sage-grouse Strategic Committee emerged as the GSG Working Group was gradually disbanding, and has taken on more of an implementation role.

The Gunnison Basin Sage - grouse Strategic Committee is a coordinated effort led by Gunnison County to implement Gunnison Sage-grouse conservation strategies on public and private lands, many of which were identified by the original Working Group. The Strategic Committee has formal membership and decision-making authority, and includes representation from Gunnison County Board of County Commissioners, Colorado Parks and Wildlife, U.S. Forest Service, Bureau of Land Management, Gunnison County Stockgrowers' Association, High Country Conservation Advocates, National Park Service, Natural Resource Conservation Service, Saguache County Board of County Commissioners, U.S. Fish and Wildlife Service, individual at-large members. Some former members of the Gunnison Sage Grouse Working Group now serve on the technical sub-committee.

### **Case Study: From Government Assisted to Community Led Initiative**

The Animas River Stakeholders Group (ARSG) was formed in 1994 in response to the Colorado Water Quality Control Division's (WQCD) reevaluation and upgrading of water quality standards and classifications for segments of the Animas River Basin. The WQCD was keen to encourage grassroots, local participation and expertise because it had been through several conflict-ridden mine cleanups in the past. Community became more central over time as the group gained local legitimacy and trust. A local resident serves as their coordinator; they are not a legal entity; their membership is open to the public, and their decision making process is informal. The group plans and implements remediation projects throughout the Upper Animas River Basin, and conducts scientific studies and monitoring. They also conduct some public education about environmental issues. The group also helped champion the Good Samaritan legislation into Congress to expand the right to reclaim areas contaminated by mining beyond the mining industry. They continue to meet on a monthly basis in Silverton, CO, and meetings are open to the public.

## **Case Study: From Informal to Independent Non-Profit<sup>2</sup>**

In 1991, several ranchers met at the Malpai Ranch in the San Bernardino Valley to discuss what they saw as a deteriorating situation both in terms of public perception of ranchers and also in terms of the conversion of grasslands to shrublands. The grasslands with some shrubs were moving inexorably to shrublands with some grass. As individuals living on our remote ranches, they felt ill equipped to deal with all this. It also appeared to them that the "dig in your heels" approach was doomed to failure, so they decided to embark on a different approach, to reach out to their critics and find common ground.

For two years, a small group of ranchers and environmentalists, together with scientist Ray Turner, met to discuss mutual concerns for the health and the open space future of the landscape. They called themselves the Malpai Group and after two years, drafted a Malpai Agenda. It addressed two major concerns. One was the threat of fragmentation of the landscape. The second concern was for the declining productivity and loss of biological diversity accompanying the encroachment of woody species on grasslands. The consensus of the group was that more government regulation was not going to help. At best, it would replace one set of problems with another. They also believed the inevitable result of the free market would likely be 20 acre ranchettes. Neither path led to the future they envisioned.

While not sure what they needed, they felt, whatever it was should be driven by good science, should contain a strong conservation ethic, be economically feasible and be initiated and led by the private sector with the agencies joining as partners.

Subsequent meetings included a number of additional ranchers as well as state and federal agencies. Together, they produced a commitment by all parties to work toward coordinated ecosystem management for the whole area. The listing and eventual acquisition of a large ranch in the area, led to additional partnerships with The Nature Conservancy and the Animas Foundation.

With the help of these organizations, the Malpai Borderlands Group was established as a 501(c)(3) nonprofit organization, capable of accepting tax-deductible contributions and of holding conservation easements. The Board of Directors includes local ranchers, and scientists and other stakeholders. The goal statement of the group reads as follows: Our goal is to restore and maintain the natural processes that create and protect a healthy, unfragmented landscape to support a diverse, flourishing community of human, plant and animal life in our borderlands region.

<sup>2</sup>Case study excerpted and summarized from the Malpai Borderlands Group, <http://www.malpaiborderlandsgroup.org/?section=26>

# APPENDIX F

## Science Issue Briefs

### DISEASE

Paul Cross, USGS

The GYE is the last reservoir of *Brucella abortus*, the causative agent of brucellosis, in the United States. After a hiatus from 1990 to 2001, 26 cattle and domestic bison herds have been infected by elk population from 2002 to 2016. The increase in livestock cases is coincident with increasing prevalence of brucellosis in free-ranging elk, as well as increasing elk populations, and decreasing elk migration in many elk herds around the GYA. Genetic analyses suggest that brucellosis was introduced to GYA wildlife at least 5 different times and much of the recent range expansion of brucellosis is due to 2 strains that link back to the supplemental feeding grounds rather than Yellowstone bison, however, there are no isolates of *Brucella abortus* from elk in the Cody area for additional genetic analysis. Limited tools exist to control the disease in elk, such that separation of elk and livestock is one of the few viable management options. However, this does not slow the spread of the disease in elk (currently estimated at around 6 to 11km/yr) and the Designated Surveillance Area (DSA) has expanded almost every year since its inception. The DSA, and the associated cattle testing requirements, is the primary means of protecting the rest of the nation's cattle from brucellosis, however how conservatively to draw this administrative boundary is the subject of contentious debate. In partnership with other state and federal agencies, USGS researchers are working on predicting the future spread of the disease in elk, as well as estimating the regions and times of year at highest risk of transmission from elk to cattle. We are also interested in how future land-use change may affect the distribution of elk during the winter and spring when brucellosis transmission is most likely.

### INVASIVE PLANTS

Joe Alexander, USFS

Invasive species may be the greatest biological threat to wild and domestic ungulates in the Greater Yellowstone Ecosystem. Across the West, invasive species have drastically changed the herbaceous plant communities more than any other biological factor. Although the current situation is better than the surrounding counties in the GYE invasive species are present and impacting ranching operations and wild ungulates. They have the potential to impact elk migration patterns and can change the season of availability of for ungulates. Cheatgrass is an example of a forage species that can provide forage only very early in the spring and late in the fall but is not preferred by most domestic or wild ungulates. Native species on these same sites can provide forage throughout the growing season on most years.

Invasive species impact private lands by displacing forage species for domestic livestock and increasing management costs. They also can change the pattern of how wildlife use private property resulting in further economic hardship. Finally, invasive species can play a role in changing the fire paradigm in an ecosystem. Species like cheatgrass cure out early and remain susceptible to fire throughout the summer and fall periods where native species will maintain higher moisture content and resistant to fire most of the year.

Aggressive coordinated management is a key to the successes. We are at a tipping point where there are no longer enough resources to catch all of the infestations we have to manage. We need to keep in mind that it is much cheaper to prevent and control invasive species rather than trying to restore landscapes and contain them. A dollar spent in prevention will save ten dollars in future control costs.

## **HARVEST**

Doug McWhirter, Wyoming Game & Fish Department

The WGFD is required to provide for an adequate and flexible system for the control, propagation, management, protection and regulation of all Wyoming wildlife (Wyo. Stat. Ann. § 23-1-103). This mandate brings the responsibility of managing large ungulates through the use of hunters and hunting seasons. Hunting license sales are a major source of revenue to WGFD. In 2015 alone, 201,226 hunting licenses were issued for the pursuit of elk, deer, antelope, moose, bighorn sheep, mountain goats, and bison in Wyoming, generating \$22,753,279. Elk hunting in northwest Wyoming is a source of much of these license sales and the accompanying economic activity. In 2015, a total of nearly 23,000 hunters pursued elk in northwest Wyoming, resulting in a harvest of almost 8,000 elk. Ungulate management in Wyoming is based on measureable objectives, which include population estimates, trend counts, or harvest criteria. These objectives are adaptive, periodically reviewed, and include input from sportspersons, landowners, and land management agencies.

Most elk herds are managed using mid-winter counts and sex-age classifications conducted by helicopter flights over elk winter ranges. Information from these surveys is then coupled with annual harvest reports to evaluate the success of current management strategies. Subsequent hunting seasons (permit numbers, season lengths, etc.) are then crafted to maintain or move the population toward the objective. Out of necessity, this process includes an understanding of the distribution of animals during the hunting season. In areas that include private lands, coordination with private landowners is essential. Even though populations are managed at large scales, efforts are made to assist landowners in meeting objectives for their private lands. In areas that harbor migratory ungulate herds this effort can be difficult because sometimes animals are not present during the hunting season but arrive in large numbers to spend the winter. Therefore, the desires of landowners must either be met by implementing seasons in areas not directly associated with their private lands, or by designing seasons to target specific groups of animals once they arrive on winter ranges. In either case, it is crucial to understand animal movements so that the appropriate level of harvest can be applied in the right location to achieve the desired result.

Hunter access to relevant lands is crucial to this entire discussion and there are various ways this can be achieved. Many landowners manage their own access programs, while some opt for programs managed by WGFD. The agency is eager to coordinate in meeting our shared objectives for ungulate management. The contribution of private lands to the continued abundance and diversity of wildlife in northwest Wyoming is critical, and the role of private landowners in the management of this resource cannot be underestimated.

## **DEVELOPMENT**

Andy Hansen, Montana State University

The Yellowstone area was slow to attract settlers because of its remoteness, rugged topography and harsh climate. Up through the 1960s, the relatively few ranchers, farmers, and townspeople had settled largely in the more fertile river valleys. Starting in the 1970s, the mountain wilderness of the GYE that had dissuaded settlement became an attractant. Particularly by the 1990s, many people and businesses moved into the GYE because of the scenery, access to public lands, and outdoor recreation and other “natural amenities.” The population of the twenty counties of the GYE has more than doubled since 1970 to the current level of 470,000, with population growth in some counties in the ecosystem being among the fastest in the nation. Nearly 4,000 homes are added to the 20 counties of Greater Yellowstone each year.

Many of the natural amenity migrants choose to live “out of town” on ranchettes and in exurban subdivisions. Consequently, exurban home density has increased dramatically since 1970. Today, exurban housing extends in a radius of commuting distance around most of the towns and cities of the GYE and fringes the public lands boundaries. Population growth is projected to continue in future decades, with the US Census forecasting a population of 750,000 by 2040. This development has been converting natural habitats to settled lands at a rate of about 60,000 acres (2.2%) per year since 1970. Currently some 30% of the GYE is under or close to roads, homes, farms, suburbs, and cities. The loss of habitat for fish and wildlife varies with species. The loss of area of habitat types that are centered on higher elevations and on public lands has been minor (10-13% for subalpine coniferous forests and grizzly bear). Habitat loss was intermediate (25-32%) for vegetation types at mid-elevations such as aspen and for elk habitats. Habitat types most reduced (39-57%) were those overlapping lower elevations and private lands, including sagebrush/grasslands, moose habitat, pronghorn habitat, and large river riparian zones. Within private lands, habitat loss was 50% or more for all of the habitat types and 89% for large river riparian zones. In this context the remaining large ranches in the GYE are critical to the conservation of fish and wildlife.

These ranches occupy some of the most productive low-elevation lands in the ecosystem and are especially important for wintering ungulates, grasslands and riparian vegetation, songbirds, and aquatic communities. The recent trends in land use across the GYE, however, present substantial challenges to traditional western livelihoods and lifestyles. Market forces pushing for ranches to be subdivided for rural housing are severe.

Supporting wildlife such as wintering ungulates is increasingly challenged by reduced forage in the high country and herds increasingly shifting to lowlands, attraction of wolves and other predators, potential spread of disease such as brucellosis, and managing the increasing numbers of hunters. Use of conservation easements has become an increasing tool for ranchers and farmers to maintain financial viability while retaining traditional lifestyles. The acreage in easements has increased exponentially across the GYE since the 1970s. We will discuss these trends and challenges with a focus on the counties surrounding Cody, WY and eastern portion of the GYE.

## **LIVESTOCK DEPREDATION**

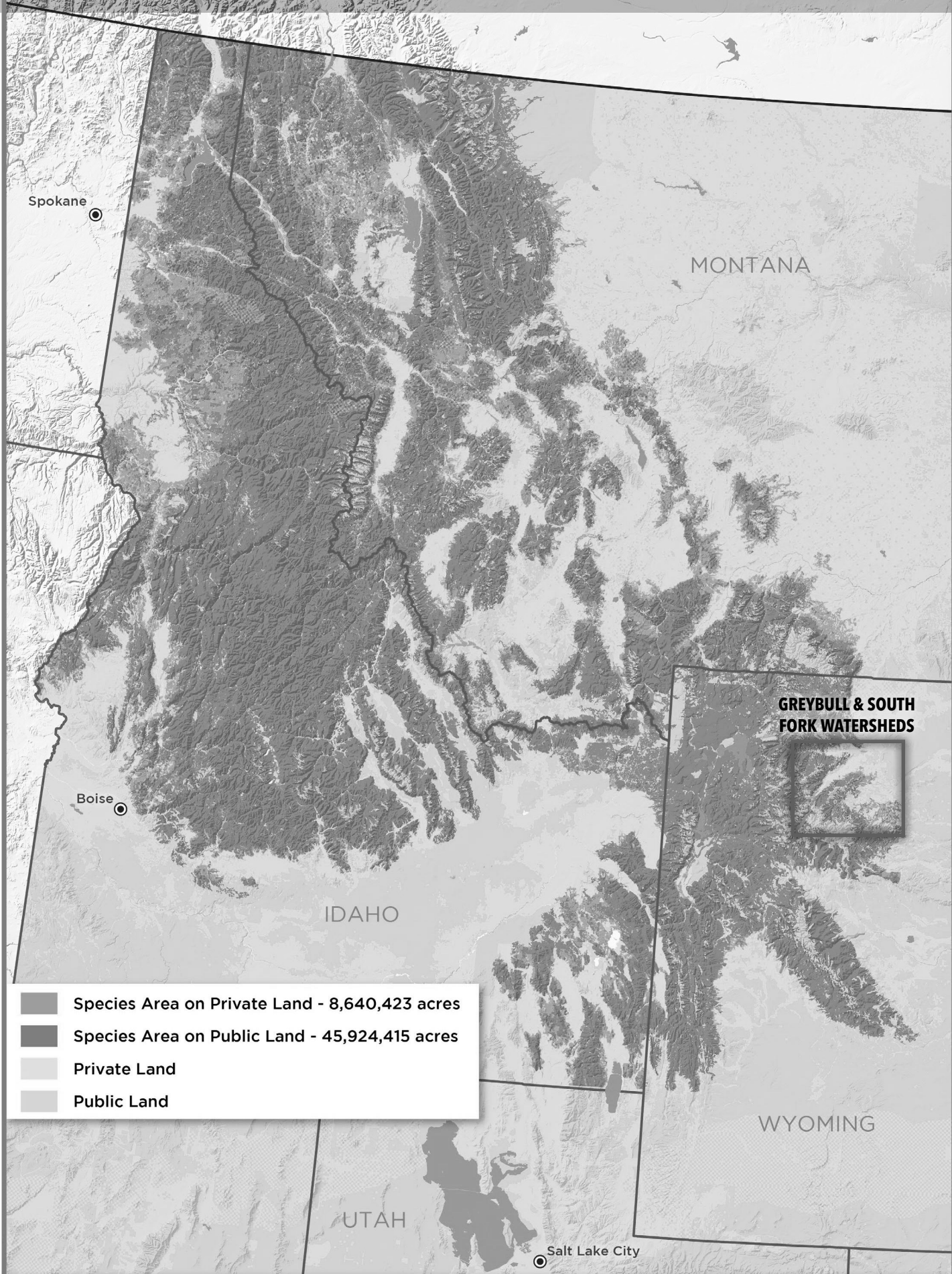
Dan Thompson, Wyoming Game and Fish Department

Over the last decade, a resurgence of large carnivore/omnivore populations has occurred, with range expansion being documented for mountain lions, grizzly bears, black bears, and wolves in multiple locales across North America. Locally the Wyoming Game and Fish Department has been instrumental in the recovery of grizzly bears and wolves and long term management of mountain lions and black bears. Having large carnivores on the landscape brings with it inherent public opinion and controversy. The efforts to recover and/or manage large carnivores have been successful in the field of wildlife management and ecology, but the reality of recovery requires that agencies incorporate large-scale, proactive educational components into management programs, as well as a coordinated response to potential conflicts between large carnivores and people, while continuing science-based management of the species.

Continued range expansion of grizzly bears and wolves beyond suitable habitat has brought a concurrent increase in conflicts between humans and these animals. Diligent work with the people who live, work, and recreate on the landscape are vital to large carnivore and wildlife management and also to ensure that private landowners and producers are able to maintain their livelihood. An integrated approach to education and cooperation between the Game and Fish, private landowners and the local community is vital toward the future of maintaining wildlife, ranching, and open spaces on the landscape. The sacrifices and efforts of those individuals that maintain large tracts of wildlife habitat are critical to the future of wildlife management.

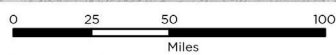
During our discussion we will address past and current trends in regards to large carnivore ecology and management and specifically those interactions between large carnivores and humans; allowing for a focus on applicable real-life scenarios and strategies to resolve conflicts and maintain a productive and engaging relationship with the local community, landowners, and livestock producers for the shared vision of maintaining open spaces in Wyoming into the future.





- Species Area on Private Land - 8,640,423 acres
- Species Area on Public Land - 45,924,415 acres
- Private Land
- Public Land

# GRIZZLY BEAR SPECIES DISTRIBUTION AREA



The boundaries shown on this map are approximate and are intended for information purposes only. This map does not represent a legal survey.  
 Data Source: Craighead Institute  
 Map Produced: July 2016

  
**WESTERN LANDOWNERS ALLIANCE**  
STEWARDSHIP WITH VISION  
  
**Unique Places**



## Western Landowners Alliance

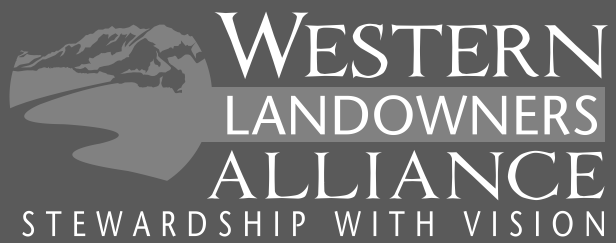
Western Landowners Alliance (WLA) invites you to join us in advancing the ecological health and economic vitality of private and leased public lands in the West. Led by landowners, we work to advance policies and practices that sustain working lands, connected landscapes and native species. As landowners, we have a vital role to play in shaping the modern American West. Please see our website at [www.westernlandownersalliance.org](http://www.westernlandownersalliance.org) for an introduction to our work, or contact us directly at [lallison@westernlandownersalliance.org](mailto:lallison@westernlandownersalliance.org).

P.O. Box 6278, Santa Fe, New Mexico 87502 | 505-466-1495

A 501C3 Charitable Organization



Photo courtesy of Joe Riis



P.O. Box 6278, Santa Fe, New Mexico 87502 | 505-466-1495 | A 501C3 Charitable Organization

**To:** Anita Bilbao[abilbao@blm.gov]  
**Cc:** Kathleen Benedetto[kathleen\_benedetto@ios.doi.gov]; Edwin Roberson[eroberso@blm.gov]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-02T07:58:27-04:00  
**Importance:** Normal  
**Subject:** Re: Updated BLM Input  
**Received:** 2017-05-02T07:58:41-04:00  
[MonticelloFieldOffice\\_SanJuanCounty\\_FieldTrip \(v4\) \(2\).docx](#)

Sorry I am not free until 11:30 let me know if that is ok. If not we can shoot for later in the day. For now please see my edits reflecting what we will do and comments.  
Downey

On Tue, May 2, 2017 at 6:59 AM, Anita Bilbao <[abilbao@blm.gov](mailto:abilbao@blm.gov)> wrote:

Good morning, Yes let's talk first, that's the plan. Would 10 or 1030 work?

Anita

Sent from my iPhone

On May 2, 2017, at 5:58 AM, Downey Magallanes <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)> wrote:

This is very comprehensive thank you. The schedule is still in flux so please let's talk before you reach out. What is your availability today to meet? Thanks.

Sent from my iPhone

On May 1, 2017, at 11:39 PM, Bilbao, Anita <[abilbao@blm.gov](mailto:abilbao@blm.gov)> wrote:

Downey and Kathy,  
Thank you both for your time today. Attached is an updated outline with the 3 partner visits we discussed. I'll be at Main Interior tomorrow at 10:30 to walk through details with Kathy and identify any questions/logistics for attention. If possible I'd like to get the go ahead by mid-day to reach out to extend invitations so folks can plan.

Also, here are the Dept of Ag and Forest Service contacts. Both Dan and Glenn are familiar with the issues and have been out on the ground in Utah

**US Forest Service:** Glenn Casamassa, Acting Associate Chief (202-205-3171)

**Dept of Agriculture:** Dan Jiron, Acting Deputy Undersecretary for Natural Resources & Environment (NRE)

*\*Dan is on detail in the Deputy Undersecretary role - he is*

*usually the USFS Associate Chief*

On Mon, May 1, 2017 at 1:16 PM, Edwin Roberson <[eroberso@blm.gov](mailto:eroberso@blm.gov)> wrote:

Downey, here is the itinerary I sent to Kathy last week. I have copied

Anita and provided her your contact information. She will reach out to you shortly and should be a MIB soon. Ed

--

**Anita Bilbao**  
**Associate State Director**  
**Bureau of Land Management - Utah**  
801-539-4010 (o)  
385-315-1211 (c)  
<https://www.blm.gov/utah>

<MonticelloFieldOffice\_SanJuanCounty\_FieldTrip (v4).docx>

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

## Monticello Field Office/San Juan County Field Trip

### Monday, May 8 – Friends of Cedar Mesa

#### Option 1- Edge of the Cedars State Park

Located in Blanding, Utah, just outside of the Bears Ears National Monument, the Edge of the Cedars State Park includes the largest collection of Ancestral Puebloan (Anasazi) pottery on display in the Four Corners Region. The State Park also includes an Ancestral Puebloan village.

*Estimated Time: 90 minutes meeting plus additional free time to view collections*

**Non-Agency Participants:** Josh Ewing, Executive Director; Amanda Podmore, Assistant Director; other Friends of Cedar Mesa Board of Directors and staff as appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

*\*Meeting times to be determined when additional schedule details are provided. The BLM Utah State Office will extend invitations to meeting guest.*

**Commented [MDP1]:** Tentatively 4:30 to 7:30 Monday total time including travel from monument and then back to Monticello by 7:30

**Formatted:** Not Highlight

### Tuesday, May 9 – The Nature Conservancy

Dugout Ranch is a working ranch in the Indian Creek corridor owned by the Nature Conservancy that includes the private residence of ranch lessee, Heidi Redd. Indian Creek is scenic corridor and global climbing destination with spectacular rock art. The area is also the gateway to Canyonlands National Park Needles District.

7:30-8:30 AM	Travel to Newspaper Rock
8:00-8:30 AM	Newspaper Rock
8:30-9:00 AM	Shay Canyon Rock Art
9:00-9:30 AM	Donnelly Canyon Recreation Site
9:30-11:00 AM	Dugout Ranch
11:00-12:00 AM	Travel to Blanding

**Non-Agency Participants:** Heidi Redd, Manager, Dugout Ranch; Tom Cors, Director, Lands, Nature Conservancy; other Nature Conservancy Representatives as determined appropriate

**Commented [MDP3]:** We will have

**Commented [MDP4]:** Let's make sure we are not overlapping with already planned touring of these sites. The purpose of reserving this morning was for the ranch but let me know if you have further thoughts.

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

*\*Meeting invitations to be extended by Department of Interior.*

### **TBD -- Bears Ears Commission**

**Commented [MDP5]:** Tentatively 3:30-4:30 Sunday

To reflect tribal expertise and traditional and historical knowledge, the proclamation established a Bears Ears Commission. The commission is composed of one elected officer from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe. The proclamation requires the BLM and the USFS to “meaningfully engage the Commission...in the development of the management plan and to inform subsequent management of the monument.”

#### Option 1- Governor’s Conference Room- Salt Lake City, UT

*Estimated Time: 60 minutes meeting time*

**Bears Ears Commission Representatives:** Alfred Lomahquahu, Vice Chairman, The Hopi Tribe, Kykotsmovi, AZ; James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation, Fort Defiance, AZ; Davis Filfred, Navajo Nation Council, Window Rock, AZ; Shaun Champoos, Chairman, Ute Indian Tribe, Ft. Duchesne, UT; Carleton Bowekaty, Councilman, Zuni Tribe, Zuni, NM; Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute, Towaoc, CO

**Bears Ears Commission Support Staff:** Natasha Hale, Native American Program Director, Grand Canyon Trust; Charles Wilkinson, Legal Advisor, University of Colorado; Leland Begay, Legal Advisor, Ute Mountain Ute; Gavin Noyes, Utah Dine Bikeyah, Executive Director; other Commission support staff as determined appropriate

**BLM-Utah Participants:** Edwin Roberson, State Director; Lance Porter, Canyon Country District Manager; Don Hoffheins, Monticello Field Manager; Tyler Ashcroft, Bears Ears Project Manager; Mike Richardson, Acting Communications Director

**USFS Regional Participants:** Nora Rasure, Regional Forester, Brian Mark Pentecost, Forest Supervisor, Manti La-Sal National Forest, Mike Deim, District Ranger, Moab/Monticello District

**Commented [MDP6]:** Please advise which meetings you believe non BLM participants should be present for

*\*The BLM-Utah State Office recommends a closed-door session between the Bears Ears Commission and the abovementioned agency personnel to honor the government-to-government consultation process.*

*\*Total participation in Bears Ears discussion is approximately 25 people.*

*\* The BLM-Utah State Office will extend invitations to the Bears Ears Commission.*

*\* Meeting location to be determined when additional schedule details are provided.*

**To:** timothy\_williams@ios.doi.gov[timothy\_williams@ios.doi.gov]  
**From:** Micah Chambers  
**Sent:** 2017-06-08T11:47:42-04:00  
**Importance:** Normal  
**Subject:** Fwd: Perspective ME Stops  
**Received:** 2017-06-08T11:47:52-04:00  
[ATT00001.htm](#)  
[Katahdin Area Leadership Contact Info.xlsx](#)

FYI requested by RZ when he spoke with Sen Collins

Sent from my iPhone

Begin forwarded message:

**From:** "Kurtz, Olivia (Aging)" <[Olivia\\_Kurtz@aging.senate.gov](mailto:Olivia_Kurtz@aging.senate.gov)>  
**Date:** June 7, 2017 at 2:45:27 PM EDT  
**To:** Micah Chambers <[micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)>, "Cashwell, Morgan (King)" <[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)>  
**Cc:** "Renz, Kate" <[kate.renz@mail.house.gov](mailto:kate.renz@mail.house.gov)>, "Woodcock, Carol (Collins)" <[Carol\\_Woodcock@collins.senate.gov](mailto:Carol_Woodcock@collins.senate.gov)>  
**Subject:** **RE: Perspective ME Stops**

Thanks, Micah-

Looping in Carol Woodcock who will be attending from our office and can send that info. I'm also attaching the list of stakeholders per DOI's request (please note there are several tabs on the spreadsheet). Let us know if you need more info.

Best, Olivia

---

**From:** Micah Chambers [[mailto:micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)]  
**Sent:** Wednesday, June 7, 2017 2:35 PM  
**To:** Cashwell, Morgan (King) <[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)>  
**Cc:** Renz, Kate <[kate.renz@mail.house.gov](mailto:kate.renz@mail.house.gov)>; Kurtz, Olivia (Aging) <[Olivia\\_Kurtz@aging.senate.gov](mailto:Olivia_Kurtz@aging.senate.gov)>  
**Subject:** Re: Perspective ME Stops

Next step: can each of you let me know who will be attending from each of your offices, their phone number, their title and which (if not all) events they plan to attend?

Thanks

Micah

Sent from my iPhone

On Jun 6, 2017, at 5:28 PM, Cashwell, Morgan (King)



<[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)> wrote:

Thanks for this Micah. Do you have information on who will be invited to each of these meetings?

**From:** Chambers, Micah [[mailto:micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)]

**Sent:** Tuesday, June 06, 2017 5:20 PM

**To:** Cashwell, Morgan (King) <[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)>; Renz, Kate <[kate.renz@mail.house.gov](mailto:kate.renz@mail.house.gov)>; Kurtz, Olivia (Aging) <[Olivia\\_Kurtz@aging.senate.gov](mailto:Olivia_Kurtz@aging.senate.gov)>

**Subject:** Perspective ME Stops

All. Apologies this is later than I expected it being today. Below is the proposed stops that your district/state staff would be invited to attend with the Secretary. We will fill in more details and coordinate with you moving forward, but wanted to make sure you had basic details for your staff to block off the time. Each of the host groups know that Congressional staff are being invited.

6/14 expected ~6:00 Dinner at Lunksoos Camp  
Location: Lunksoos Camp at Katahdin

6/15 8:30-9:30 Breakfast Meeting with Katahdin Chamber of Commerce & Local Councilmen  
Location: Twin Pines Lodge/New England Outdoor Center  
30 Twin Pines Road

6/15 2:00-3:00 Roundtable with Maine Woods Coalition  
Location: Maine Forest Products Council Building  
535 Civic Center Drive

--

Micah Chambers  
Acting Director  
Office of Congressional & Legislative Affairs  
Office of the Secretary of the Interior

Name	Phone	Email	Town	Comments
Aube, Mike	207-942-6389	<a href="mailto:maube@emdc.org">maube@emdc.org</a>	Bangor	President of Eastern Maine Development Corporation
Breen, Yellow	207-622-6345	<a href="mailto:yellow@mdf.org">yellow@mdf.org</a>	Holden	President of Maine Development Foundation
Brundrett, Jamie	207-356-8336			Board Member Katahdin Area Chamber
Busque, Jim		<a href="mailto:jimbusque@yahoo.com">jimbusque@yahoo.com</a>	Millinocket	Fin&Feather (Outdoor Gear)
Curran, Sarah	207-622-6345	<a href="mailto:scurran@mdf.org">scurran@mdf.org</a>		Maine Development Foundation
Curtis, Carol	207-521-5781			Board Member Katahdin Area Chamber
Cyr, David		(b) (6)	Millinocket	construction company
Danforth, Avern	207-723-9536			Board Member Katahdin Area Chamber
Downing, Lindsay and Mike		<a href="mailto:lindsayhill87@gmail.com">lindsayhill87@gmail.com</a>	Mount Chase	Mount Chase Lodge Owners
Ellis, John and Peter		<a href="mailto:joellis@hannaford.com">joellis@hannaford.com</a>	Patten	Own Ellis Family Market in Patten and East Millinocket
Fanjoy, Gail	207-723-9466			President, Katahdin Area Chamber
Hafford, John	207-723-9988	<a href="mailto:john@godesignlab.com">john@godesignlab.com</a>		DesignLAB, Board Member Katahdin Area Chamber
Haskell, Lorrie		(b) (6)	Millinocket	Fin&Feather (Outdoor Gear)
Hill, Terry and Craig		<a href="mailto:shinpondvillage@fairpoint.net">shinpondvillage@fairpoint.net</a>	Mount Chase	Own Shin Pond Village
Jamo, Tina	207-723-9718			Board Member Katahdin Area Chamber
Joachim, Georgia Manzo	207-447-8932			Secretary, Katahdin Area Chamber
Josh McIntyre		<a href="mailto:jmcintyre@emdc.org">jmcintyre@emdc.org</a>	Bangor	Eastern Maine Development Corporation
Katahdin Chamber		<a href="mailto:info@katahdinmaine.com">info@katahdinmaine.com</a>		**To contact Katahdin Chamber Members, use this.
Lamson, Larry "Chip"	207-723-4000			Treasurer, Katahdin Area Chamber
LeMay, Cathy	207-723-7231			Board Member Katahdin Area Chamber
MacArthur, Larry	207-723-9272			Vice President Katahdin Area Chamber
Malcolm, Tom	207-723-4193			Past President Katahdin Area Chamber
Masse, Jessica	207-723-9988	<a href="mailto:jessica@godesignlab.com">jessica@godesignlab.com</a>		DesignLAB
McLaughlin, Lisa	207-746-9033 ext. 234			Board Member Katahdin Area Chamber
Neuman, Deb		<a href="mailto:Deb@bangorregion.com">Deb@bangorregion.com</a>	Bangor	President Bangor Region Chamber
Polstein, Matt		(b) (6)		New England Outdoor Center
Richardson, Nate	207-528-2235	(b) (6)	Patten	Richardson's Hardware
Rountree, Deb	207-723-7231			Board Member Katahdin Area Chamber
Shafer, Tom	207-447-1772	<a href="mailto:tom@maineheritagetimber.com">tom@maineheritagetimber.com</a>	Millinocket	Maine Heritage Timber
Speronis, Lee	207-941-7171	<a href="mailto:speronisl@husson.edu">speronisl@husson.edu</a>	Bangor	Chair, Bangor Region Chamber
Vicki Rusbult		<a href="mailto:vrusbult@emdc.org">vrusbult@emdc.org</a>	Bangor	Eastern Maine Development Corporation
Wellman, Mark		<a href="mailto:mwellman207@gmail.com">mwellman207@gmail.com</a>	Bangor	Business Owner
Young, Andy		<a href="mailto:andy@baldrockbuilders.com">andy@baldrockbuilders.com</a>	Lincolntonville	Developer

Chamber of  
Commerce/Business

Name	Phone	Email	Comments
Bernard, Kaitlyn	207-808-4424	<a href="mailto:kbernard@outdoors.org">kbernard@outdoors.org</a>	Maine Program Associate, Appalachian Mountain Club
Pohlmann, Lisa		<a href="mailto:lpohlmann@nrcm.org">lpohlmann@nrcm.org</a>	Natural Resources Council of Maine
Hutchinson, Alan		<a href="mailto:alan@fsmaine.org">alan@fsmaine.org</a>	Forest Society of Maine
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## Forestry

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Dumais, Jesse	207-447-5027	(b) (6)	Millinocket	Town Councilor
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Hartford, Barbara			Medway	Selectman
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Landry, Sally	207-528-2465	PO Box 356	Patten	Selectman
Lee, John	207-447-0398	(b) (6)	Medway	Selectman
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Marston, Mark	207-746-3944	(b) (6)	E. Millinocket	Selectman
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Peggy Daigle		(b) (6)	E. Millinocket	Former Town Manager for Number of Towns
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Schmidt, Richard	207-525-2774	(b) (6)	Patten	Selectman
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## Local Officials

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Seile, Mike	207-989-1759	<a href="mailto:mike.seile@somicamerica.com">mike.seile@somicamerica.com</a>	Vice President of Fundraising and Industrial Development

Our Katahdin

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Penobscot Nation

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Kallgren, Stu		(b) (6)		Maine Woods Coalition
Mitchell, Anne		(b) (6)		Maine Woods Coalition
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State of Maine

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Dill, James	207-827-3498	<a href="mailto:james.dill@maine.edu">james.dill@maine.edu</a> ; <a href="mailto:james.dill@legislature.maine.gov">james.dill@legislature.maine.gov</a>	Old Town	State Senator for southern part of Katahdin region, covers Millinocket
Hanington, Sheldon		<a href="mailto:sheldohanington@legislature.maine.gov">sheldohanington@legislature.maine.gov</a>	Lincoln	State Representative for Lincoln
Rosen, Kim		<a href="mailto:kimberly.rosen@legislature.maine.gov">kimberly.rosen@legislature.maine.gov</a>	Lincoln	State Senator for Lincoln
Stanley, Steve	207-746-5371	<a href="mailto:stanleyss@twc.com">stanleyss@twc.com</a> , <a href="mailto:stephen.stanley@legislature.maine.gov">stephen.stanley@legislature.maine.gov</a>	Medway	State Representative for the Katahdin region, from Medway, covers Millinocket

## State Reps

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Ward, Jake		<a href="mailto:jsward@maine.edu">jsward@maine.edu</a>	Vice President for Innovation and Economic Development
Weiskittel, Aaron		<a href="mailto:aaron.weiskittel@maine.edu">aaron.weiskittel@maine.edu</a>	Associate Professor of Forest Biometrics and Modeling Irving Chair of Forest Ecosystem Management Acting Director, Center for Research on Sustainable Forests

UMaine

**To:** Funes, Jason[jason\_funes@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-07-12T09:16:54-04:00  
**Importance:** Normal  
**Subject:** Fwd: Weekly Report to the Secretary - July 6, 2017  
**Received:** 2017-07-12T09:17:33-04:00  
[WeeklyReporttotheSecretary07-06-17.docx](#)

**Weekly Report to the Secretary 07-06-17**

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**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

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**WEEKLY REPORT TO THE SECRETARY  
DEPARTMENT OF THE INTERIOR**

**July 06, 2017**

**Office of the Solicitor**

**Week Ahead Schedule of Meetings, Hearings, and Travel**

Nothing to report.

**Week Ahead Announcements and Actions**

**SIGNIFICANT LITIGATION DEADLINES FOR NEXT TWO WEEKS SEPARATELY REPORTED**

**NEW CASES:**

***James Lee Williams v. United States (Fed. Cl.)***

James Lee Williams filed a complaint against the United States, claiming that the Bureau of Reclamation and the Bureau of Land Management, along with other non-federal defendants, violated his constitutional rights by denying him the right to acquire land and water rights on an area of land in the Colorado River known as Yuma Island. Plaintiff is seeking \$25 million in damages. The answer is due July 21.

***San Carlos Irrigation and Drainage District v. United States (Fed. Cl.)***

On June 12, the San Carlos Irrigation and Drainage District (SCIDD) filed a complaint alleging breach of contract, breach of implied covenant of good faith and fair dealing, and breach of trust and fiduciary duty by the Bureau of Indian Affairs. SCIDD's complaint relates to the operation and maintenance costs assessed annually by the BIA through the San Carlos Irrigation Project, a federal irrigation project that provides irrigation water to public and private lands within the Gila River Indian Community. The answer is due August 11.

***Christian and Brooks Haight v. United States (D. Mont.) - Tort-wrongful death and survivorship***

On June 9, 2017, plaintiffs filed a lawsuit seeking an unspecified amount of damages for alleged negligence by the Bureau of Reclamation. Plaintiffs' three-year-old son was killed on April 22, 2016 when part of a Reclamation boat ramp at Canyon Ferry Reservoir (Montana) fell on him. The Department denied a \$14,000,000 FTCA claim for wrongful death and survivorship on June 2, 2017. The United States' answer is due August 14, 2017.

***Bay Institute v. Zinke (N.D. Cal.) - Challenge to Cal. WaterFix biological opinion***

On June 29, the Bay Institute and other environmental organizations challenged the Fish and Wildlife Service's biological opinion on the California WaterFix project. The plaintiffs challenge the BiOp under the APA and the conclusions in the BiOp as arbitrary and capricious.

## **SIGNIFICANT DECISIONS:**

### ***Penobscot Nation v. Mills* (1st. Cir.)**

In August 2013, the United States joined a lawsuit filed by the Penobscot Nation against the State of Maine to protect the Nation's fishing rights and seeking a declaratory judgment that the Penobscot Reservation extends bank to bank in the Main Stem of the Penobscot River. On June 30, 2017, the United States Court of Appeals for the First Circuit, in a 2-1 decision, agreed with the State of Maine that the definition of the Penobscot Indian Reservation in the Maine Implementing Act and the Maine Indian Claims Settlement Act unambiguously excludes the waters and submerged lands of the Main Stem of the Penobscot River. The majority also concluded that the federal courts lack jurisdiction to adjudicate the question of the Nation's sustenance fishing rights, and vacated the district court's ruling that the Reservation included the River for sustenance fishing purposes for lack of standing. In a lengthy dissent, Judge Torruella concluded that the Reservation includes the Main Stem of the River.

### ***Native Ecosystems Council et al. v. Krueger* (9<sup>th</sup> Cir.) - Lonesome Wood II ESA Litigation**

On June 29, the Ninth Circuit denied appellants' motion for an injunction pending appeal. Appellants challenge the project that would occur in the Gallatons National Forest in Montana under Section 7 of the ESA. The project is projected to begin over the next few weeks.

### ***Crow Allottees Ass'n v. United States* (9<sup>th</sup> Cir.)**

On June 28, the Ninth Circuit – two weeks after oral argument in this matter - issued a decision favorable to the United States in an unpublished memorandum opinion. This matter originated in 2014, when Plaintiffs filed a complaint alleging, *inter alia*, that the United States breached fiduciary duties and took Crow Allottees' water rights without due process based on the 2010 Crow Tribe water settlement. In 2015, the court granted the United States' motion for judgment on the pleadings based on sovereign immunity. When Plaintiffs appealed, the United States argued that the dismissal should be upheld not only on sovereign immunity grounds, but also based on standing, failure to state a claim upon which relief could be granted, and mootness. The Ninth Circuit upheld the lower court's dismissal, finding that Plaintiffs failed to state a claim upon which relief could be granted, that none of Plaintiffs' claims provided reason to find the 2010 settlement act unconstitutional, and that 25 USC 175 does not entitle them to government-funded private counsel. Plaintiffs have until August 11, 2017, to file a petition for rehearing.

This matter represents a separate challenge to the 2010 settlement from that brought previously by Plaintiffs. Plaintiffs similarly objected before the Montana Water Court and appealed adverse rulings to both the Montana and United States Supreme Courts. The Montana state courts

resolved those claims in favor of the United States (and the State and Crow Tribe) as well and upheld the settlement, and the United States Supreme Court denied the petition for *certiaori*.

#### **OTHER LITIGATION MATTERS:**

##### ***Wyoming v. DOI (D. Wyo.) - BLM Venting & Flaring Rule***

The court granted our motion for a 90-day extension of the briefing schedule. Opening briefs are now due October 2 and the Department's response brief is due November 9.

##### ***Wyoming v. Zinke (10th Cir.) - BLM's Hydraulic Fracturing Rule***

The court has scheduled oral argument for July 17, 2017.

##### ***Juliana v. U.S. (D. Ore.) - Climate Change***

On June 26, DMR and DLR provided DOJ estimates from the bureaus of the burdens of complying with the plaintiffs' 30(b)(6) deposition notice. DOJ met with plaintiffs' counsel about the notice. Plaintiffs stated that they will narrow the scope of some of the subject areas of the notice. Also, the court granted the motion of defendant-intervenors to withdraw, and set a trial date of Feb. 5, 2018.

##### **Sage Grouse Litigation-Motions to Stay**

As a result of the review and report required by Secretarial Order 3353 (June 7, 2017) regarding the BLM's 2015 sage grouse land use plans (the 2015 plans), the parties in the following four sage grouse lawsuits (which challenge the 2015 plans) have filed joint motions to stay the litigation for a period of 90 days, and upon expiration of the stay, to submit a status report advising the courts as to whether a continued stay is warranted or if litigation deadlines should be reinstated: *American Exploration and Mining v. DOI* (D. D.C.); *Harney Soil and Water Conservation District v. DOI* (D. D.C.); *Western Energy Alliance v. DOI* (D.D.C.); and *Otter v. Zinke* (D.C. Cir.); DOJ is conferring with plaintiffs in the remaining cases and anticipates filing similar motions within the next week.

##### **BLM Sonoran Desert NM Proposed Plan Amendment/ Final EIS**

The BLM is under a court order to issue a ROD for this planning effort by September 30, 2017. This week it is likely the U.S. will seek a stay of the proceedings on remand and a 90-day extension of the date to complete the Amendment to give the Department time to complete the review of the Monument pursuant to the April 26, 2017 Executive Order.

##### ***Double R Ranch Trust, et al. v. Kristin Bail, et al. (D.D.C.)***

The U.S. response to Plaintiffs' complaint is due July 24 in this case challenging the Wild and Scenic River suitability determinations in the BLM's 2016 Western Oregon Resource

Management Plans.

(b)(5)

(b)(5)

***Edwards S. Danks, Sr. and Georgianna Danks, Land Owners v. Zinke, et al. (D.N.D.)***

The United States was served this action on June 26, 2017. Plaintiffs seek injunctive and declaratory relief, along with a writ of mandamus, from a decision of the Great Plains Regional Director upholding a correction for clerical error to a legal description contained in an oil and gas lease on the Fort Berthold Reservation. The USA's deadline to answer or otherwise plead is August 22, 2017.

**Florida Lake Settlement**

The Fish and Wildlife Service reached a settlement with 3 land owners who built buildings in violation of a restrictive covenant placed on property as part of a land exchange. The Service will receive \$15,000.00.

***Hudson v. Zinke (D.D.C.)***

Plaintiff filed a Motion for Summary Judgment on May 14, 2017 in this Secretarial Election case involving changes to the Tribal Business Council structure for the Mandan, Hidatsa and Arikara Tribes (The Three Affiliated Tribes) in North Dakota. The Government will file its final Reply Brief on July 3, 2017.

**NON-LITIGATION MATTERS:**

**California WaterFix**

NMFS issued a final BiOp internally to Reclamation on June 16, 2017, and the FWS signed a final BiOp on June 23, 2017. On June 29, 2017, The Bay Institute, NRDC, and other NGOs, filed two APA lawsuits challenging them (see "Litigation Activities"). Part 1 (injury to other legal users of water) of the SWRCB hearings on the petition for change in the point of division filed jointly by Reclamation and DWR is coming to an end, at which time, the parties will begin preparation for Part 2 (impacts on fish and wildlife). The SWRCB has not yet set a schedule for Part 2 of the hearings. Recently, Part 1 Parties have begun to take issue with the project description in the BiOps. The project description in the BiOps differs from the project description for operations relied upon for Part 1 of the hearing. It has changed somewhat with respect to reverse flow requirements (OMR restrictions) and required Delta outflow. Currently,

(b)(5)

**Hearing on Red River Gradient Boundary Survey Act (S. 90)**

The Senate Energy Committee has scheduled a hearing on S.90, for July 13, 2017. This bill (and its companion H.R. 428), attempts to resolve a dispute regarding competing claims to land along



approximately 116 miles of the Red River, where it forms the boundary between the States of Texas and Oklahoma. The river's south bank also forms the southern boundary of the Federal estate along these 116 miles. In November 2015, local government entities and private landowners along the Red River filed a case under the Quiet Title Act ("QTA"), as well as the Fourth and Fifth Amendments of the U.S. Constitution, alleging the U.S. had taken their property by identifying land adjacent to their properties as Federal public lands. The State of Texas intervened in the case, styled, *Aderholt, et al. v. Bureau of Land Management*, in order to assert its sovereign border, and the Texas General Land Office intervened to assert its mineral interests. The case has attracted political interest, including an amicus filed by 22 members of the Texas Congressional delegation asserting that the BLM applied incorrect survey methods and harmed property rights. Trial is scheduled for September 25, 2017.

## **Assistant Secretary for Fish and Wildlife and Parks**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Acting Assistant Secretary Virginia Johnson will travel with Secretary Zinke to Colonial National Historic Park on July 7 to tour the park and to participate in a roundtable on Boating Infrastructure Grants in Yorktown, Virginia.

On July 8-14, Deputy Assistant Secretary Aurelia Skipwith will travel to Vail, Colorado, to attend the Western Association of Fish & Wildlife Agencies meeting. She will be meeting with 23 Western Directors of Fish & Game to engage about local issues and policies. She will then tour Utah, Colorado, Wyoming, Idaho and Montana to become familiar with wildlife and habitat management, as well as interstate and federal cooperation in the West. On July 17, she will tour the Lee Metcalf Wildlife Refuge in Montana and July 18-20 attend Governor Butch Otter's Natural Resources & Land Management Trail Ride.

### **Week Ahead Announcements and Actions**

The UNESCO World Heritage Committee is currently holding its annual session in Krakow, Poland from July 2-12. Casey Hammond is part of the delegation and is representing the Department of the Interior. UNESCO lists sites in the USA and other countries as "World Heritage Sites." They are added to an international directory and the designation greatly augments visitation, especially from international visitors. FWP is monitoring third-party efforts to place Chaco Culture National Historic Park in New Mexico on UNESCO's "Endangered List" due to its proximity to current and proposed oil and gas activity in the vicinity. If placed on the "Endangered List," this could augment the efforts of the international environmental community to launch public relations campaign against our oil and gas activity in the region. Several career employees from the Department of State are participating in the session along with one career NPS employee. Casey has advised that Earthjustice is present at the conference and is raising concerns about the impact the Administration's national monuments review could have on another World Heritage Site, the Papahānaumokuākea Marine National Monument in Hawaii. If added to the "Endangered List," this could adversely impact commercial fishing in the region.

Acting Assistant Secretary Virginia Johnson has been working closely with the U.S. Navy to resolve an issue at Camp Pendleton related to the Park Service's historic preservation responsibilities under the National Historic Preservation Act of 1966, as amended. In 2012, the California State Historic Preservation Officer (SHPO) submitted the nomination of Trestles Historic District to the Navy to list it on National Register of Historic Places. Trestles is part of San Onofre State Beach, which the Navy at Camp Pendleton leases to the State. The state's nomination is based on the historic significance of the beach to the California surfing culture. The US Marine Corps has historically conducted amphibious landing and other training exercises in this area. The Navy has not approved the State's request to list Trestles. The State appealed the Navy's decision to the NPS. We are working with the Solicitor's office to assist the NPS in rendering a decision that reflects the views and priorities of the Administration. The NPS is reviewing the latest appeal and is expected to render a decision by July 28.

## **U.S. Fish and Wildlife Service**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

From July 7-11, FWS Acting Director Greg Sheehan will be attending the Western Association of Fish and Wildlife Agencies 2017 Annual Conference in Vail, Colorado.

### **Week Ahead Announcements and Actions**

As soon as possible, FWS will announce it has apportioned \$50 million to state fish and wildlife agencies for developing and implementing programs that benefit wildlife and their habitats. The funding is provided through the Service's State Wildlife Grants (SWG) program and is distributed through an apportionment formula in accordance with the Appropriations Act. These funds have been approved by the FWS Acting Director and by DOI for disbursement and are presently being made available to the states. FWS has a communication strategy but is concerned that news of the disbursement could leak from the recipients prior to public outreach being conducted. The Service will reach key members of Congress, states, tribes, partners, non-government organizations and media interested in wildlife and natural resource conservation through congressional notifications and media outreach via a national news release and accompanying social media.

FWS biologists are among the authors of a paper expected to publish in coming weeks that examines polar bear attacks since 1870 to see if there are commonalities between the attacks. Researchers found that most attacks occurred in human-populated communities. If sea-ice loss continues, polar bears are likely to come on shore more frequently and for longer periods of time, increasing the risk of human-polar bear conflicts. No outreach is planned. Talking points, however, are being prepared.

In coming weeks, in conjunction with NOAA and EPA, FWS plans to publish the *Coastal Wetlands Loss Analysis: Summary Findings of Pilot Studies Conducted by the Interagency Coastal Wetlands Workgroup*. FWS assisted in developing the report, which summarizes wetland loss assessments conducted in four coastal U.S. watersheds. The report was developed to support subsequent policy and management actions designed to decrease net wetland loss in coastal areas. It is not controversial. Stakeholders include NOAA and EPA, local, state and federal government organizations, and NGOs. The report will be made available online, on EPA's website, and disseminated to limited stakeholder groups primarily composed of representatives from government agencies with the purview to support coastal wetland conservation and restoration. No media outreach is planned by FWS.

On July 8, Representative Marcy Kaptur (D-Ohio) will attend Discover Ottawa Day at Ottawa NWR. This is a public event and the congresswoman will make remarks during a portion of the event.

On July 10, the Thunder Basin National Grasslands Prairie Ecosystem Association (TBGPEA) will host a celebration for the completion of the TBGPEA Candidate Conservation Agreement with Assurances, integrated Candidate Conservation Agreement and Conservation Agreement

for sage-steppe and short-grass prairie species. Wyoming Governor Matt Meade as well as state, federal and local partners will attend the celebration to be held at the Nagle-Warren Mansion in Cheyenne, Wyoming. Tyler Abbott, FWS Wyoming Field Supervisor, will attend. FWS will issue a regional news release.

On July 10, Representative Marcy Kaptur (D-Ohio) is hosting a public event in suburban Cleveland to discuss Great Lakes issues. Kaptur is inviting several experts to sit on a panel to answer audience questions about Great Lakes ecological issues. FWS Midwest Deputy Regional Director Charlie Wooley will participate to answer questions about Asian carp. Other groups represented will include NOAA, U.S. Army Corps of Engineers and two or three NGOs.

On or around July 10, FWS will announce more than \$3.8 million in grants matched by more than \$14 million in partner contributions going to 31 collaborative conservation projects in 19 countries across the Americas as part of the Neotropical Migratory Bird Conservation Act grant program. News release and outreach to bird-centric media are planned. This is not controversial.

On July 11, FWS will host a state-tribe American Ginseng Program coordination meeting in Morgantown, West Virginia. American ginseng is a native plant extensively harvested for its roots for export to Asia where they are highly valued for their medicinal properties. Due to the high volume of international trade of wild ginseng, the species is included in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Appendix II allows trade that is biologically sustainable and legal. The meeting will bring together the state and tribe ginseng program coordinators to discuss pressing current issues facing wild ginseng, management efforts, and necessary steps to improve the long-term sustainability of ginseng.

On or around July 14, FWS plans to send to the *Federal Register* a notice announcing a six-month extension of the final determination of whether to list the San Fernando Valley spineflower, a plant species from southern California, as a result of substantial scientific disagreement concerning the species. This notice will also reopen the comment period on the proposed rule to list the species for an additional 30 days. The spineflower listing is locally controversial, but filing a six-month extension is not expected to be controversial. Interested parties include The City of Calabasas and Santa Monica Mountains Conservancy (the petitioners), Wild Earth Guardians (MDL Settlement Agreement), the U.S. Army Corps of Engineers, and the State of California. Outreach will include stakeholder notifications and posting of notice to field office newsroom. On or around August 11, FWS will announce the availability of a draft Candidate Conservation Agreement (CCA) for public comment that outlines conservation measures to benefit the San Fernando Valley spineflower. The CCA was prepared in collaboration with Newhall Land and Farming Company. Interested stakeholder is Newhall Ranch. Outreach will include stakeholder notifications and posting of notice to field office newsroom.

On or around July 15, FWS plans to send to the *Federal Register* its annual proposal for administering tribal hunting, fishing and gathering rights under multiple treaties for several federally recognized tribes in the Great Lakes region. The proposal has been compiled in consultation with the Great Lakes Indian Fish and Wildlife Commission, which represents 11

tribes in Minnesota, Wisconsin and Michigan. FWS has informed the Wisconsin, Minnesota and Michigan DNRs of the proposal. A final decision will not be made until after public comments are reviewed and would not take effect until the fall 2017 hunting season. The proposal is expected to be controversial due to the inclusion of several new techniques for tribal members to take waterfowl, including electronic calls, hand held nets and snares, and use of these nets at night. Outreach to state and tribal leaders is planned.

By July 15, FWS plans to announce about \$1 million in white-nose syndrome grants to states. The grants will help states respond to the deadly white-nose syndrome disease of bats through actions such as looking for the fungus that causes the disease, carrying out decontamination procedures at state caves and mines, and monitoring bat populations. White-nose syndrome is a disease caused by a fungus that has killed millions of valuable insect-eating bats and has been found in 31 states. Recent studies have shown that the agricultural value of insect control by bats is \$1.4 billion annually in Texas alone. FWS leads the national response to the disease. This action is not controversial. A news release and outreach to interested stakeholders is planned – we will coordinate with AFWA and/or state wildlife directors.

### **Hot Topics**

On June 9, four dead cattle were found adjacent to a wetland on Lostwood National Wildlife Refuge in North Dakota. The cattle belonged to a cooperator permitted to graze on the refuge for grassland management purposes. Laboratory tests were positive for blue-green algae toxin. All grazing cooperators and neighboring ranchers were notified of the risk and asked to report sick animals immediately. Since 2014, refuge staff has been working with FWS's Wildlife Health Office and the North Dakota Department of Health on water quality sampling. No proactive outreach is planned. We are prepared to respond to any media inquiries.

FWS is monitoring the 32,500-acre Frye Fire in the Pinaleno Mountains of southeastern Arizona. As of June 29, the fire has burned through much of the remaining habitat of the endangered Mount Graham red squirrel. This species occurs only on this sky island mountain and its population was estimated to be only 252 animals in fall 2016. The fire is 43 percent contained. Fire operations are ongoing. Threatened Mexican spotted owls, Apache and Gila trout, and Wet Canyon talussnail (conservation agreement species) also occur in the affected area.

On March 29, 2017, the 10th Circuit Court of Appeals reversed and remanded a ruling from the District Court of Utah, Central Division regarding Utah prairie dogs. Once a court mandate is issued, FWS will again have the regulatory responsibility for prairie dogs on private and other non-federal lands, and there will be a need to issue incidental take permits for development activities that may take prairie dogs or its habitat. FWS implemented two low-effects Habitat Conservation Plans (HCP) in Iron and Garfield counties that included incidental take provisions for development. These low-effect HCPs have expired. A HCP remains in place in Iron County until July 2018. FWS is working with the state and other parties on a General Conservation Plan (GCP) to provide incidental take for development across the species' range for the next 10 years. A GCP is a streamlined HCP process whereby FWS prepares the conservation plan, completes National Environmental Policy Act (NEPA) requirements, and issues permits to individual developers or landowners (i.e., applicants). FWS anticipates completing the GCP this calendar

year and prior to expiration of the Iron County HCP.

On or around July 19, FWS expects to complete the consultation and biological opinion for the Department of the Navy for the Marines' relocation to Guam and its impact on endangered species. The consultation is being conducted as required by Section 7 of the Endangered Species Act. The final biological opinion is potentially controversial as the consultation is being closely monitored by environmental groups in Guam, Hawaii and the mainland for an action that is extremely important for the Pacific Area national security focus. No outreach is being planned by FWS at this time.

On June 28, Minnesota DNR hosted a public meeting to discuss trails. Local ATV advocates want a new section of trail to be built, across lands that are owned by FWS but managed by the Minnesota DNR. Both FWS and the DNR have concerns about the ecological damage that would be done by opening this closed section of trail for ATVs. It is also parallel to another route that is already open to ATVs. Because of the lease agreement between FWS and the DNR, both parties must agree to any new trails on these lands. The DNR will likely begin a public stakeholder process to determine if they want to submit a formal proposal for the ATV trail to FWS. Representative Collin Peterson (D-MN) has taken a personal interest in opening this section of trail for ATVs, and his staff have been in contact with FWS staff. This is locally controversial.

## **National Park Service**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Nothing to report.

### **Week Ahead Announcements and Actions**

The Federal Interagency Panel (Panel) for World Heritage has recommended to the Office of the Assistant Secretary for Fish and Wildlife and Parks that the "Hopewell Ceremonial Earthworks," consisting of Hopewell Culture National Historical Park in Ohio and several related sites owned by the State of Ohio, be authorized to prepare a World Heritage nomination. This recommendation is pending review by the Assistant Secretary's office. If approved, it would authorize publication of a Federal Register notice of the decision, as well as notification to property owners and Congressional committees. The preparation of a nomination would be done under the guidance of the National Park Service Office of International Affairs, and is likely to take a minimum of a year. When completed, the nomination would be reviewed again by the Panel, NPS, and the Assistant Secretary before a decision is made to submit it to the UNESCO World Heritage Committee, which makes the final decision on World Heritage nominations after a thorough review of their own. This approval package is being routed through DTS for surname.

On July 7, the Secretary will announce the \$1.75 million in available Maritime Heritage project grant funding. These grants will be used for maritime heritage education and preservation projects related to the maritime heritage of the United States. The National Maritime Heritage Act established the National Maritime Heritage Grants Program within the Department of the

Interior. The grants program is administered in partnership with the Maritime Administration. It provides funding for education and preservation projects designed to preserve historic maritime resources and is funded through a percentage of the proceeds from the sale or scrapping of obsolete vessels of the National Defense Reserve Fleet. All grants awarded must be matched on a 1-to-1 basis with non-Federal assets.

On or about July 9, Golden Gate National Recreation Area is scheduled to host the Honorable Rick Colless, Member of the Legislative Council in New South Wales, Australia, who serves as the Parliamentary Secretary for Natural Resources. He is visiting as part of a Commonwealth Parliamentary Association study tour to the U.S. and Canada, and he has expressed specific interest in northern California and Yellowstone. They are interested in visits to national forests and parks and meetings with industry stakeholders to discuss forest and park management, natural resource management, conservation, and commercial logging policies and practices.

On July 11, the NPS will meet with representatives of the Sitka Tribe of Alaska to begin negotiations regarding the Tribe's proposal for compacting certain NPS functions at the park. A pre-negotiation meeting regarding the request was held in late May. The Tribe is seeking to manage maintenance and interpretation & education functions in the park in FY-18.

On July 15, Facebook CEO Mark Zuckerberg will visit Glacier National Park. He will tour the park with the Superintendent and USGS scientist Dan Fagre (Director of the Climate Change in Mountain Ecosystems Project). He will also visit with Gracie the Bark Ranger and official park partners. Zuckerberg will post to Facebook immediately following his visit to his 92 million followers.

On July 15, the NPS anticipates the announcement of \$15 million in Outdoor Recreation Legacy Partnership grant funding for approximately 25 projects. A total of 51 projects were submitted by states to acquire and develop outdoor recreation spaces. This competitive program supplements the annual Land and Water Conservation Fund apportionment to states by supporting projects for disadvantaged populations in urban areas. The NPS is coordinating with DOI Communications on the public announcement and notification to the recipients

On July 16, The Healing Church in Rhode Island will hold a ceremony at Roger Williams National Memorial pending approval of their special use permit application. The use of cannabis is a part of this ceremony. As per legal advice, the NPS will issue a permit to conduct a legal First Amendment assembly. The permit will not allow for illegal activities or use of federally recognized illegal substances. Should illegal activities occur, Providence PD will manage enforcement activities.

On or about July 17, the FY 16 Annual Report on the Economic Impact of the Federal Historic Tax Credit is expected to be issued. The report finds that the \$6.5 billion of private investment in historic rehabilitation for FY16 produced an estimated 109,000 jobs and benefited the national economy with over \$12.3 billion in output, \$6.2 billion in GDP, and \$1.7 billion in taxes generated. The report was undertaken by the NPS through a cooperative agreement with the Rutgers University Center for Urban Policy Research and documents the wide breadth of economic impacts of the credit, as well as the cumulative impacts of the program since the

program's inception in 1976 -- \$131.8 billion in leveraged private investment in the historic rehabilitation, over 42,000 certified projects, and over 2.44 million jobs. Commonly known as the Historic Tax Credit, the program provides a 20-percent federal tax credit to property owners who undertake a substantial rehabilitation of a historic building in a business or income-producing use, while maintaining its historic character. The program is administered by the NPS and the Internal Revenue Service, in partnership with the State Historic Preservation Offices. The NPS certifies that a historic building is eligible for the program and that its rehabilitation meets preservation standards.



## **Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

On July 7, the Senate Committee on Indian Affairs will hold a field hearing in Santa Fe, New Mexico on Native American Art and Crafts authentic crafts and fraudulent crafts.

July 10 is the new deadline for public comments for the Bears Ears National Monument, and the deadline for comments on all other monument designations under review.

On July 12, a Senate Committee on Indian Affairs hearing on S.943, Johnson-O'Malley Supplemental Indian Education Program Modernization Act is scheduled. An invitation for a Departmental witness is expected.

On July 13, DAS-PED Clarkson presents to the entire membership of the Inter-Tribal Five Civilized Tribes Quarterly Meeting in Tulsa, Oklahoma, on updating the Indian Trade and Commerce Regulations.

### **Week Ahead Announcements and Actions**

On July 5, a press release announcing Dr. Gavin Clarkson as the newly appointed Deputy Assistant Secretary for Policy and Economic Development for Indian Affairs will be sent to media, federally recognized Tribes, and Tribal organizations.

July 10 is the target publication date for the 2017 proposed Indian irrigation rate notice in the Federal Register. Timely publication is important for the county to include in bills to landowners and irrigators.

July 13 is the launch date for the new [indianaffairs.gov](http://indianaffairs.gov) website.

## **Assistant Secretary for Land and Minerals Management**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Nothing to report.

### **Week Ahead Announcements and Actions**

During the week of July 10, OSMRE anticipates publishing a Notice of Availability in a local newspaper for the Bridger Mine Mining Plan Modification Draft EA, initiating a 30-day comment period. The Bridger Coal Company's Bridger Mine is an underground mine located in Sweetwater County, WY that employs 540 people. If the modification is approved, production is estimated to be 2.24 million tons per year.

During the week of July 10, OSMRE plans to publish a Notice of Availability in a local newspaper for the Cordero Rojo Mine Mining Plan Modification Draft EA, initiating a 30-day public comment period. Cloud Peak Energy's Cordero Rojo Mine is a surface mine located in Campbell County, WY. The mine employs 383 people and produces approximately 20 million tons of coal per year.

On July 10, the BLM's public comment period for the National Monument review closes. The BLM-WO is reviewing public comments and, in coordination with State Offices, Monument Managers, and the DOI Office of Policy Analysis, will prepare the final report on the 18 National Monuments managed by the BLM. This will be ongoing through July and early August.

On July 10, the BLM-CO White River Field Office will initiate a 30-day public scoping period for a proposal to develop a 384-mile off-highway vehicle (OHV) route system incorporating mostly existing BLM and county roads. Rio Blanco County submitted the Wagon Wheel West OHV Trail proposal to the BLM to increase trail system-based recreation throughout the county and northwestern Colorado. Recreation on BLM-CO-managed lands generated \$543 million and supported 4,625 jobs in FY 2015.

On July 10, BOEM plans to publish the Record of Decision for a project to rehabilitate 4 miles of shoreline damaged by Hurricane Matthew in Martin County, FL. The Bureau will enter into a 3-party agreement with Martin County and the US Army Corps of Engineers to dredge up to 1,000,000 cubic yards of OCS sand.

On July 10, four individuals charged with various crimes during the 2014 Gold Butte cattle impoundment are scheduled to be re-tried in U.S. District Court, Las Vegas, following the declaration of a mistrial on April 24, 2017. The BLM communications team has and will continue to coordinate with DOI communications on public statements or related materials.

On July 10, BSEE Director Scott Angelle will meet with the Gulf Restoration Network in New Orleans, LA.

On July 10, BSEE Director Scott Angelle will meet with the representatives of PHI Helicopters in Houston, TX to discuss issues related to the Bureau's use of offshore helicopter refueling facilities.

On July 11, BSEE Director Scott Angelle is scheduled to speak at the American Petroleum Institute's Safe Lifting Conference in Houston, TX. The conference will cover lifting operations and standards for platform-based cranes.

On July 11-12, BOEM will participate in a panel discussion on marine acoustics and other topics with ocean science leaders hosted by the Woods Hole Oceanographic Institution. Bill Brown, Chief of the Office of Environmental Programs, Jill Lewandowski, Chief of the Division of Environmental Assessment, and Erica Staaterman, a Bioacoustician from BOEM, will represent the Bureau in the panel discussion.

On July 12, the House Natural Resources Subcommittee on Energy and Mineral Resources plans to hold a hearing on the offshore oil and gas programs. Acting Assistant Secretary for Land and Minerals Management Kate MacGregor will be the Department's witness.

On July 12, BSEE Director Scott Angelle is scheduled to meet with offshore industry representatives in Morgan City, LA. Director Angelle will also meet with BSEE Houma District personnel.

On July 13, the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining tentatively plans to hold a hearing on 12 public land bills of interest to the BLM. The BLM witness has yet to be determined.

On July 13, BLM-WY High Plains District, Buffalo Field Office, and Casper Field Office staff will meet with Converse and Campbell County commissioners to discuss coal and oil and gas conflicts, which occur when both industries compete for mineral rights in the same location, within their respective counties. The meeting will initiate dialogue on how the BLM and county commissioners can help the industries carry out their work in accordance with the BLM's relevant land use plan.

On July 14, the House Natural Resources Subcommittee on Federal Lands tentatively plans to hold a hearing on various public land bills, including the following two of interest to BLM; H.R. 2582, Confirming State Land Grants for Education Act (Rep. Love, R-4-UT); and H.R. 1547, Udall Park Land Exchange Completion Act (Rep. McSally, R-2-AZ). The BLM's witness is yet to be determined.

On July 14, BSEE Director Scott Angelle will speak at a meeting of the National Ocean Industries Association's Legislative Strategy Group in Washington, DC.

From July 14 to August 25, BLM-AK plans a temporary shutdown of the Trans-Alaska Pipeline System. Alyeska Pipeline Services Company plans safety and integrity protection system downloads requiring short-term shutdowns for the Trans-Alaska Pipeline System this summer. The BLM Alaska Branch of Pipeline Monitoring will observe the shutdowns.

In mid-July, BOEM plans to release a Note to Stakeholders regarding its proposal to implement a 12.5% royalty rate for oil and gas production in shallow water depths. The reduction would be only for leases offered in Gulf of Mexico Lease Sale 249, which is scheduled to take place on August 16, 2017. Bids for leasing in shallow waters have been in steady decline, primarily due to the high incidents of natural gas in shallow water depths, which compete unfavorably with more onshore gas resource plays. If ASLM approves the proposal, the BOEM will make the announcement using a Note to Stakeholders. Affected governors will be notified via correspondence.

In mid-July, OSMRE's Western Region plans to publish a Notice of Availability in a local newspaper for the John Henry Mine Mining Plan Modification draft EA and unsigned FONSI, initiating a 30-day public comment period. Pacific Coast Coal Company's John Henry Mine is a surface mine located in King County, WA which has been inactive since 1999.

In mid to late July, BLM-CA anticipates the completion of the proposed Hester land exchange. The exchange will result in the BLM's acquisition of approximately 550 acres of non-Federal lands within the new Sand to Snow National Monument in Riverside County, in exchange for 40 acres of Federal mineral interests located on private property in San Diego County. The exchange finalizes restitution of a trespass settlement that began in 2013. Rep. Duncan Hunter (R-CA-5) has been a strong advocate for the exchange and the BLM is keeping him informed of its progress.

## **Assistant Secretary Policy, Management and Budget**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

- Who: Office of Environmental Policy and Compliance (OEPC), Bureau of Reclamation (BR), US Geological Survey (USGS), Fish and Wildlife Service (FWS), Bureau of Indian Affairs (BIA), National Park Service (NPS), Office of the Regional Solicitor, Environmental Protection Agency (EPA), National Marine Fisheries Service, U.S. Forest Service
- What: Columbia River Treaty (CRT) Regional Federal Resource Agency Partners Meeting
- When: July 11, 2017
- Where: Portland, OR
- Press: Closed
- Topic: Updates on recent meetings and work related to the review of the CRT.
  
- Who: OEPC, FWS, BOR, NPS, Office of the Solicitor (SOL), EPA, USDA, NOAA
- What: Columbia River Treaty (CRT) National Federal Resource Agency Partners
- When: July 11 or 12, 2017
- Where: Washington, DC
- Press: Closed
- Topic: Updates with Federal HQ staff on updates and recent meetings and work related to the review of the CRT.
  
- Who: Coordinator Jon Andrew and new Coordinator Brent Range
- What: Interagency Coordination Meetings
- When: July 11-12, 2017
- Where: San Diego, CA
- Press: Closed
- Topic: Jon and Brent will attend coordination meetings with Fish and Wildlife Service, Bureau of Land Management and U.S. Border Patrol field personnel in the San Diego area. They will also attend the San Diego Sector Borderlands Management Task Force Meeting on July 11.
  
- Who: OEPC Portland, BIA, BR, FWS, NPS, USGS, EPA, NOAA Fisheries, USFS, and Columbia Basin Tribes
- What: Columbia Basin Small Workgroup Meeting
- When: July 17, 2017
- Where: Portland, OR
- Press: Closed
- Topic: Updates on recent meetings and work related to modeling and coordination for the Columbia River hydropower system.

### **Week Ahead Announcements and Actions**

**FY 2019 Budget Formulation.** The Office of Budget will hold meetings July 11-13 with Bureaus and DOI Leadership on the Bureau FY 2019 Budget submissions to the Department.

**Royalty Policy Committee.** ONRR issued a Federal Register Notice to extend the nomination period for the Royalty Policy Committee (Committee) by an additional 30 days. On April 3, 2017, the Department of the Interior published a notice establishing the Committee and requesting nominations. The last submission date for Committee nominations was extended to July 3, 2017. The selection committee will meet July 19, 2017, to review the nominations.

**Suspension and Debarment Actions.** On June 9, 2017, DOI debarred Sharon Ann Baldwin. This action is based on Baldwin's conviction for theft of \$313,000 in park entrance fees while employed by the National Park Service (NPS) as a Supervisory Visitor Use Assistant at the Petrified Forest National Park in Arizona.

**Year 2017 Small Business Accomplishments to Date.** As of June 27, 2017, the Department has awarded 55.29% of its contract award dollars to small businesses. The Department-wide small business goal, which was negotiated with the Small Business Administration, is 53.5%. The Department awarded 21.89% of its contract award dollars to small disadvantaged businesses and 13.83% of its contract award dollars to women-owned small businesses, exceeding the statutory goal of 5% for each. The Department awarded 3.58% of its contract award dollars to historically underutilized business zone small businesses and 3.87% of its contract award dollars to service-disabled veteran-owned small businesses. The statutory goal is 3% for each of these categories.

**Internal Control and Audit Follow-up.** The Department has an annual goal of closing 85 percent of corrective actions scheduled for closure in the current FY to address issues raised in OIG and GAO engagements. As of June 30, 2017, the Department has closed 40 percent of open audit recommendations scheduled for closure in FY 2017.

## **Assistant Secretary for Water and Science**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

For July 10-14, 2017, Acting AS/WS Scott Cameron will be in Washington, DC, and participating in routine internal briefings. He will also be orienting the new DAS for Water and Science, and starting the transition to his permanent role as the Principal DAS in PMB.

### **Week Ahead Announcements and Actions**

In the coming weeks, the Department will release a new USGS report on critical minerals for the United States. This publication presents resource and geologic information for 23 mineral commodities currently viewed as important to our national economy and national security, many of which are sourced entirely outside of the United States. The report provides an in-depth look at each commodity's use, distribution of deposit types, and current status of production, resources, and reserves. The individual commodity chapters serve as an update to the 1973 commodity chapters of USGS Professional Paper 820, United States Mineral Resources. A DOI news release is planned, along with release of a possible Executive Order and FY 2019 budget initiative on 3DEEP geologic mapping to promote mining in the US.

## **30-60 DAY LOOK-AHEAD**

### **Office of the Solicitor**

#### **SIGNIFICANT LITIGATION DEADLINES FOR NEXT THREE WEEKS SEPARATELY REPORTED**

### **Assistant Secretary for Fish and Wildlife and Parks**

On August 28, federal agencies will begin selling the new America the Beautiful Senior Pass which allows lifetime access to certain federal lands. The new price for the Lifetime Senior Pass will be \$80; the annual senior pass will be \$20. The current lifetime senior pass is \$10. The NPS issued written guidance to the parks and federal recreational land managers last week instructing them to place orders for new cards no later than close of business on July 7. This change impacts NPS, FWS, BLM, Bureau of Reclamation, USACE, and the US Forest Service. The implementation date will be August 28 to allow sufficient time for training, printing, and fulfillment of existing orders. NPS will announce the effective date on July 10.

### **U.S. Fish And Wildlife Service**

#### **Grants**

Pending Departmental advisement, FWS will approve a slate of projects for funding under the Competitive State Wildlife Grants program. The projects focus on “species of greatest conservation need” identified in State Wildlife Action Plans. Funds for this program are appropriated annually by Congress. FWS Regional Offices will submit individual grants for DOI approval prior to award. This is not controversial. No outreach is planned.

#### **Asian Carp**

On June 22, a silver carp was caught below O’Brien Lock and Dam, 8 miles from Lake Michigan. This is the first Asian carp found above the U.S. Army Corps of Engineers’ Electric Fish Dispersal Barrier (~34 miles to the south) since 2010. This dam is the last barrier before the lake itself, heightening concerns that this highly invasive Asian carp species could find its way into the Great Lakes. It is important to note that this preliminary finding does not confirm that a reproducing population of Asian carp currently exists above the electric dispersal barriers or within the Great Lakes. In eight consecutive years of intensive monitoring and fish sampling in the Chicago Area Waterway System, this is the second time a bighead or silver carp has been found above the electric dispersal barriers. A bighead carp was found in Lake Calumet in 2010.

#### **Endangered Species Act Recovery Actions**

FWS plans to send to the *Federal Register* a notice of availability of the revised draft recovery plan for the giant garter snake in California. The cost of certain actions pertaining to habitat acquisition, restoration and management is listed as “To be decided,” reflecting the considerable uncertainty around what the actual cost of those actions will be once completed. Stakeholders



include federal and state agencies, conservation organizations, local agricultural communities and local municipalities as it concerns water usage. This action is not expected to be controversial, although the estimated costs of voluntary actions and actions needed for recovery could generate local stakeholder and media attention. Planned outreach includes early notifications to stakeholders, news release to local media and postings to website and social media. This is pending clearance by the Department.

On July 19-20, FWS will host public scoping meetings in Central Oregon to gather information to prepare a draft environmental impact statement related to the Deschutes Basin Habitat Conservation Plan. The Deschutes Basin Board of Control and the City of Prineville are the permit applicants for the incidental take of three listed species: Oregon spotted frog, bull trout and steelhead. Media are expected. Stakeholders include local farmers, irrigators, and recreationists. WaterWatch of Oregon, Center for Biological Diversity, Coalition for the Deschutes, Trout Unlimited and the Deschutes River Conservancy will likely get involved in the NEPA process. This will be regionally controversial. Necessary outreach is planned to alert the public to the meetings. There will be a news release, social media posts and outreach to local and state representatives. Phone calls will be made and emails sent to the partners already listed in the report item. The meetings are just the first step in the scoping process, so there will be follow-up outreach with interested partners after the meetings.

FWS continues seeking review and comment until August 29 on the peer-reviewed Mexican wolf draft recovery plan from local, state and federal agencies, tribes and the public in both the United States and Mexico during the public comment period. There is a high level of visibility and controversy on Mexican wolf recovery in general. To gain additional comments and feedback, FWS is hosting public meetings in Arizona and New Mexico on the updated Mexican wolf recovery plan between July 18 and July 22.

On or around August 4, FWS plans to send to the *Federal Register* a notice of availability of a draft post-delisting monitoring plan and reopen the public comment period on the proposed rule to delist the black-capped vireo. The post-delisting monitoring plan will be finalized in concert with the decision on the final delisting rule in January 2018. This action may become controversial. Stakeholders include the petitioners, Pacific Legal Foundation, the Office of Travis Co. Judge, Big Bend National Park and others. There have been a number of public comments opposing the delisting of the black-capped vireo, and a number of partner agencies concerned about having the necessary funds to implement the ongoing management needs (cowbird removal) and monitoring identified for their lands, which may also result in concerns about the viability of both the delisting and the post-delisting monitoring plan. Planned outreach will include notifications to local stakeholders, a press release to local media and social media posts.

### **Endangered Species Act Listing/Delisting Actions**

Pending a decision by the Acting Director and clearance by the Department, FWS plans to send to the *Federal Register* a final listing determination for the i'iwi, a Hawaiian bird. This action is not controversial. The only interested stakeholder groups are the petitioners, Center for Biological Diversity and Life Net. FWS is required by settlement agreement to submit the

finding for the i'iwi to the Federal Register by September 20. Outreach is planned to Hawaiian media and to national conservation and bird-centric media.

On or around July 19, FWS plans to send to the *Federal Register* a notice reopening for public comment the proposed listing of western glacier stonefly and meltwater lednian stonefly, located in Montana and Wyoming, as threatened species. The reopening will allow the public to comment on new range information regarding western glacier stonefly. This action is not expected to be controversial. Interested stakeholders include WildEarth Guardians and the States of Montana and Wyoming. A regional news release is planned.

On or around August 1, FWS plans to send to the *Federal Register* a notice designating critical habitat for three plant species on Hawaii Island and correct the maps for existing designations for an additional four species there. We intend to exclude lands owned or managed by the Queen Liliuokalani Trust, the Department of Hawaiian Homelands and other private landowners under Section 4(b)(2) of the Act. This action is not controversial. Interested stakeholders include the State of Hawaii and multiple state agencies, the County of Hawaii and various private landowners. Outreach includes a news release, social media, emails and phone calls to Congressional offices and stakeholders mentioned above.

On or around August 2, FWS plans to send to the *Federal Register* 90-day petition findings for six species: the oblong rocksnail, sicklefin chub, sturgeon chub, tricolored bat and Venus flytrap. We are publishing a correction to the 90-day finding for leopards which clarifies the range and the entity we are evaluating in our status review. The findings in this batch are not expected to be controversial; however, the substantial 90-day finding for the tricolored bat might generate attention, given that the primary threat to it is white-nosed syndrome (which is threatening other bat species across North America). Stakeholders for the tricolored bat include the wind, oil and gas industries, federal forest land managers (Department of Defense, Forest Service, National Park Service and the Bureau of Land Management), private forest landowners, States, Canada and Mexico, federal academic researchers (U.S. Geological Survey and universities), the caving community, and local municipalities and homeowners who have bats on their property. Stakeholders for the other species include the Center for Biological Diversity, Cahaba River Keeper, WildEarth Guardians, Defenders of Wildlife, the Humane Society, International Fund for Animal Welfare, the Fund for Animals and several individuals. Outreach will include notifications to stakeholders and petitioners and a low-key national news bulletin to media.

On or around August 4, FWS plans to send to the *Federal Register* a 12-month finding and proposed delisting determination on the Deseret milkvetch, found in Utah. The Service concluded that the threats (residential development, highway widening, livestock grazing, and small population size) either have not occurred to the extent anticipated, are being adequately managed, or the species is more tolerant of the stressor than originally known. Interested stakeholders include the petitioner, Western Area Power Administration, entities that own lands occupied by the species, Utah Division of Wildlife Resources and Utah Division of Transportation. Planned outreach will include a regional news release, emailing the news release to relevant congressional offices and phone calls to the respective state wildlife directors. This is not expected to garner national attention.

On or around August 5, FWS plans to send to the *Federal Register* a proposal to list the Louisiana pine snake, located in Louisiana and Texas, as a threatened species with a 4(d) rule. This action is controversial. Stakeholders include the U.S. Army, the U.S. Forest Service, State and private landowners and the timber industry. Planned outreach will include notifications to stakeholders and relevant members of Congress, press release to local media and social media posts.

On or around August 14, FWS plans to send to the *Federal Register* a notice of availability of the final Stock Assessment Report (SAR) for the southern sea otter population in California. We do not anticipate controversy on publication of availability for this report. No outreach is planned.

On or around August 15, FWS plans to send to the *Federal Register* a final rule to remove the eastern cougar (historically known to exist in southeastern Ontario, southern Quebec and New Brunswick in Canada and a region bounded from Maine to Michigan, Illinois, Kentucky and South Carolina in the eastern United States) from the list of endangered and threatened species due to extinction. Although we do not anticipate major public controversy with regard to the final rule, opposition to our conclusion of extinction may be expressed by advocates and advocacy organizations for puma and large predator conservation who maintain that eastern cougars still exist. However, the best available information indicates that sightings of cougars in the east are cases of mistaken identity (with bobcats) or escaped captive animals or, rarely, cougars from western populations dispersing eastwards. Interested parties include eastern U.S. states, the Humane Society of the United States, the Animal Legal Defense Fund and the Cougar Network. National news bulletin and Congressional emails are planned.

### **National Wildlife Refuge Actions**

In August, FWS will publish a proposed rule and open a 30-day public comment period on the 2017-18 Refuge-Specific Hunting and Sport Fishing Regulations. The proposed rule would open various national wildlife refuges to hunting and/or sport fishing for the first time (new hunts) and expand hunting and fishing opportunities at others. Outreach is planned to include a national news release when the *Federal Register* notice is published and notifications to members of Congress in affected districts, with some stakeholder outreach.

### **Migratory Bird Management Actions**

Pending Departmental clearance, FWS plans to announce new regulations that will allow the sale, including consignment sale, of authentic Alaska Native handicrafts or clothing that incorporate nonedible migratory bird parts. Handicrafts must be made from migratory birds harvested for food during the subsistence season. There are 27 bird species from which parts may be used. Outreach is planned to include a regional news release and stakeholder outreach. This is not controversial.

Pending Departmental clearance, in July, FWS will deliver to the *Federal Register*, a final rule establishing the 2017-18 hunting seasons and bag limits for certain migratory game birds to fulfill our responsibilities to the four international conventions to protect and manage migratory

game birds. We annually prescribe frameworks, or outer limits, for dates and times when hunting may occur and the number of birds that may be taken and possessed in hunting seasons. It sets hunting seasons, hours, areas and limits for migratory game bird species. This final rule is the culmination of the rulemaking process for the migratory game bird hunting seasons, which started with the June 10, 2016, proposed rule. Interested stakeholders include the Flyway Councils, state wildlife agencies, non-governmental organizations and hunters. A prepared statement will be provided on our website with a link to the proposed rule. This is not controversial.

Pending Departmental clearance, in July, FWS will deliver to the *Federal Register*, a proposal to establish annual hunting regulations for certain migratory game birds for the 2018-19 hunting season to fulfill our responsibilities to the four international conventions to protect and manage migratory game birds. We annually prescribe outside limits (frameworks) within which states may select hunting seasons. This proposed rule provides the regulatory schedule, announces the Service Migratory Bird Regulations Committee (SRC) and Flyway Council meetings, describes the proposed regulatory alternatives for the 2018-19 duck hunting seasons and requests proposals from Indian tribes that wish to establish special migratory game bird hunting regulations on Federal Indian reservations and ceded lands. A prepared statement will be provided on our website with a link to the proposed rule. This is not controversial.

Pending Departmental clearance, in July, FWS will deliver to the *Federal Register*, a proposal to approve the shot for hunting waterfowl and coots. We have concluded that this type of shot left in the terrestrial or aquatic environments is unlikely to adversely affect fish, wildlife, or their habitats. Approving this shot formulation would increase the nontoxic shot options for hunters. Interested stakeholders include the Flyway Councils, state wildlife agencies, non-governmental organizations and hunters. A prepared statement will be provided on our website with a link to the proposed rule. This is not controversial.

## **Energy**

On or around July 17, FWS plans to send to the *Federal Register* a notice seeking public input to identify potential issues, concerns, impacts and alternatives to be considered in development of either an Environmental Assessment or an Environmental Impact Statement for a proposed General Conservation Plan for oil and gas activities in Santa Barbara County, California. This action is not expected to be controversial. Interested stakeholders are oil and gas operators and environmental organizations in Santa Barbara County, California. Outreach will be targeted to Santa Barbara County area media, congressional staff and stakeholders. FWS will offer a briefing with staff from the Santa Ynez Band of Chumash Environmental Office in advance of *Federal Register* notification of public comment period.

## **Other**

On July 20, in Prior Lake, Minnesota, FWS will host a consultation for any federally recognized tribes to discuss an FWS proposal to change the way permits are distributed for the possession of eagle feathers and eagle parts for Native American religious purposes. This is part of a nationwide effort to host face-to-face consultations before moving forward with any proposed changes

to eagle possession permits.

On August 3, FWS Acting Director Sheehan is invited to present at the U.S. Postal Service's Protect Pollinators First-Day-of-Issue Stamp Ceremony. The ceremony will take place at the American Philatelic Society Stamp Show in Richmond, Virginia. The stamps pay tribute to the beauty and importance of pollinators with stamps depicting two of our continent's most iconic: the monarch butterfly and the western honeybee, each shown industriously pollinating a variety of plants native to North America. The Postal Service has the lead on communications for their event. FWS will be working with them as the event draws near.

## **National Park Service**

In July, the NPS will announce the award of \$18 million in Centennial Challenge projects. Many of the projects accomplish deferred maintenance projects, and all represent public-private partnerships, since each project requires a minimum 50/50 match with non-federal funds. The NPS is coordinating with DOI Communications on the public announcement and notification to the recipients.

In July, the NPS will announce the apportionment of \$1,635,742 in Native American Graves Protection and Repatriation Act grants to fund repatriation and reburial projects. The grants will assist in consultation, documentation, and repatriation of ancestors and sacred objects, objects of cultural patrimony, and funerary objects back to Indian tribes and Native Hawaiian organizations. Enacted in 1990, NAGPRA requires museums and Federal agencies to inventory and identify Native American human remains and cultural items in their collections, and to consult with Indian tribes, Alaska Native villages, and Native Hawaiian organizations regarding repatriation. Section 10 of the Act authorizes the Secretary of the Interior to award grants to assist in implementing provisions of the Act. The NPS will coordinate with DOI Communications on the public announcement and notification to the recipients

In July, the Great Smoky Mountains National Park fire assessment review will be released. In February, a team of fire experts (federal and state) convened at Great Smoky Mountains National Park to conduct an independent review of the 2016 Chimney Tops 2 fire that started in the park on November 23. The purpose of the review is to assess the facts leading up to and during the Chimney Tops 2 fire within the boundaries of the park, as well as make recommendations on any planning, operational, or managerial issues which can be addressed locally, regionally, and/or nationally to reduce the chances of a similar incident in the future. The NPS has received tort claims related to this incident and expects additional lawsuits soon.

In July, the NPS will announce \$21 million in grants from the Historic Preservation Fund (HPF) to States and Territories. Grants will be awarded to 59 State Historic Preservation Offices (SHPOs), based on the amounts available under Consolidated Appropriations Act 115-31. SHPO grants receive minor press coverage when the awards are announced. Several SHPOs have contacted the NPS about their inability to meet payroll because of the late appropriation.

In July, the NPS will announce \$4.5 million in grants from the Historic Preservation Fund (HPF) to Indian Tribes. Grants will be awarded to 169 Tribal Historic Preservation Offices (THPOs),

based on the amounts available under Consolidated Appropriations Act PL115-31. THPO grants receive minor press coverage when the awards are announced. Several THPOs have contacted us about inability to meet payroll because of the late appropriation.

In July, the NPS anticipates the announcement of \$500,000 in Tribal Heritage grants from the Historic Preservation Fund (HPF) to Indian Tribes. Grants will be awarded to 14 Tribes, based on the amounts available under Consolidated Appropriations Act PL 115-31 and reappropriated funding from PL 114-113. Tribal Heritage grants receive press coverage when the awards are announced.

On July 18, the NPS will hold public meetings in Flagstaff, Arizona, seeking public input into the replacement of the Grand Canyon National Park's 12.5 mile long Trans-canyon Pipeline that conveys water from Roaring Springs located below the North Rim to the Indian Gardens Pump Station at the South Rim. This essential component of Grand Canyon's infrastructure is 44 years old, putting it well past its normal life expectancy. The pipeline is the sole source of water supporting park operations on the South Rim, providing all drinking and utility water for more than 4.7 million annual visitors and 2,500 year-round residents.

In mid-July, the National Mall and Memorial Parks will drain the pond in Constitution Gardens for cleaning and maintenance. It is expected to be empty for approximately a week. Work will not commence until after the July 4th holiday. Neither of these projects is related to the recent draining of the Lincoln Memorial Reflecting Pool because of elevated parasite levels.

In mid-July, Mojave National Preserve will begin a 60-day public comment period on the Water Resources Plan and draft Environmental Impact Statement (WRP/DEIS). The plan will manage both developed (diverted springs and wildlife guzzlers) and undeveloped water resources in the park. The process is being closely watched by local hunting groups interested in the management of wildlife guzzlers (large basins which catch rainwater and provide a watering source for wildlife and cattle), which are viewed as necessary to maintaining a healthy bighorn sheep population for hunting.

During the week of July 24, the Reconstruction Era National Monument will hold three open house sessions in St. Helena Island, Port Royal, and Beaufort, South Carolina, as part of the development of a foundation document for this new park. A focused stakeholder meeting will also be held in Beaufort to identify the biggest challenges and opportunities facing the National Park Service in setting up these new areas and also provide input into the development of the foundation document and interpretive themes.

In late July, George Washington Parkway will begin the work to clean, wax, and re-gild the U.S. Marine Corps War Memorial, commonly referred to as the Iwo Jima Memorial. Visitor access will be affected. During this period, there will be no vehicle access to the U.S. Marine Corps War Memorial. The NPS is coordinating with Arlington County to block off a few parking spaces along Meade Street (county road immediately adjacent to the Memorial) as a pick-up and drop-off zone. Pedestrians will be able to access the Memorial by accessible trail from Meade Street. The project includes engraving *Iraq* and *Afghanistan* on the memorial to honor those who served. The park will notify stakeholders of the project's potential impacts. The project was

made possible by a donation from philanthropist David Rubenstein.

On July 29, the Frederick County Landmarks Foundation will host a National Historic Landmark (NHL) plaque dedication ceremony at the newly designated Schifferstadt House in Frederick, Md. The National Park Service (NPS) will supply the NHL plaque, and an NPS representative will make brief remarks. Local, state, and national elected officials are invited. Guest speakers will include Maryland Senator Ron Young and a descendant of the family that owned the property in the 18th century.

From July 29 to August 6, the 49th Annual Citi Open Tennis Tournament will occur at the Rock Creek Park Tennis Center. This event is a major activity of the Washington Tennis and Education Foundation, a park partner. The park will administer the permit under an Incident Command structure working closely with the Tennis Foundation, their contractors, USPP and other DC government agencies. There has been extensive coordination with Ward 4 City Council Member, Brandon Todd.

On August 18, Olympic National Park will host a special event at Hurricane Ridge celebrating the renaming of the Olympic Wilderness to the Daniel J. Evans Wilderness by a 2016 act of Congress. Evans, a former Washington state governor and U.S. Senator, was the lead sponsor of the Washington Park Wilderness Act of 1988. Evans will speak at the event and various Congressional members and/or staff are expected to among the estimated 150 participants. The NPS is working on a communications plan and will coordinate with the DOI Communications Office.

### **Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education**

July 15 is the deadline for comments on E.O 13871, how Interior and the Federal government can be reorganized.

On July 19, a Senate Committee on Indian Affairs hearing oversight hearing on Indian Gaming is scheduled.

On July 19-20, the Self-Governance Advisory Committee quarterly meeting will place at the Embassy Suites DC Convention Center, 900 10th St NW, Washington, DC 20001. The Acting Assistant Secretary for Indian Affairs is invited to attend on Thursday, July 20.

On July 24, the Department's Office of Policy Analysis will hold an Indian Economic Development Data workshop preceding the Tribal-Interior Budget Council meeting, at the Twin Arrows Navajo Casino Resort, 22181 Resort Blvd., Flagstaff, AZ.

On July 25-27, The Tribal-Interior Budget Council (TIBC) will meet at the Twin Arrows Navajo Casino Resort, 22181 Resort Blvd., Flagstaff, AZ.

On July 26, a Senate Committee on Indian Affairs oversight hearing on "Human Trafficking" is scheduled.

August 12 is the deadline for proposals from Tribes for the Office of Indian Energy and Economic Development's (IEED's) FY 2017 Native American Business Development Institute (NABDI) economic development feasibility study grant program. This grant program has, among other successes, enabled the Citizen Potawatomi Nation to build an industrial park and restore a 66-mile rail line that opens an east-west connection to four major north-south rail corridors for regional commerce.

### **Items of Note/Expected Legislative, Legal, Policy Issues**

#### ***Regulations Ready for OS Review***

- None at this time.

#### ***Regulations Pending Departmental Review, Then Ready for AS-IA Signature***

- **Proposed rules pending publication:**
  - **Indian Electric Power Utilities (25 CFR 175):** This proposed rule would not make any substantive changes to the regulations, but would revise the regulations to be in plain language. The regulations affect only a limited number of Tribes because there are only three BIA electric power utilities: Colorado River (serving the Colorado River Indian Tribes Reservation), Mission Valley Power (serving the Salish & Kootenai Tribes, Flathead Indian Reservation), and San Carlos Irrigation Project (serving Gila River Indian Community).
    - *Status:* The proposed rule will be presented to the AS-IA transition contact in preparation for AS-IA signature.

#### ***Upcoming FACA Committee Notices***

- **BIE Negotiated Rulemaking on Accountability (25 CFR 30):** The Every Student Succeeds Act (ESSA) requires BIE to use a negotiated rulemaking process to develop regulations for implementation no later than the 2017-2018 academic year and to define the standards, assessments, and accountability system consistent with Section 1111 of the Elementary and Secondary Education Act (ESEA) for the schools funded by BIE on a national, regional, or tribal basis.
  - *Status:* [No Change] BIE is preparing a new notice of intent to establish the committee and solicitation for membership.

### **Assistant Secretary for Land and Minerals Management**

On July 17, BOEM plans to publish the Final Notice of Sale and Record of Decision for the Gulf of Mexico Lease Sale 249. The sale is scheduled for August 16 and will be the first lease sale under the 2017-2022 OCS Oil & Gas Program as well as the first region-wide sale.



During the week of July 17, BSEE Director Scott Angelle will attend individual meetings with Sen. Lisa Murkowski, Sen. Dan Sullivan, and Rep. Don Young of the Alaska Congressional delegation to discuss offshore developing in the Arctic OCS region.

On July 18 – 20, Acting ASLM Kate MacGregor will participate in the 15<sup>th</sup> annual Governor's Trail Ride hosted by the Idaho Cattle Association and Idaho Governor Butch Otter. The event, which will take place on historic ranchland in the Upper Snake River Valley, is designed to provide an opportunity to explore natural resource issues and will include discussions about improvements to the Federal grazing permit process and sustainable land use.

On July 18 and 25, BLM-Eastern States, in conjunction with the U.S. Forest Service, will hold public meetings in St. Paul, MN, and Virginia, MN, to solicit comments regarding the proposed 20-year withdrawal of 234,328 acres of Federal minerals from national forest system lands on the Superior National Forest within the Rainy River Watershed. Public comments received during project scoping will inform development of an EIS to study the proposed mineral withdrawal. The USFS is the lead agency for developing the EIS, and the BLM is a cooperating agency. BLM Northeastern States District Manager Dean Gettinger will attend.

On July 19, BLM plans to hold an auction of Federally-owned crude helium. Under the Helium Stewardship Act of 2013, the BLM must offer for auction and sale annually a portion of the helium reserves stored underground at the Cliffside Gas Field, near Amarillo, TX. The BLM anticipates auctioning 500 MMcf in a total of 30 lots for delivery in FY 2018. Following the auction, the BLM will offer an allocated sale in which helium is offered to refiners, and a non-allocated sale in which the helium is offered to non-refiners.

On July 19, OSMRE, USFWS, and State regulatory authorities will meet in St. Louis to re-initiate Section 7 consultation under the Endangered Species Act, as a result of the nullification of the Stream Protection Rule and the 2016 Biological Opinion. An internal draft of the Biological Assessment (BA) is under review by an interdisciplinary team and is expected to be completed, including all OSMRE and Solicitor reviews, by July 14, to allow the BA to be submitted to USFWS by the first week of August.

On July 21, BOEM will publish a Notice of Availability (NOA) of the Final Supplemental EIS for the Cape Wind Project. The EIS will supplement the 2009 Final EIS and is being prepared pursuant to a remand order from the D.C. Circuit Court. The NOA of the Record of Decision must publish prior to the court hearing scheduled on August 25.

On July 22, the BLM-OR/WA Lakeview Resource Area plans to hold an open house to discuss ongoing work with a private, non-profit partner to develop a multi-prong approach to managing the Beatty Butte Herd Management Area. For the first time, an external partner will work with BLM staff to bait trap horses, administer PZP to mares, and gentle horses considered good candidates for adoption.

On July 26, BOEM plans to hold a meeting with New Jersey fishing groups, the New Jersey Department of Environmental Protection, and the USACE Philadelphia and New York District Offices in Tom's River, NJ. The purpose of the meeting is to discuss how BOEM identifies and leases OCS sand resources and its efforts to study potential dredging impacts on fish habitats and

fisheries. This is a follow up to a January 2017 meeting hosted by NJDEP with eight fisheries groups.

On July 28, BOEM plans to publish the Notice of Availability of the Draft EIS for the Development and Production Plan for the Hilcorp Liberty Project. The Liberty Project is a 9-acre man-made gravel island proposed to be constructed approximately 5.6 miles offshore in the Beaufort Sea that would be capable of facilitating both drilling and processing operations.

In late July or early August, BOEM plans to publish a final rule to address the use of OCS sand, gravel, and shell resources for shore protection, beach restoration, and coastal wetlands restoration projects by Federal, state, and local government agencies for construction projects authorized by or funded in whole or part by the Federal Government. The rule will describe the negotiated noncompetitive agreement process and codify new and existing procedures.

On July 28, the BLM anticipates publishing proposed revisions to the Waste Prevention Rule in the Federal Register.

On July 30 – August 4, BLM-AK and BOEM will host acting Assistant Secretary for Lands and Minerals Kate MacGregor. The tentative itinerary involves tours on Alaska's North Slope, including the Trans-Alaska Pipeline System Pump Station 1, ConocoPhillips Alaska Inc. Alpine processing facility, Northstar Island offshore oil production facility, and overflight of the Arctic National Wildlife Refuge, as well as tours and briefings on the National Petroleum Reserve in Alaska, the legacy well program, and the BLM Alaska Fire Service.

In early August, OSMRE's Western Region plans to submit the Dry Fork Mine (WY) Mining Plan decision documents to OSMRE headquarters for review and approval by the ASLM. Western Fuels' Dry Fork mine is a surface mining complex located in Campbell County, WY that employs 82 people. Estimated production per year is 6 million tons.

On August 1, BOEM is tentatively scheduled to participate in a panel discussion at the "New York Clean Energy Standard—Opportunities and Challenges" in New York, NY. Darryl Francois, Engineering and Technical Review Branch will represent BOEM on the panel discussing opportunities and challenges for clean energy in New York.

On August 2, BLM-WO staff will meet with an International Visitor Leadership Program group hosted by the University of Montana at Main Interior. The University has requested that Secretary Zinke greet the group. Timothy Fisher, BLM program management analyst from the National Conservation Landscape Program, will meet with the group to discuss the BLM's multiple use mission and priority programs.

On August 3, BLM-NV's Las Vegas Field Office will hold a land sale under the Southern Nevada Public Land Management Act (SNPLMA) in Las Vegas. The BLM proposes to offer for competitive sale 81.25 acres of public land in 17 parcels. In accordance with SNPLMA, funds generated by the sale will be used for projects such as the development of parks, trails, and natural areas, capital improvements on Federal lands, acquisition of environmentally sensitive land, and Lake Tahoe restoration projects.

On August 4, BOEM plans to publish the NOA for the Gulf of Mexico Geological and Geophysical Final EIS and MMPA Petition. BOEM must file the Final EIS with the Environmental Protection Agency by July 28. The Record of Decision and associated NOA must publish in the *Federal Register* no later than September 22, in order to meet the court ordered schedule designated in the settlement agreement.

On August 10, OSMRE's Western Region anticipates releasing for public comment a draft EIS for Western Energy Company's Rosebud Coal Mine Area F, located near Colstrip, MT. The proposed permit area for Area F would add 6,746 acres to the 25,576-acre surface coal mine. The mine currently employs 400 people, and produces 12.3 million tons per year.

In mid to late August, OSMRE's Western Region plans to submit the Belle Ayr Mine's Mining Plan decision documents to OSMRE headquarters for review and approval by the ASLM. Contura Coal West, LLC's Belle Ayr Coal Mine is a surface coal mine located in Campbell County, WY. The mine employs 259 people and produces approximately 20 million tons of coal per year.

On August 18, the Vegas to Reno off-road race will take place in NV. The race is the longest off road event in the U.S. and the course runs 550 miles, including sections on BLM-NV managed public lands.

During the week of August 21, OMB examiners are tentatively planning to visit field locations in North Dakota and Wyoming to observe BLM oil, coal, and wind energy activities; with special interest in the Bakken, Powder River Basin, and wind energy efforts in Wyoming. Participants will likely include Mike Hagan and Ben Burnett (OMB), Bill Gordon (POB), and Linda Smith (BLM-WO Budget Officer).

On August 22 – 24, BLM wild horse and burro program staff will participate in the National Wild Horse and Burro Summit in Salt Lake City, UT. Participants will discuss science, policy, resource impacts, and management options for on- and off-the-range populations. Secretary Zinke has been invited to speak. Other participants may include state partners and special interest groups.

On August 23 - 24, 2017, OSMRE's Mid-Continent Region (MCR) will hold an All-States Meeting, in Kansas City, MO. The meeting allows the MCR and its 11 states to exchange information on updates to regulations, policies, trends, technology, grants, personnel and budget issues.

On August 22, BSEE Director Scott Angelle will speak at the Deepwater Technology Symposium in New Orleans, and then hold various stakeholder meetings in the Gulf region.

In early September, OSMRE's Western Region plans to submit the Cordero Rojo Mine's Mining Plan decision documents to Headquarters for review and approval by the ASLM. Cloud Peak Energy's Cordero Rojo Mine is a surface mine located in Campbell County, WY. The mine employs 383 people and produces approximately 20 million tons of coal per year.

In early September, OSMRE's Western Region plans to submit the Bridger Mine Mining Plan decision documents to Headquarters for review and approval by the ASLM. The Bridger Coal Company's Bridger Mine is an underground mine located in Sweetwater County, WY that employs 540 people. If the modification is approved, production is estimated to be 2.24 million tons per year.

On September 19, BSEE Director Scott Angelle will speak at the Louisiana Oil and Gas Association's annual meeting in Lafayette, LA.

On September 20, BSEE Director Scott Angelle will speak at the Center for Offshore Safety's Annual Forum in Houston, TX.

## **Assistant Secretary Policy, Management and Budget**

**OMB Travel.** Anna Naimark, Interior Branch Indian Affairs Examiner, is planning to travel to Arizona the week of July 24 to attend the Office of Policy Analysis Indian Economic Development Data Workshop, TIBC, and visit other BIA sites. The Office of Budget is working on details.

Craig Crutchfield, Interior Branch Chief, will travel to Oregon August 14-18 to visit FWS, NPS, and BLM sites. Details are still being finalized. Olivia Ferriter, DAS-BFPA, will accompany him on the trip.

Mike Hagan and Ben Burnett, Interior Branch Examiners, are planning to travel to Montana and North Dakota the week of August 21 to review energy programs. The Office of Budget is working on details.

**Office of Wildland Fire Meetings, July 17-19, 2017.** Office of Wildland Fire Director Bryan Rice will travel to Boise, Idaho to meet with the Deputy Assistant Secretary for Lands and Minerals and Director of the Bureau of Land Management. Leadership will meet with the DOI Fire Directors, receive a National Multi-Agency Coordinating Group briefing, discuss the DOI Medical Standards Program, and tour the National Interagency Fire Center.

**U.S. Coral Reef Task Force Meeting, August 7-12, 2017.** The Office of Policy Analysis (PPA), the NOAA Coral Reef Conservation Program, and the State of Florida are coordinating the U.S. Coral Reef Task Force (USCRTF) biannual meeting to be held in Ft. Lauderdale, with a public Business Meeting to be held on August 11. The Governor of Florida will host the meeting and will tentatively make remarks at the Business Meeting. The theme of the meeting is "Healthy Reefs for a Healthy Economy" and the focus of discussion will be on the value of coral reefs and local actions taken to address key issues in the Florida reef tract. The meeting will include several progress reports on implementation of the USCRTF Strategy and FY16-20 Framework for Action.

**Border Security Forum, Tucson, AZ, September 2017.** A border wide leadership meeting on southwest border security and environmental protection is still expected to take place in Tucson, AZ (date TBD). Planning for possible new border security infrastructure is expected to be the

main focus of the meeting. Senior officials at DOI, CBP, U.S. Border Patrol and USDA Forest Service are expected to attend.

### **New Government Accountability Office (GAO) Audits**

**Assessing Technologies That Can Help Reduce the Agricultural Sector's Impact on Water Supplies (Job Code 102103).** Per request from Ranking Member Raul Grijalva of the House Committee on Natural Resources, and Sen Edward Markey, GAO will review: (1) technologies that reduce agriculture's demand on water supplies; (2) technologies that reduce the negative impact of agricultural runoff into water supplies; and (3) impact adopting these technologies has in areas experiencing water scarcity. The entrance with the United States Geological Survey) and the United States Bureau of Reclamation not scheduled.

### **GAO Entrance Conferences.**

**GAO DATA Act Review Entrance Conference.** The Department received notification of a GAO review that will examine the implementation of the Digital Accountability and Transparency Act. GAO's objectives are to: (1) assess the completeness, timeliness, and accuracy of selected data elements submitted by agencies under the DATA Act for display on USASpending.gov or successor system, and (2) assess OMB and Treasury's progress toward addressing issues related to implementation of the DATA Act. The Department has begun receiving requests for information related to this review and is preparing the first required submission, which is due July 7, 2017. The review is expected to complete by November 8, 2017.

### **Recent Draft GAO Reports (Per GAO, distribution is highly restricted)**

**Small Business Contracting: Actions Needed to Demonstrate and Better Review Compliance with Select Requirements for Small Business Advocates (GAO-17-675).** Per request from the Chair of the House Committee on Small Business, GAO reviewed the compliance of selected Federal agencies to Section 15(k) of the Small Business Act, which requires Federal agencies with procurement powers to establish an Office of Small and Disadvantaged Business Utilization to advocate for small businesses. GAO issued the draft report June 26 and is recommending those agencies (including the Department) which do not demonstrate compliance with section 15(k) requirements should comply or report with Congress on why they have not complied and seek any statutory flexibility or exceptions believed appropriate. The response is due July 24.

### **Recent Draft OIG Reports**

**Evaluation of USGS Scientific Collection Management Policy (2016-ER-057).** The OIG reviewed the current policies of the USGS for managing its scientific collections. The OIG reviewed these policies for consistency with established Department policies and compared them with those of the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). The OIG found USGS scientific collection management policies are not consistent with DOI policies as defined in the Department Manual and are not comparable to policies of the other two

bureaus. In addition, the OIG found USGS did not have a final policy on the management of its biologic specimens. The OIG issued the draft report June 21 with one recommendation to USGS. The response is due August 7.

### **Recent Final OIG Reports**

**Verification Review – Recommendations for the Report, U.S. Department of the Interior’s Underground Injection Control Activities (Report No. CR-EV-MOA-0006-2012), Report No. 2017-EAU-017.** The OIG completed a verification review June 21, 2017, of 18 of the 23 recommendations presented in its March 2014 evaluation report, “U.S. Department of the Interior’s Underground Injection Control Activities” (CR-EV-MOA-0006-2012). Based on the review, the OIG concluded 11 recommendations have been resolved and implemented. The OIG determined seven recommendations, impacting the Office of Insular Affairs, the Bureau of Land Management, USBR, NPS, and FWS have not been fully implemented. The Office of Financial Management is requested to reopen these recommendations for additional remediation activities.

### **Rules and Regulations for Publication in 2017**

**(Update) AA20: Repeal of Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform final rule.** The Office of Natural Resources Revenue (ONRR) published the proposed rulemaking in the Federal Register on April 4, 2017, and the comment period closed May 4, 2017. We received and posted 95 public comments for the proposed rulemaking. Also, we received approximately 2,269 “standard form” public comments. We plan to publish the Repeal rule by July 14 or September 14, 2017, depending whether or not OMB chooses to review the rule. The rule is with the Office of the Solicitor for a comprehensive review.

### **Assistant Secretary for Water and Science**

The afternoon of July 24, Acting AS/WS Scott Cameron and AS/WS Advisor Ryan Nichols will host the quarterly DOI Urban Team meeting. Representatives from NPS, FWS, USGS, and Reclamation have been meeting quarterly for the last three years to share information about respective bureau work in cities to encourage collaboration and, most importantly, leveraging funding and expertise in urban areas, where it is expensive to operate. The Team will be focusing efforts and resources on four cities over the next 2-3 years: Albuquerque, San Antonio, NW Indiana area, and New York City.

The morning of July 24, the District Department of Transportation’s Green Infrastructure Director will host W&S, FWS, USGS, The Conservation Fund, American Forests, Bradley Site Design, and EPA at a green infrastructure project site visit featuring restoration and stormwater management components. This tour is part of the Anacostia Urban Waters Federal Partnership, a coalition of 14 federal agencies working collectively with local partners in 19 cities to restore urban waters and the surrounding lands.

In August, USGS and W&S will select projects for four Urban Waters Federal Partnership locations. In the 2017 budget omnibus, Congress dedicated \$717K of USGS funds for Urban

Waters-focused projects. USGS has been working with local city partners to identify high priority, water-related projects to implement.

**To:** Caroline Boulton[caroline\_boulton@ios.doi.gov]; Aaron Thiele[aaron\_thiele@ios.doi.gov]; Rusty Roddy[russell\_roddey@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Downey Magallanes[downey\_magallanes@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-07-25T20:02:55-04:00  
**Importance:** Normal  
**Subject:** Fwd: Gold Butte National Monument supporters round table list and new point of contact  
**Received:** 2017-07-25T20:03:32-04:00

I dont have access to edit the document so I am forwarding the list of attendees for the Friends of Gold Butte.

Tim Williams

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

**From:** **Jaina Moan** <jaina@friendsofgoldbutte.org>  
**Date:** Tue, Jul 25, 2017 at 5:19 PM  
**Subject:** Gold Butte National Monument supporters round table list and new point of contact  
**To:** Timothy Williams <timothy\_williams@ios.doi.gov>  
**Cc:** Downey Magallanes <downey\_magallanes@ios.doi.gov>, Caroline Boulton <caroline\_boulton@ios.doi.gov>, "Funes, Jason" <jason\_funes@ios.doi.gov>, Jocelyn Torres <jocelyn@conservationlands.org>

Hi Tim and Rusty,

Pasted below is the list of people who we have invited to our roundtable meeting. Please note that we are waiting to hear back from several people on this list. I know the list is long now, but it is likely that several folks are out of town.

Also, I want to connect you to Jocelyn Torres. I will be out of contact starting on Friday, 7/28 and Jocelyn will be the point of contact for our supporters round table meeting. Her contact information is provided below and I copied her on this email.

Jocelyn Torres  
702-767-2089  
[jocelyn@conservationlands.org](mailto:jocelyn@conservationlands.org)

I regret that I am not able to make it to the meeting. I was looking forward to welcoming Secretary Zinke to Nevada but I will certainly be there in spirit--Gold Butte National Monument is an amazing place, truly deserving of its designation under the Antiquities Act.

First	Last	Affiliation
Greg	Anderson	Moapa Band of Paiutes
Jim	Boone	Friends of Gold Butte
Tim	Buchanan	Barrick Gold
Clair	Christensen	Mesquite resident and FoGB member



Betty	Conway	Nevada Site Steward program coordinator for Gold Butte; jeeper
Catherine	Cortez Masto	U.S. Senator, Nevada (or staff representative)
Darren	Daboda	Moapa Band of Paiutes
Linda	Faas	Gold Butte Site steward
Chris	Giunchigliani	Clark County Commissioner, District C
Frank	Golden	Veteran and Friends of Gold Butte volunteer, plant team
John	Hiatt	Friends of NV Wilderness
Susan	Holecheck	Former Mesquite Mayor
Ron	Hunter	Patagonia
Marilyn	Kirkpatrick	Clark County Commissioner, District B
John	Lacenski	Dessert Fossils Hiking Club
Andy	Maggi	Nevada Conservation League
Olivia	Manz	Office of Ruben Kihuen, Rep. District 4
Elise	McAllister	Partners in Conservation
Jenna	Morton	Morton Group
Patrick	Naranjo	Multi Cultural Center Coordinator, UNLV
Sandra	Ramaker	Former VVWD Board member
Eric	Roberts	Friends of NV Wilderness and local southern NV business voice, owner of S&H Architecture
Steve	Rowland	UNLV geology professor
Terri	Rylander	Friends of Gold Butte Vice Chair, owner of Advanced Marketing Collateral, and President of Mesquite Senior Games
Vickie	Simmons	Moapa Band of Paiutes
John	Taing	Office of Ruben Kihuen, Rep. District 4
Dina	Titus	Rep. District 1 (or staff representative)
Jocelyn	Torres	Conservation Lands Foundation
Benny	Tso	Las Vegas Paiute Tribe
Virginia	Valentine	Nevada Resort Association

Thank you.

Jaina Moan  
Executive Director  
Friends of Gold Butte  
702-208-8377  
[www.friendsofgoldbutte.org](http://www.friendsofgoldbutte.org)

--

**Department Of The Interior**

External and Intergovernmental Affairs

Tim Williams

Work: 202-208-6015

email:[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

**To:** Valerie Smith[Valerie\_V\_Smith@ios.doi.gov]  
**From:** Williams, Timothy  
**Sent:** 2017-05-18T11:53:43-04:00  
**Importance:** Normal  
**Subject:** Fwd: FW: Your Comment Submitted on Regulations.gov (ID: DOI-2017-0002-0001) - CSNM comments  
**Received:** 2017-05-18T11:54:21-04:00  
[Chris Cadwell Comments on Proposed Monument Expansion..docx](#)  
[CSNM Expansion - AOCC Estimated Acres Report.docx](#)  
[CSNM Original and Expansion - AOCC Estimated Acres Report.docx](#)

Please print two copies of the attachments.  
Tim

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

**From:** Rocky McVay <[rocky@blupac.com](mailto:rocky@blupac.com)>  
**Date:** Thu, May 18, 2017 at 11:39 AM  
**Subject:** FW: Your Comment Submitted on Regulations.gov (ID: DOI-2017-0002-0001) - CSNM comments  
**To:** "Moses-Nedd, IEA\_Cynthia" <[iea-cynthia\\_moses-nedd@ios.doi.gov](mailto:iea-cynthia_moses-nedd@ios.doi.gov)>, "Williams, Timothy" <[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)>  
**Cc:** Chris Cadwell <[ccadwellconsulting@gmail.com](mailto:ccadwellconsulting@gmail.com)>

Cynthia and Tim,

Attached you will find comments from Chris Cadwell on the Cascade-Siskiyou National Monument Expansion. Below you will find his professional qualifications. Feel free to contact myself or Chris if you have questions. Thank you,

Rocky McVay

Executive Director

Association of O&C Counties

541-412-1624

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

Chris Cadwell

- Retired from BLM in 2012 after 33 years working in Western Oregon as a Forester and Senior Analyst.
- 10 years as a field forester and 23 years coordinating the development of forest management plans and policies for the BLM.
- Extensive background in the multiple resources of the O&C forest, and the Federal agencies which manage them.
- Staff consultant for AOCC since 2013.

On May 12, 2017, at 12:05 PM, Chris Cadwell <[ccadwellconsulting@gmail.com](mailto:ccadwellconsulting@gmail.com)> wrote:

Rocky – I sent in my personal comments I gave to Merkley as well as the two reports I generated to support my additional comment that the public did not have the basic facts on the implications of the expansion.

- Chris

From: Regulations.gov [mailto:[no-reply@regulations.gov](mailto:no-reply@regulations.gov)]  
Sent: Friday, May 12, 2017 12:03 PM  
To: [ccadwellconsulting@gmail.com](mailto:ccadwellconsulting@gmail.com)  
Subject: Your Comment Submitted on Regulations.gov (ID: DOI-2017-0002-0001)

Regulations Logo <[https://www.regulations.gov/images/logo\\_sm.gif](https://www.regulations.gov/images/logo_sm.gif)>

Please do not reply to this message. This email is from a notification only address that cannot accept incoming email.

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Your comment may be viewable on Regulations.gov once the agency has reviewed it. This process is dependent on agency public submission policies/procedures and processing times. Use your tracking number to find out the status of your comment.

Agency: Department of the Interior (DOI)

Document Type: Nonrulemaking

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

Document ID: DOI-2017-0002-0001

Comment:

The attached file contain the comments I sent to Senator Merkley during the recent expansion of the Cascade National Monument. In addition to my initial comments I want to add this was not an open process and the implications of the designation were not fully developed and made available to the public. I am a consultant for the Association of O&C Counties. Given the lack of information on the effects of the expansion I did some analysis to provide AOCC a report on the basic facts on the expansion. There was no comparable information made available by Senator Merkley and the proponents of the monument.

Chris Cadwell

Retired BLM Forester and Senior Analyst

[CCadwellconsulting@gmail.com](mailto:CCadwellconsulting@gmail.com)

Uploaded File(s):

- \* Chris Cadwell Comments on Proposed Monument Expansion..docx
- \* CSNM Original and Expansion - AOCC Estimated Acres Report.docx
- \* CSNM Expansion - AOCC Estimated Acres Report.docx

This information will appear on Regulations.gov:

None of the information will appear on Regulations.gov

This information will not appear on Regulations.gov:

First Name: Chris

Last Name: Cadwell

ZIP/Postal Code: 97478

Email Address: [ccadwellconsulting@gmail.com](mailto:ccadwellconsulting@gmail.com)

For further information about the Regulations.gov commenting process, please visit <https://www.regulations.gov/faqs>.

--

**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

Cell: (202) 706-4982

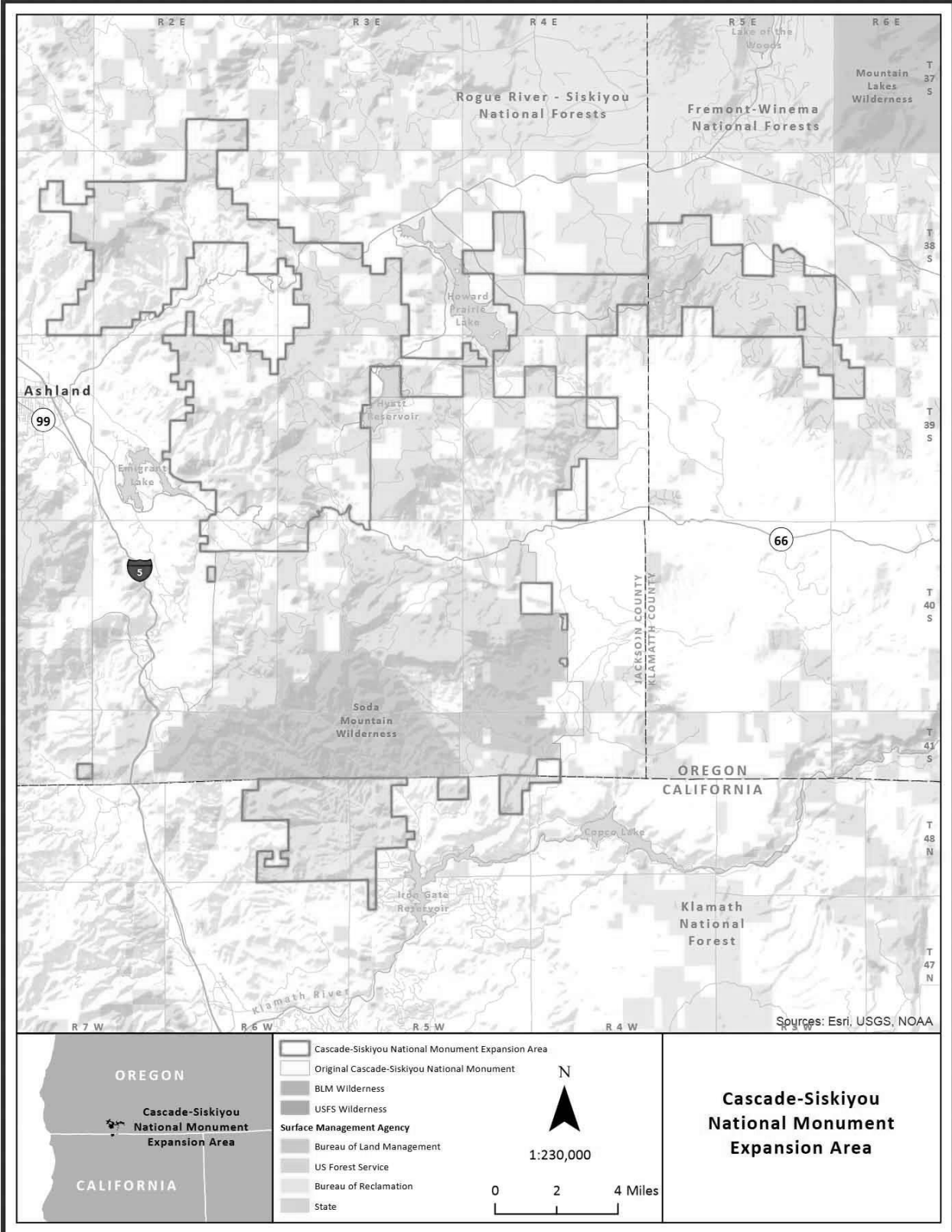
# Cascade Siskiyou National Monument Expansion

## AOCC Estimated Acres by District and County – January 13, 2017

The expansion of the Cascade Siskiyou National Monument was finalized by President Obama on January 12, 2017. The map provided in the press release was used along with data for the BLMs lands by AOCC staff to make the estimates in this report. This report only covers the expansion on the BLM Lands in the state of Oregon.

### Key Points

- The expansion is 42,600 acres. This is 10,500 acres less than the original proposal.
- 30,700 acres are in the Medford District / Jackson County
- 11,900 acres are in the Klamath Falls Resource Area / Klamath County.
- 40,400 acres are O&C Lands – 95% of the Monument Expansion.
- 35,500 acres of the O&C Lands are classified as forested / timber lands.
- 17,000 acres will no longer be managed for sustained yield objectives with the Monument designation. This is a reduction in the harvest land base by 5% for the Medford District and by 24% for the Klamath Falls Resource Area.
- Given that revenues generated from timber sales are shared this reduction in the sustained yield land base affects all 18 O&C counties.





<b>Cascade Siskiyou National Monument Expansion</b>			
Estimated Acres - 1/13/2017			
	Klamath Falls Resource Area	Medford District	Total
<b>District Gross Acres</b>			
Total District Gross Acres	52,300	806,700	858,900
Monument Expansion Acres	11,900	30,700	42,600
Percent of Total Acres	23%	4%	5%
Expansion Change from Proposed	-3,700	-6,800	-10,500
<b>County / Land Status Gross Acres</b>	Klamath	Jackson	Total
O&C	11,900	28,500	40,400
Public Domain	-	2,100	2,100
Monument Expansion Acres	11,900	30,600	42,500
O&C Change from Proposed	-3,600	-6,900	-10,500
<b>District/Harvest Land Base Acres</b>	Klamath Falls Resource Area	Medford District	Total
Outside Monument Expansion	28,100	176,100	204,200
Inside Monument Expansion	8,700	8,300	17,000
Total Harvest Land Base	36,800	184,400	221,200
Expansion Percent of HLB	24%	5%	8%
HLB Change from Proposed	-3,300	-2,000	-5,300
<b>O&amp;C Lands - Gross &amp; Forested Acres</b>	Klamath Falls Resource Area	Medford District	Total
Monument Expansion Gross Acres	11,900	28,500	40,400
Monument Expansion Forested Acres	11,300	24,200	35,500
Percent Forested	95%	85%	88%

**Note** – The reported acres are rounded to the nearest 100 acres which results in minor rounding differences in the totals.

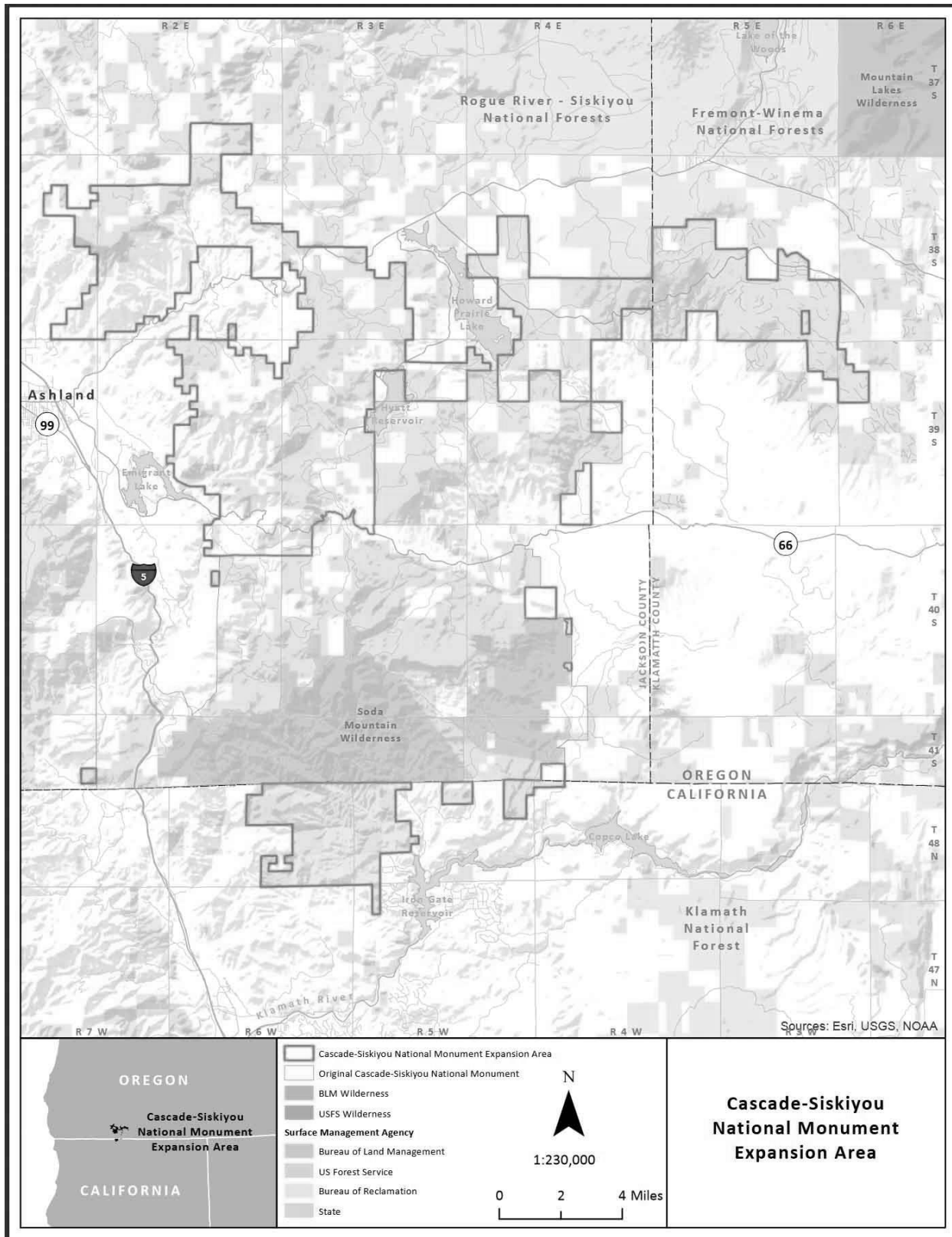
# **Cascade Siskiyou National Monument Expansion**

## **AOCC Estimated Acres by District and County – January 13, 2017**

The expansion of the Cascade Siskiyou National Monument was finalized by President Obama on January 12, 2017. The map provided in the press release was used along with data for the BLMs lands by AOCC staff to make the estimates in this report. This report only covers the expansion on the BLM Lands in the state of Oregon.

### **Key Points**

- The expansion is 42,600 acres. This is 10,500 acres less than the original proposal.
- 30,700 acres are in the Medford District / Jackson County
- 11,900 acres are in the Klamath Falls Resource Area / Klamath County.
- 40,400 acres are O&C Lands – 95% of the Monument Expansion.
- 35,500 acres of the O&C Lands are classified as forested / timber lands.
- 17,000 acres will no longer be managed for sustained yield objectives with the Monument designation. This is a reduction in the harvest land base by 5% for the Medford District and by 24% for the Klamath Falls Resource Area.
- Given that revenues generated from timber sales are shared this reduction in the sustained yield land base affects all 18 O&C counties.



<b>Cascade Siskiyou National Monument Expansion</b>			
Estimated Acres - 1/13/2017			
	Klamath Falls Resource Area	Medford District	Total
<b>District Gross Acres</b>			
Total District Gross Acres	52,300	806,700	858,900
Monument Expansion Acres	11,900	30,700	42,600
Percent of Total Acres	23%	4%	5%
Expansion Change from Proposed	-3,700	-6,800	-10,500
<b>County / Land Status Gross Acres</b>	Klamath	Jackson	Total
O&C	11,900	28,500	40,400
Public Domain	-	2,100	2,100
Monument Expansion Acres	11,900	30,600	42,500
O&C Change from Proposed	-3,600	-6,900	-10,500
<b>District/Harvest Land Base Acres</b>	Klamath Falls Resource Area	Medford District	Total
Outside Monument Expansion	28,100	176,100	204,200
Inside Monument Expansion	8,700	8,300	17,000
Total Harvest Land Base	36,800	184,400	221,200
Expansion Percent of HLB	24%	5%	8%
HLB Change from Proposed	-3,300	-2,000	-5,300
<b>O&amp;C Lands - Gross &amp; Forested Acres</b>	Klamath Falls Resource Area	Medford District	Total
Monument Expansion Gross Acres	11,900	28,500	40,400
Monument Expansion Forested Acres	11,300	24,200	35,500
Percent Forested	95%	85%	88%

**Note** – The reported acres are rounded to the nearest 100 acres which results in minor rounding differences in the totals.

# Cascade Siskiyou National Monument Original & Expansion

## AOCC Estimated Acres by District – January 24, 2017

<b>District Gross Acres</b>	Klamath Falls Resource Area	Medford District	Total
Total District Administrated Lands	52,300	806,700	858,900
Clinton Monument Designation		52,900	52,900
Obama Monument Expansion Area	11,900	30,700	42,600
CSNM - Total Gross Acres	11,900	83,600	95,500
	23%	10%	11%
<b>Forested Acres</b>	Klamath Falls Resource Area	Medford District	Total
Clinton Monument Designation		43,400	43,400
Obama Monument Expansion Area	11,300	24,200	35,500
CSNM - Total Forested Acres	11,300	67,600	78,900
<b>O&amp;C - Forested Acres</b>	Klamath Falls Resource Area	Medford District	Total
Clinton Monument Designation		33,900	33,900
Obama Monument Expansion Area	11,300	24,200	35,500
CSNM - Total O&C Forested Acres	11,300	58,100	69,400
Forested - Gross less roads and non-forest			
<b>O&amp;C - Sustained Yield Forested Acres</b>	Klamath Falls Resource Area	Medford District	Total
Clinton Monument Designation		23,200	23,200
Obama Monument Expansion Area	11,100	20,900	32,000
CSNM - Total O&C Forested Acres	11,100	44,100	55,200
SY Forested = Forested less TPCC nonsuitable woodlands, low site, and noncommercial forest			

Note

- All of the area in the Klamath Resource Area is in Klamath County.
- All of the area in the Medford District is in Jackson County.

## **Links - Clinton Designation**

[BLM Fact Sheet](#)

[2008 Management Plan / ROD](#)

[Clinton Proclamation June 9 2000](#)

[BLM CSNM Web Site](#)

[BLM CSNM & Soda Mountain Wilderness Web Page](#)

[BLM Visitor Guide - Map](#)

**To:** Bowman, Randal[[randal\\_bowman@ios.doi.gov](mailto:randal_bowman@ios.doi.gov)]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-27T10:51:53-04:00  
**Importance:** Normal  
**Subject:** Fwd: Walden CSNM letter  
**Received:** 2017-05-27T10:52:00-04:00  
[2017\\_05\\_24--GW Ltr Zinke Monument Review.pdf](#)  
[05-02-17 letter to Antiquities Act Committee in opposition to national m....pdf](#)  
[2017\\_OCA Ltr Cascade Siskiyou.docx](#)  
[2017\\_OFB Ltr Cascade Siskiyou.pdf](#)  
[AOCC CSNM Review Ltr.pdf](#)  
[Jackson County OR Testimony - Antiquities Act.pdf](#)  
[Letter to Zinke CSNM Executive Order review 5-2-17.pdf](#)  
[Monument Testimony.pdf](#)  
[PLC Ntl Monument Cong Test 5-17.pdf](#)

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

**From:** **Bushue, Riley** <[Riley.Bushue@mail.house.gov](mailto:Riley.Bushue@mail.house.gov)>  
**Date:** Fri, May 26, 2017 at 10:10 AM  
**Subject:** Walden CSNM letter  
**To:** "Micah Chambers ([micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov))" <[micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)>, "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>

Micah and Downey – Ahead of our pending meeting to discuss the Cascade-Siskiyou National Monument, I wanted to share the attached letter from Greg to the Secretary on the monument. Included are several other letters on the monument we've collected from counties, constituents and other stakeholders affected by the monument designation and expansion. Let me know if you have any questions.

Looking forward to getting a meeting set with you both to discuss this all further.

Thanks!

Riley

--

Downey Magallanes  
Acting Deputy Chief of Staff  
Senior Advisor and Counselor

[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)

202-501-0654 (desk)

202-706-9199 (cell)





# JACKSON COUNTY

Oregon

## Board of Commissioners

Rick Dyer (541) 774-6118  
Bob Strosser (541) 774-6119  
Colleen Roberts (541) 774-6117  
Fax: (541) 774-6705

10 South Oakdale, Room 214  
Medford, Oregon 97501

April 28, 2017

Chairman Rob Bishop  
House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, D.C. 20515

Re: House Natural Resource Committee, Subcommittee on Federal Lands Oversight Hearing-  
Examining the Consequences of Executive Branch Overreach of the Antiquities Act

Dear Chairman Bishop,

On January 12, 2017, President Obama issued an order significantly expanding the Cascade-Siskiyou National Monument in Southern Oregon to include an additional 48,000 acres and to expand the National Monument into Northern California. The issue of the expansion of the Cascade-Siskiyou National Monument was divisive in our local community, with both support and opposition being expressed prior to President Obama's order being issued. Prior to President Obama's order, United States Senators Jeff Merkley and Barbara Boxer sent a letter to then Secretary of the Interior Jewell expressing support for the expansion of the National Monument. The Senators further wrote that the expansion of the National Monument had wide spread local support in the community, including elected officials, private land owners and local Chambers of Commerce. However, we, the Jackson County Board of Commissioners, wrote a letter to then Secretary Jewell to clarify that while there was support in the community for the expansion of the National Monument, there was significant local opposition to any expansion of the National Monument, itself, and additional opposition to the process under which the then proposed expansion of the National Monument was being considered.

On October 27, 2016, we as a Board, held a public hearing to provide a venue for members of the public to express their opinions on the proposed expansion. During the hearing, and in written statements received by the County, a significant portion of the local population, including elected officials whose local governments would be directly impacted by any expansion, business owners, the largest Chamber of Commerce in the area and many others expressed strong opposition to the then potential expansion. Although numerous objections to the then proposed expansion were identified at the hearing and submitted as written, three objections stood out:

- 1) The legal and economic impact of expanding the National Monument to include 50,900 acres of lands which are subject to the Oregon & California Revested Lands Sustained Yield Management Act of 1937 ("O&C Act"), out of a total of 53,100 acres.
- 2) Negative impacts from the proposed expansion to recreation, private business, public safety, water rights and private property rights.
- 3) The lack of consensus behind the "science" cited as justification for the proposed expansion.

President Obama's order expanding the National Monument did not address or ameliorate any of these concerns and they remain.

First, the expansion of the National Monument into lands subject to the O&C Act creates a situation in which the management of those lands pursuant to the requirements of the Antiquities Act directly conflicts with the mandate for the management of those lands as required by the O&C Act. The O&C Act requires that the lands be managed for permanent forest production and the timber thereon shall be sold, cut and removed in conformity with the principle of sustained yield. In contrast, the Antiquities Act requires that lands be administered to conserve the scenery and the natural objects in such a manner as will leave them unimpaired for the enjoyment of future generations. Thus, there is an inherent conflict in mandates for land management. The Solicitor General for the Department of the Interior previously affirmed that the President lacks authority under the Antiquities Act to include lands subject to the O&C Act in any monument designation (M.30506). Further, Jackson County, and the other counties identified in the O&C Act, have a vested property interest in the shared revenue from harvest of timber on lands subject to the O&C Act. The process leading up to the expansion did not take into adequate consideration or respect of those counties' interests. Nor, did the process provide the affected counties a reasonable opportunity to be heard as to the impacts of the expansion on their interests under the O&C Act.

Second, local negative impacts from the expansion remain varied and vast. They include but are not limited to, financial, wild-fire protection, and access for all potential uses. The inclusion of the lands subject to the O&C Act into the National Monument will significantly impact the ability of all counties involved to provide basic services to the citizens of our communities and visitors. The revenue produced by timber production on the lands subject to the O&C Act is shared with 18 counties whose lands lie under the O&C Act. Those counties use that revenue to pay for basic services to their citizens. By expanding the National Monument into lands subject to the O&C Act and managing those lands "to conserve the scenery" and leave them "unimpaired for the enjoyment of future generations," the revenue required by local counties to provide basic services ceases to be received as timber will no longer be produced on those lands and there is no revenue to share with those counties. As these lands are all owned by the federal government and no property taxes are currently paid to the counties to fund basic services, we as a county are left with fewer and fewer dollars to support the basic services we provide to our citizens and the visitors to our communities on the lands included in the proposed expansion and throughout the remainder of the counties. This is a significant financial impact.

Further, the expansion of the National Monument dramatically reduces access to those lands for both public and private entities and citizens. Numerous individuals representing timber production companies, ranchers and other businesses reliant upon access to the public lands included in the proposed expansion testified at our public hearing that inclusion of the lands would dramatically impact their welfare. One rancher testified that he leases 360 acres of grazing lands within the existing National Monument, but because of restrictions on transportation on roads in the National Monument, he is unable to profitably access his grazing lands. He estimated a loss of nearly \$170,000 a year in income due to his inability to access his leasehold through the then existing National Monument. Expansion of the National Monument only increases the difficulty he and other ranchers would have to access their leased and grazing allotment rights. Grazing which they cannot profitably access is not worth anything, even if there are technical rights to graze. Compounding on the access issue for businesses, road closure severely hampers the ability of local governments to respond to emergencies which may occur within the lands of the expanded National Monument. Access for wildfire protection, public safety, and search and rescue become severely impaired as roads become closed because the federal agency lacks the resources to maintain roads within National Monuments. This lack of resources to repair and maintain roads by the agencies has been presented to our Board multiple times in their effort to justify the closure of hundreds of miles of roads on public lands and this expansion only exacerbates the problem.


Third, the proposed expansion was presented by supporters as “Science-Based”. We have not received copies of any scientific research or report. What we do know is that in the past, for other Federal actions, the Bureau of Land Management (BLM) has conducted Environmental Impact Statements in conjunction with the US Fish and Wildlife Service, and provided Jackson County with their scientific outcomes. Not one of these reports identified issues that would warrant or recommend the proposed expansion as a solution. The Federal agencies have collectively been studying these specific lands to develop a management strategy since 2005. Those efforts were conducted with full public disclosure, as National Environmental Protection Agency requires, publishing the science that was considered, and providing multiple opportunities for public input. In contrast, the very recent expansion of the National Monument had no comparable public disclosure of the implications of expanding The Monument. Additionally, a long time BLM employee provided testimony and a statement, included with this letter, that the expansion was not scientifically supported.

Moreover, the expansion does not comply with the policy set forth in President Trump’s April 26, 2017 Executive Order on the Review of Designations Under the Antiquities Act. The Order emphasizes the importance of “public outreach and proper coordination with . . . local officials,” in order to avoid creating barriers to achieving energy independence, restricting public access and use of Federal lands, burdening local governments, and otherwise curtailing economic growth when expanding monument designations. The process leading up to the Cascade-Siskiyou National Monument expansion did not include proper coordination with Jackson County, and the result is an expansion that will significantly burden the County and curtail economic growth.

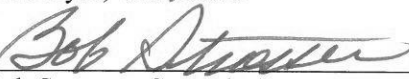
Finally, enclosed with this letter are copies of written statements and a transcript of verbal testimony from our public hearing. As you can see, the majority of the people who live, work and play in this area of Southern Oregon were opposed to the expansion. Jackson County requests that you please respect the interests of these citizens and consider action to protect these interests from this expansion and from any future potential expansion or creation of a National Monument.

Sincerely,

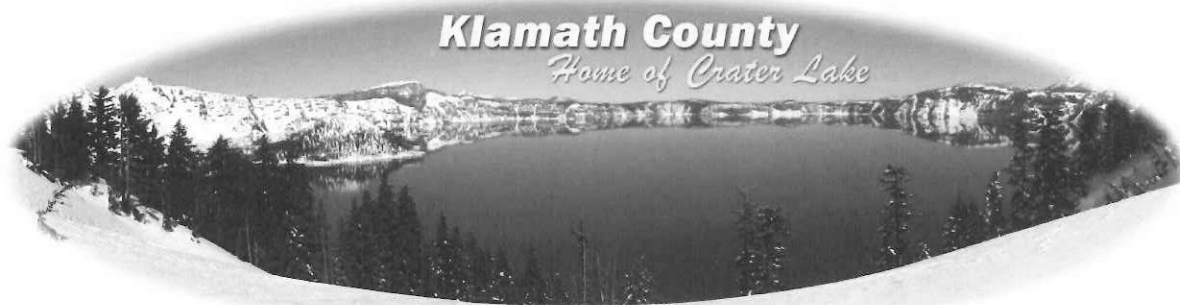
JACKSON COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Colleen Roberts, Chair

  
\_\_\_\_\_  
Rick Dyer, Vice Chair

  
\_\_\_\_\_  
Bob Strosser, Commissioner

- Cc:     Senator Wyden                     Representative DeFazio  
       Senator Merkley                 Representative Schrader  
       Representative Walden         Senator Boxer  
       Representative Bonamici       Aniela Butler  
       Representative Blumenauer     Christopher Marklund



**Klamath County Commissioners**

**Tom Mallams, Commissioner**  
Position One

**Kelley Minty Morris, Commissioner**  
Position Two

**Jim Bellet, Commissioner**  
Position Three

May 2, 2017

House Committee on Natural Resources  
Subcommittee on Federal Lands Regarding the Antiquities Act  
1324 Longworth House Office Building  
Washington D.C. 20515  
[Aniela.Butler@mail.house.gov](mailto:Aniela.Butler@mail.house.gov)

RE: Antiquities Act


Dear Committee Members,

We are writing this letter in opposition to the expansion of the Cascade-Siskiyou National Monument (CSNM). Taking more private land away from Klamath County and off our tax rolls is detrimental to the livelihood of our County and its citizens. We are also very concerned that the additional "non-management protections" placed on monument land would greatly increase the risk of catastrophic damage from wildfire. The monument expansion also removed private lands that are currently used for grazing cattle and ranching. Both are large industries in Klamath County that and are critical to our economic success.


Klamath County continues to struggle to fund basic services, due in part, to the large amounts of federal lands that are currently within our county. These lands are exempt from important taxation that funds vital services for our local government. Of the 53,100 acres in the proposal, 50,900 of those acres are O&C Lands with approximately 19,000 of those O&C acres being in Klamath County. Including O&C Lands in the proposed monument expansion goes against the very purpose of the O&C Act, "...to sustained timber yield production to generate revenue for the O&C Counties...".

We are not firmly opposed to all national monuments under the Antiquities Act, however, we are opposed to those that remove private lands from our residents causing a detrimental impact on our local economy.

Sincerely,

  
\_\_\_\_\_  
Donnie Boyd  
Commissioner

  
\_\_\_\_\_  
Kelley Minty Morris  
Chair

  
\_\_\_\_\_  
Derrick DeGroot  
Vice-Chair

hh

April 28, 2017

The Honorable Rob Bishop, Chairman  
US House of Representatives  
Washington, DC 20515

The Honorable Raul Grijalva, Ranking Member  
US House of Representatives  
Washington, DC 20515

Dear Chairman Bishop and Ranking Member Grijalva,

The future of the Cascade-Siskiyou National Monument area needs to be addressed. The national monument designation of 48,000 additional acres in January will have devastating effects on the farm, ranch and timber community. The monument, spanning nearly 87,000 acres, links the Cascade-Siskiyou National Monument to the Oregon Caves National Monument and the Siskiyou Wilderness Area.

Declaring a Cascade-Siskiyou National Monument was a good idea to some because it seems to have a positive connotation, but it is fundamentally irresponsible, as it works directly against the best interests of the local environment, community and the very industries that support the local economies.

Proponents of the monument maintain it would have no impact on private lands or landowners. Nothing could be further from the truth. The declaration of the monument has had a direct impact on the natural resource industry, which makes up much of the economy in Southern Oregon.

In parts of the proposed Cascade-Siskiyou National Monument, the land is checkerboarded, meaning it is intertwined with private property. Other private property is directly adjacent to those federal lands. There is no reasonable or realistic way to expect that those landowners will be able to continue operations as they current exist. The monument will result in decreased timber harvest, as well as reduced mining and motorized recreations opportunities.

I believe wild areas need to be protected, but maintaining healthy forests and other natural areas over the long haul is a complex process. To pillage an area and a state that is so desperately in need of jobs and dollars it is blatantly irresponsible.

Finally, as farmers and ranchers, we care deeply about the land. Not only to we live on the land, we enjoy and depend on it. At a time when we are desperately trying to revive our rural communities, this would be a huge stumbling block. If one can't provide for themselves or a family there is no hope of attracting youth back to this area. This has and will continue to further decimate a community.

Sincerely,

Barry Bushue  
President, Oregon Farm Bureau

Cc: The Honorable Greg Walden



May 5, 2017

Secretary Ryan Zinke  
Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

By Email and Regular Mail

Re: Request to Review the Cascade Siskiyou National Monument Pursuant to the Executive Order of the President Dated April 26, 2017

Dear Secretary Zinke:

This Association (AOCC) represents Counties in Western Oregon within which lie the O&C Lands, 2.1 million acres managed by the BLM that are legally unique, highly productive timberlands. These lands are managed under the O&C Act of 1937, 43 USC 1181a, and 50 percent of the revenue produced from the sale of timber is shared with the 18 O&C Counties pursuant to 43 USC 1181f. The O&C Lands are extremely important to the economic vitality of communities in Western Oregon. For a history of this unique category of BLM managed lands, please visit the AOCC website: <http://www.oandc.org/o-c-lands/history-of-o-c-lands/>.

AOCC appreciates President Trump's Executive Order of April 26, 2017, providing for review of certain monument designations previously made under the Antiquities Act. AOCC requests that the Cascade Siskiyou National Monument be reviewed pursuant that Executive Order. Section 2(a) of the Order provides as follows:

*"The Secretary of the Interior (Secretary) shall conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders . . . ."*

The Cascade Siskiyou National Monument (CSNM) meets both the acreage criterion and the lack of outreach and coordination criterion for automatic, mandatory review by you.

The CSNM was originally designated by President Clinton in 2000 and included 52,947 acres of federal lands in southern Oregon. Over the years the federal government acquired an additional 12,288 acres of private lands, bringing the total of federal lands within the CSNM to about 65,235 acres. Then, President Obama greatly expanded the CSNM on January 12, 2017. This

eleventh-hour action in the last days of the last administration added about 47,660 acres of BLM managed land to the CSNM (of which 5,341 acres are in California.) The total federal ownership within the CSNM after the expansion totals 112,895 acres. Thus, the CSNM "*designation after expansion covers more than 100,000 acres*" and review by you is mandatory pursuant to President Trump's Executive Order.

There was no opportunity for the public to speak on President Obama's proposed expansion until October of 2016, and by then it was very clear the administration was committed to granting the request of environmental organizations to expand the CSNM. There was no outreach of any kind to affected County governments. About 31,000 acres of the 2017 CSNM expansion are located in Jackson County, Oregon, and about 12,000 acres are within Klamath County, Oregon; both Counties are members of AOCC. These local governments have a multi-faceted stake in what occurs within their borders: interconnected road networks, law enforcement demands, search and rescue and other public safety services are all affected, as are impacts on economic opportunities and funding sources for county operations, yet the Obama administration never contacted the Counties to discuss the proposal. Thus, "*the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders*" and qualifies for automatic review by you pursuant to that criterion as well.

When a last minute public hearing was finally organized and an opportunity to speak out was afforded, albeit on short notice, AOCC actively opposed the expansion of the CSNM and in particular AOCC opposed inclusion of any O&C Lands in any national monument. Jackson and Klamath Counties did the same, as did hundreds of private individuals and groups.

Local concerns were ignored. Worse yet, the law was ignored. Commercial timber harvesting is specifically forbidden within the CSNM, a prohibition that is directly contrary to the mandate of Congress for management of O&C Lands. In 1937, the O&C Lands were specifically designated by Congress for sustained-yield timber production. Any of the O&C Lands classified as timberlands

*"\* \* \* shall be managed \* \* \* for permanent forest production, and the timber thereon shall be sold, cut and removed in conformity with the principal [sic] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities \* \* \*."* 43 USC §1181a.

The O&C Act goes on to require that "*timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained-yield capacity when the same has been determined and declared, shall be sold annually \* \* \*.*" 43 USC §1181a. The O&C Lands have a dominant use---timber production---that has been recognized many times by the federal courts. See, for example, Headwaters, Inc. v. BLM, Medford Dist., 914 F2d 1174, 1183-84 (9<sup>th</sup> Cir. 1990).

Because the CSNM designation ignores the pre-existing reservation of O&C Lands for timber production, and actually prohibits timber production, AOCC had no choice but to initiate litigation challenging the designation by filing its complaint in the District Court for the District of Columbia. A copy of the complaint is posted on the AOCC's website:  
[http://www.oandc.org/wp-content/uploads/001\\_Complaint-Civil-Cover-Sheet-Summons-x5.pdf.pdf](http://www.oandc.org/wp-content/uploads/001_Complaint-Civil-Cover-Sheet-Summons-x5.pdf.pdf)

Perhaps the most frustrating aspect of the decision to expand the CSNM is that the Department of the Interior (DOI) determined in 1940 that national monuments may not be designated on O&C Lands. According to the Solicitor for the DOI, the President lacks authority under the Antiquities Act to include O&C lands in a national monument. In Opinion M. 30506, the Solicitor advised the DOI Secretary as follows:

*"My Dear Mr. Secretary: My opinion has been requested as to whether the President is authorized to set apart certain [O. & C.] lands as an addition to the Oregon Caves National Monument. It is my opinion that the President does not have such authority.*

\* \* \*

*By the act of August 28, 1937 (50 Stat 874), Congress directed that certain of the lands (those heretofore or hereafter classified as timber lands and power-site lands valuable for timber) be managed "for permanent forest production and the timber thereon shall be sold, cut and removed in conformity with the principle of sustained yield." \* \* \**

*While the lands proposed to be added to the Oregon Caves National Monument have not yet been classified formally, I am advised by the Chief Forester, O. & C. Administration, that they are in fact timberlands.*

*It is clear from the foregoing that Congress has specifically provided a plan of utilization of the Oregon and California Railroad Company revested lands. \* \* \* It must be concluded that Congress has set aside the lands for the specified purposes.*

\* \* \*

*There can be no doubt that the administration of the lands for national monument purposes would be inconsistent with the utilization of the O. & C. lands as directed by Congress. It is well settled that where Congress has set aside lands for a specific purpose the President is without authority to reserve the lands for another purpose inconsistent with that specified by Congress." DOI Solicitor's Opinion M. 30506, March 9, 1940.*



AOCC Letter to Sec. Zinke

May 5, 2017

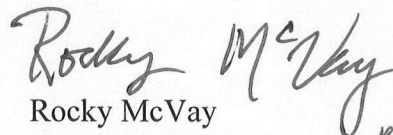
Page 4

The vast majority of O&C Lands included within the 2017 CSNM expansion are classified as timberlands and therefore beyond the President's authority under the Antiquities Act. Approximately 40,400 acres within the 2017 expansion area are O&C Lands, of which we estimate 35,500 are classified as timberlands and were therefore not eligible for inclusion in any monument.

Numerous judicial decisions have made clear that O&C Lands are dedicated to sustained yield timber production in order to generate revenue for the O&C Counties and to provide an economic base for local industries and communities. In this case, the 2017 CSNM expansion will reduce the timber available for mills and be a blow to local economies in Klamath and Jackson Counties, and as far away as Douglas County, which has mills that are within hauling distance of harvests that, but for the CSNM, would have taken place in the future. Apart from the harm to the private sector, Counties depend on shared timber receipts to pay for essential public services of all kinds, from public safety such as sheriff patrols and jails to public health programs and libraries. When O&C Lands are withdrawn from eligibility for timber management, there is a financial loss to County governments and a loss of services to local citizens. The impact is not just a local one---receipts produced by timber harvests anywhere on the O&C Lands are shared with all 18 O&C Counties, so a reduction in harvests in any one or two counties will adversely affect all 18 Counties.

We urge you to include the CSNM in your review, as required by President Trump's Order of April 26, 2017. When you are conducting your review, we would be happy to supply you with additional details and information about our concerns.

Very truly yours,

  
Rocky McVay  
Executive Director *By [initials]*

cc: Cynthia Moses-Nedd

**GREG WALDEN**  
SECOND DISTRICT, OREGON

**ENERGY AND COMMERCE**

SUBCOMMITTEES:  
COMMUNICATIONS AND TECHNOLOGY  
CHAIRMAN

E-MAIL VIA WEBSITE:  
<http://walden.house.gov>



**Congress of the United States**  
**House of Representatives**

May 24, 2017

WASHINGTON, DC OFFICE:  
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The Honorable Ryan Zinke  
Secretary  
U.S. Department of Interior  
1849 C Street, NW  
Washington, D.C. 20240

Secretary Zinke,

Thank you for including the Cascade-Siskiyou National Monument (CSNM) in your review of monument designations. Across the West, we've seen examples of designations that ignore local input and negatively impact surrounding communities. In Oregon we've watched those challenges evolve firsthand over the last 17 years with the CSNM. I'd like to share the concerns I've heard from constituents who had this monument forced upon them. As you conduct your review of the CSNM, I ask that you take these concerns into strong consideration.

The CSNM has been troubled by a lack of public input from the original designation by the Clinton Administration. The patchwork distribution of BLM and private lands in Southern Oregon meant the designation surrounded private landowners who were left with concerns about access, property values and other uncertainties. Ranchers in particular found themselves losing grazing permits that allowed their deeded ground to support their livelihoods. Eventually, I had to lead an effort in Congress to rectify these mistakes through land exchanges and the creation of the Soda Mountain Wilderness.

It was troublesome to watch the Obama Administration rush forward with the same flawed process: a predetermined outcome that ignored the realities on the ground and the input of those most directly affected. The results were predictable. Ranchers with deeded land and permits were once again caught in a lurch. Purchased timber sales in the process of being harvested were stopped and private timberland owners now have to worry about fire risks from unmanaged federal land. Local counties and other groups are pursuing litigation over the questionable legality of the most recent expansion's removal of more than 40,000 acres of unique O&C lands from their statutorily obligated roles – timber production, job creation and county revenue generation.

I have included copies of letters from a variety of stakeholders, many of whom felt left out completely from the designation process by the prior administration. These letters provide more details on how the expansion of the CSNM is having an impact on some of Oregon's rural communities and I ask you to strongly consider them in your review.

Once again, thank you for looking into the designation and expansion of the CSNM and I stand ready to assist you in this effort.

Best regards,

A handwritten signature in black ink that reads "Greg Walden". The signature is written in a cursive style with a large, sweeping initial "G".

Greg Walden  
Member of Congress

So Ducks!

## House Natural Resource Committee

The committee should take a hard look at both the process that produced the Cascade-Siskiyou Monument expansion and the actual expanded monument itself.

Process, supportive landowners were recruited early on in this effort. Landowners that were engaged in ranching in the area of the monument heard of the effort a few days before the first hearing. Those landowners arrived at the hearing seeing supporters wearing pre-ordered t-shirts.

There was not good information available to ranchers in the monument area as to what property was in or out, or what type of management changes were expected. It was a common theme, by involved politicians that grazing would be able to continue, but much of the supporting testimony came in the form of needing to protect the monument from current users, and that testimony came from those that had opposed grazing in the past.

Much was made of the fact that the monument was supported by local government, Ashland and Talent City councils, but the fact that all three county governments involved opposed the monument was not addressed.

The expansion itself, the science was supposed to be that the expansion would protect the region in the face of climate change. Yet no sound modeling was offered as to why management strategies that favor fuel build up would protect the region from wildfire, one of the major threats to maintaining biodiversity over time.

The shape of the expanded monument does not lend itself to viable management, the new part is fragmented and encompasses multiple ownerships. It would certainly appear the proponents of the monument are building a case to come back later and say that the current monument is unmanageable and the rest of the area must be blocked in.

The expansion includes O&C timber ground. Revenue from this ground is dedicated to the counties and most people familiar with O&C statute feel inclusion of those lands is not legal.

The expansion puts at risk several multigenerational family ranchers in the area that have done an excellent job up to now of managing this area for future generations. Through no fault of their own they are now in harms way for no good reason.

Please review this situation and proceed with the needed changes.

Thanks for your consideration

John O'Keeffe  
President  
Oregon Cattlemen's Association

May 2, 2017

House Committee on Natural Resources  
Subcommittee on Federal Lands

The Honorable Tom McClintock, Chair  
1324 Longworth House Office Building  
Washington, D.C. 20515

Dear House Committee on Natural Resources, Subcommittee on Federal Lands,

The Association of Oregon Counties represents all 36 Oregon county governments. Similar to Congress, AOC has wide diversities of opinion on public policy matters. Our members collectively have jurisdiction over the entire state, along with close relationships to the people and events that come with being local governments.

AOC has addressed the issue of the Antiquities Act and National Monuments by offering and supporting Platform Planks and policy Resolutions for the American County Platform (ACP) of the National Association of Counties (NACo). AOC considers NACo our national voice on many policy matters, including the subject at hand.

AOC strongly agrees with the following provisions of the ACP.

- NACo supports amending the **Antiquities Act** to provide transparency and accountability in the designation of national monuments. Federal consultation with state, county, and tribal governments should be required prior to the development and designation of any national monument. NACo supports special use designations of federal lands that are proposed by local residents and businesses, are consistent with existing land use policies, and are strongly supported by the affected stakeholders and counties in the area within which designations are proposed.
- **Special Use Designations:** Congress and federal agencies shall consult and confer with affected counties as early as possible when considering special land use designations that impact the use and status of public lands... Public hearings must be held in the counties affected by the proposed designation. There must be compliance with the requirements of the National Environmental Policy Act (NEPA).
- **Federal Land Ownership:** ... Acquisition of new land by any federal agency should be subject to consultation with the county in which the land is located. Extension of jurisdiction outside established management area boundaries such as integral vistas or buffer zones should meet the same criteria. Counties should be fully involved as affected partners in any process to consider the disposal, transfer or purchase of public lands or acquisition of private lands to become public within a county's jurisdiction. Counties should be given the opportunity to participate in the development of terms and conditions of any such proposal before it is carried out. Criteria for the transfer, sale or acquisition of public lands shall include consideration of fair market value, consultation with appropriate counties and jurisdictions, and public values. Additionally, NACo requests that federal land management agencies adopt policies that provide

real and substantial consideration of historic uses in project plans and environmental documentation, and commit project developers to providing mitigation for their loss.

In addition, AOC is disturbed that the recent expansion of the Cascade Siskiyou National Monument encompasses and encumbers 40,400 acres of O&C lands. These lands are already statutorily dedicated for the specific purpose of “permanent forest production, and the timber thereon shall be sold, cut and removed in conformity with the principal [*sic*] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries ...” 43 USC Sec. 1181a.

An Antiquities Act that conforms to the provisions of the NACo American County Platform quoted above would have addressed, and may well have corrected, the misapplication of that Act in the Cascade Siskiyou National Monument.

Sincerely,

A handwritten signature in black ink that reads "Bill Hall". The signature is written in a cursive, slightly slanted style.

Bill Hall  
President, Association of Oregon Counties  
Commissioner, Lincoln County



May 2, 2017

Secretary Ryan Zinke  
Department of the Interior  
1849 C Street, N. W.  
Washington, D.C. 20240

**Re: Executive Order on the Review of Designations Under the Antiquities Act**

Dear Secretary Zinke:

On behalf of the American Forest Resource Council (AFRC), congratulations on your nomination and confirmation as Secretary of the Interior. AFRC represents the forest products industry in Montana, Idaho, Washington, Oregon, and California, and we are eager to work with you and your team on federal land management issues. As you know, our federal forests provide tremendous potential to support rural jobs and communities if they are responsibly and actively managed.

**We write to urge you to include the Cascade-Siskiyou National Monument in your upcoming review of designations under the Antiquities Act.<sup>1</sup>**

We support President Trump's Executive Order because of our concerns regarding President Obama's 48,000-acre expansion of the Cascade-Siskiyou National Monument located in Southern Oregon and Northern California. The monument was initially established by President Clinton in 2000 using the Antiquities Act. These designations epitomize the lack of public outreach and public coordination that has been all too common with Presidential use of Antiquities Act authority. The designation and expansion of the Cascade-Siskiyou National Monument is also unique because it raises serious legal questions about the conflict between a clear congressional mandate for the lands in question and the administration authorities of the Antiquities Act.

Currently, there are three separate lawsuits challenging this midnight monument expansion, including one filed by AFRC.<sup>2</sup> While the Antiquities Act gives the President some discretion to designate national monuments under the specific guidelines of the Act, it clearly does not give the President power to override congressional mandates and intent. Unfortunately, the designation and expansion of the Cascade-Siskiyou National Monument does exactly that by

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<sup>1</sup> Executive Order 13792 of April 26, 2017, "Review of Designations Under the Antiquities Act." 82 Fed. Reg. 20,429 (May 1, 2017).

<sup>2</sup> *AFRC v. United States*, No. 1:17-cv-00441-RJL (D.D.C. filed on March 10, 2017); *Ass'n of O&C Counties. v. Trump*, No. 1:17-cv-00280-RJL (D.D.C. filed on February 13, 2017); *Murphy Co. v. Trump*, No. 1:17-cv-00285-CL (D. Or. filed on February 17, 2017).

unlawfully repurposing more than 40,000 acres of statutorily unique O&C Lands that have already been reserved by Congress for the explicit purpose of “permanent forest production . . . in conformity with the princip[le] of sustained yield,” under the O&C Act of 1937.

Some media reports have indicated the Cascade-Siskiyou National Monument is not on the list of designations to be reviewed because it does not meet the Executive Order’s review criterion. The Cascade-Siskiyou National Monument, however, meets the Executive Order’s threshold requirements and should be evaluated in the Department of the Interior’s interim and final report to the President. For your reference, we have included written comments from AFRC and Knox Marshall (Vice President of the Resources Division for Murphy Company) to the U.S. House Committee on Natural Resources Subcommittee on Federal Lands for the May 2, 2017 hearing on “Consequences of Executive Branch Overreach of the Antiquities Act.” Those written comments highlight the legal, ecological, economic, and social controversies of the monument expansion and how it is a quintessential example of the very abuse of power made by the previous administration that this Executive Order seeks to redress.

### **The Cascade-Siskiyou National Monument Meets the Executive Order’s Acreage Threshold**

The Executive Order applies to monuments that were designated or expanded since 1996 that cover more than 100,000 acres of federal land. On June 9, 2000, President Clinton issued Presidential Proclamation 7318 creating the original Cascade-Siskiyou National Monument by repurposing approximately 52,000 acres of federal land. Seventeen years later, on January 12, 2017, President Obama issued Proclamation 9564, titled Boundary Enlargement of the Cascade-Siskiyou National Monument. The area covered by President Obama’s proclamation was approximately 48,000 acres – nearly doubling the monument’s size – and included over 40,000 acres of O&C Lands expressly designated by Congress for sustained-yield timber production. The total acreage for the monument is 100,000 acres but could be larger. In fact, there is some debate over the total acreage of the Cascade-Siskiyou National Monument. Some sources have determined that President Obama expanded the Cascade-Siskiyou Monument from 65,000 acres to 113,000 acres, clearly over the Executive Order’s 100,000-acre threshold.<sup>3</sup> The lack of certainty on the exact size of the monument provides even more reason for the Department of the Interior to take a hard look at the original designation and expansion.

### **The Cascade-Siskiyou National Monument Was Expanded Without Adequate Public Outreach**

When the expansion was announced in January 2017 (just eight days before President Obama’s second term expired), the Oregon BLM – the agency responsible for managing the monument – did not know the exact boundaries of the expansion and could not produce a map when asked by the press. That is because the final decision was made in Washington, D.C., not driven by the local experts and agency scientists. I strongly encourage you and your team to interview the

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<sup>3</sup> See <http://www.opb.org/news/article/trump-order-national-monuments-could-affect-hanford-cascade-siskiyou/> (last visited May 1, 2017); [http://www.oregonlive.com/environment/index.ssf/2017/04/trumps\\_national\\_monument\\_revie\\_2.html](http://www.oregonlive.com/environment/index.ssf/2017/04/trumps_national_monument_revie_2.html) (last visited May 1, 2017) (noting that “Merkley’s office believed the monument was larger than 100,000 acres”).



local BLM staff to get their on-the-ground perspective about how the expansion will impact the Department's ability to responsibly manage these lands to respond to real threats like catastrophic fire, insect infestations, disease, and climate change.

Despite claims that extensive public input was considered in the 2017 monument expansion, President Obama's decision was made with almost no public outreach and coordination with relevant stakeholders – namely the surrounding counties whose economic vitality is directly implicated by the expansion.

The first public meeting regarding the proposed monument expansion was in October 2016, only a few months before Obama's proclamation. Neither the President nor Secretary of the Interior Sally Jewell visited or attended that public meeting. In an October 13, 2016 letter sent to Oregon Senators Ron Wyden and Jeff Merkley, AFRC outlined its concerns about the proposed expansion and the legal precedent of using the Antiquities Act to administratively withdraw productive timberlands from the statutory mandate of the O&C Act. The same letter was sent to Department of the Interior Deputy Secretary Michael Connor and Oregon Governor Kate Brown. No response was ever received and none of AFRC's concerns were addressed in the final designation.

For every supporter listed by proponents of the expansion, there is an extensive list of opponents, including Oregon and California U.S. Representatives, Oregon state representatives and state senators, and the Association of O&C Counties – which collectively represent hundreds of thousands of individuals who are directly and indirectly impacted by the designation. The full list of opponents is identified in AFRC's attached written comments.

If the expansion had provided adequate public involvement, the administration would have evaluated the environmental, economic and social impacts of the designation and disclosed that information to the public. If the expansion had proper coordination with location officials and other relevant stakeholders, the administration would have worked to ensure the designation balanced environmental conservation priorities with the economic and social needs of the surrounding rural communities, which suffer from chronic unemployment and lack of funding for public services. Instead, the administration ignored the concerns about the impacts to local communities, forest products infrastructure, and workers in its so-called "public process" and ultimately made a decision that will negatively impact the economic condition of communities that are already suffering significant hardship.

### **A Better Way Forward**

AFRC and its members care deeply about the health and sustainability of public forestlands. In fact, the business model and future success of AFRC members is *dependent* upon the responsible management, ecological health, and long-term sustainability of our national forests and BLM lands. No one appreciates the uniqueness of Southwest Oregon's forests – the forests in our backyard – more than our local members and the need to protect them for future generations.

A better approach to protecting these lands for current and future generations would be through an inclusive, transparent, public process that results in comprehensive legislation to tackle the ecological, economic, and social crises in Southwest Oregon. Only by taking a holistic approach

to land management and involving diverse stakeholders will we be successful in creating a durable, sustainable solution for these at-risk lands.

For the reasons articulated above, AFRC strongly supports executive review of the designation and expansion of the Cascade-Siskiyou National Monument to help restore trust between local communities and the federal government. Again, AFRC and its members remain committed to working with you, the Oregon and California congressional delegations, and local stakeholders to craft a scientifically-sound and broadly supported plan for the O&C Lands in Southwest Oregon.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Joseph". The signature is written in a cursive, flowing style with a prominent horizontal line at the top.

Travis Joseph  
President, AFRC

Enclosures (2)



**Testimony For The House Committee on Natural Resources  
Subcommittee on Federal Lands  
Regarding  
The Antiquities Act**

May 2, 2017

The Association of O&C Counties (AOCC) represents 17 Counties in Western Oregon that have a statutory interest in 2.1 million acres managed pursuant to the O&C Act of 1937, 43 USC 1181a-f. AOCC appreciates the inquiry of this Subcommittee regarding impacts of designation of national monuments under authority of The Antiquities Act of 1906, 16 U.S.C §§431-433. A recent example of overreaching under alleged authority of the Antiquities Act occurred within AOCC's member Counties when President Obama greatly expanded the Cascade Siskiyou National Monument (CSNM) in Oregon.

The expansion of the CSNM occurred on January 12, 2017. This eleventh-hour action in the last days of the last administration added about 43,000 acres in Oregon to the CSNM. An additional 5,000 acres are in California. About 31,000 of the expansion acres are located in Jackson County, Oregon, and about 12,000 acres are within Klamath County, Oregon; both Counties are members of AOCC. Approximately 40,400 acres within the expansion area are "O&C Lands" and therefore are subject to management under the O&C Act.

There was no opportunity for the public to speak on the proposed expansion until October of 2016, and by then it was already clear the administration was committed to granting the request of environmental organizations to expand the CSNM. When afforded an opportunity, AOCC actively opposed the monument expansion of the CSNM and in particular AOCC opposed inclusion of any O&C Lands in any national monument. Jackson and Klamath Counties did the same, as did hundreds of private individuals and groups.

Local concerns were ignored. Worse yet, the law was ignored. Commercial timber harvesting is specifically forbidden within the CSNM, a prohibition that is directly contrary to the mandate of Congress for management of O&C Lands.

For a history of the unique O&C Lands, please visit the AOCC website:  
<http://www.oandc.org/o-c-lands/history-of-o-c-lands/>. In 1937, the O&C Lands were specifically designated by Congress for sustained-yield timber production. Any of the O&C Lands classified as timberlands

“\* \* \* shall be managed \* \* \* for permanent forest production, and the timber thereon shall be sold, cut and removed in conformity with the principal [sic] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities \* \* \*.” 43 USC §1181a.

The O&C Act goes on to require that “timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained-yield capacity when the same has been determined and declared, shall be sold annually \* \* \*.” 43 USC §1181a. The O&C Lands have a dominant use---timber production---that has been recognized many times by the federal courts. See, for example, Headwaters, Inc. v. BLM, Medford Dist., 914 F2d 1174, 1183-84 (9<sup>th</sup> Cir. 1990).

Because the CSNM designation ignores the pre-existing reservation of the O&C Lands for timber production, and actually prohibits timber production, AOCC had no choice but to initiate litigation by filing its complaint in the District Court for the District of Columbia. A copy of the complaint is posted on the AOCC's website:

[http://www.oandc.org/wp-content/uploads/001\\_Complaint-Civil-Cover-Sheet-Summons-x5.pdf.pdf](http://www.oandc.org/wp-content/uploads/001_Complaint-Civil-Cover-Sheet-Summons-x5.pdf.pdf)

Perhaps the most frustrating aspect of the decision to expand the CSNM is that the Department of the Interior determined in 1941 that national monuments may not be designated on O&C Lands. According to the Solicitor for the Department of the Interior, the President lacks authority under the Antiquities Act to include O&C lands in a national monument. In Solicitors Opinion M. 30506, the Solicitor responded to a question from the Secretary of the Interior regarding a proposal to include O&C lands in an expansion of the Oregon Caves National Monument. The Solicitor advised that the President had no such authority:

"My Dear Mr. Secretary: My opinion has been requested as to whether the President is authorized to set apart certain [O. & C.] lands as an addition to the Oregon Caves National Monument. It is my opinion that the President does not have such authority.

\* \* \*

By the act of August 28, 1937 (50 Stat 874), Congress directed that certain of the lands (those heretofore or hereafter classified as timber lands and power-site lands valuable for timber) be managed "for permanent forest production and the timber thereon shall be sold, cut and removed in conformity with the principle of sustained yield." \* \* \*

While the lands proposed to be added to the Oregon Caves National Monument have not yet been classified formally, I am advised by the Chief Forester, O. & C. Administration, that they are in fact timberlands.

It is clear from the foregoing that Congress has specifically provided a plan of utilization of the Oregon and California Railroad Company revested lands. \* \* \* It must be concluded that Congress has set aside the lands for the specified purposes.

\* \* \*

There can be no doubt that the administration of the lands for national monument purposes would be inconsistent with the utilization of the O. & C. lands as directed by Congress. It is well settled that where Congress has set aside lands for a specific purpose the President is without authority to reserve the lands for another purpose inconsistent with that specified by Congress." DOI Solicitor's Opinion M. 30506, March 9, 1940.

The vast majority of O&C Lands included within the CSNM expansion are classified as timberlands and therefore beyond the President's authority under the Antiquities Act.

Numerous judicial decisions have made clear that O&C Lands are dedicated to sustained yield timber production in order to generate revenue for the O&C Counties and to provide an economic base for local industries and communities. Pursuant to 43 U.S.C 1181f, the O&C Counties share 50 percent of the total revenues generated from timber harvests on O&C Lands. Counties depend on shared timber receipts to pay for essential public services of all kinds, from public safety such as sheriff patrols and jails to public health programs and libraries. When O&C lands are withdrawn from sustained yield management, there is a direct financial loss to County governments and a loss of services to local citizens.

The O&C Counties are already reeling from two decades of federal mismanagement of the O&C lands and a reduction of almost 90 percent in revenues from shared timber harvest receipts. Counties struggle to provide even minimally acceptable levels of public services. It can only be described as indifference or even arrogance to add to these woes by Presidential actions taken under the Antiquities Act.

In August, 2016, the BLM adopted a new resource management plan (RMP) for the O&C lands. The 2016 RMP is currently being litigated by AOCC and others. The land use allocations in the RMP are illegal, in that the majority of the O&C lands are allocated to reserves in which sustained yield management is not allowed. The 2016 RMP left precious little in the BLM's harvest land base (HLB), which is the acreage outside of reserves on which the BLM plans to manage for sustained yield timber production. The CSNM expansion made the situation worse.

The CSNM expansion cut deeply into the already-too-small HLB. The illegally restricted HLB in the BLM's 2016 RMP is further reduced by an additional 17,000 acres in the BLM's Medford and Lakeview Districts by the CSNM expansion. This represents a substantial loss of shared timber receipts for all the O&C Counties, since timber receipts generated anywhere on O&C Lands are shared by all the O&C Counties.

The loss of active management on 17,000 acres is also a major blow to local economies for communities in Klamath and Jackson Counties, and perhaps as far away as Douglas County, which has mills that are within hauling distance of harvests that, but for the CSNM, would have taken place. Klamath Falls is likely to be the hardest hit, as the BLM's Klamath Resource Area office is likely to close for lack of timber to manage, and those federal jobs will probably be moved or eliminated, on top of the loss of private sector employment.

AOCC is not categorically opposed to all monument designations under the Antiquities Act. At some point, however, the authority of the President should be constrained by local interests. National monuments are forbidden on O&C Lands, but for lands otherwise eligible for inclusion in national monument, when a proposed monument reaches a certain size, local governments such as Counties should have an elevated role, perhaps even a veto.

Thank you for the opportunity to comment on this important issue.

ASSOCIATION OF O&C COUNTIES

  
Commissioner Tim Freeman, President *Bj K90*

**To:** Maine Woods Coalition[mainewoodscoalition@gmail.com]  
**From:** Domenech, Douglas  
**Sent:** 2017-04-24T17:27:20-04:00  
**Importance:** Normal  
**Subject:** Re: Maine woods national monument  
**Received:** 2017-04-24T17:27:42-04:00

Thank you so much.

Doug Domenech  
Senior Advisor  
US Department of the Interior

On Mon, Apr 24, 2017 at 5:04 PM, Maine Woods Coalition  
<[mainewoodscoalition@gmail.com](mailto:mainewoodscoalition@gmail.com)> wrote:

Dear Mr. Domench,

The people of northern Maine seek Congressional or Presidential reversal of President Obama's proclamation that established the Katahdin Woods and Waters National Monument. This monument designation should be overturned because it quite clearly fails to meet the letter and the intent of the Antiquities Act.

- The properties that comprise the Katahdin Woods and Waters National Monument (KWWNM) are not of special historic, scientific, or scenic value. The president's proclamation establishing the Monument dwells at some length on the geological history of the region, the Indians who once inhabited it, and the region's common flora and fauna. If these are justification for a National Monument, then much of our country qualifies. In fact, the word "unique" appears only one time in the entire proclamation and that is to assert that the monument land "*provides a unique and important opportunity for scientific investigation of the effects of climate change across ecotones.*" That is surely inadequate scientific justification for a national monument designation.

- These properties are not endangered. Ironically, the greatest threat to such values as they do possess, would come from a futile attempt to make them into a popular monument or park. It is wishful thinking to believe that monument designation will significantly benefit the local economy. In fact, it is already a detriment to logging operations on private roads taken over by the NPS for access to the monument lands.

- The wording of the Antiquities Act does not admit a collection of (thirteen) scattered parcels such as comprise this monument and the proclamation makes no distinction as to special characteristics of each parcel. Inasmuch as the Act requires that a national monument be defined by the smallest possible footprint, if these parcels qualified (which they do not), it would seem a national monument would have to be limited to the smallest of them. In-holders whose timber land lies between these parcels of the monument face the threat of condemnation and eminent domain as the monument expands in size, as most have done.

- The parcels comprising the KWW National Monument are unique only in that an extremely wealthy and well-connected woman has caused them to be donated to the federal government. The monument designation is being misapplied, not to protect a national treasure, but rather to protect a coveted gift and legacy for the donor.

No challenge of the executive branch can be easy, but flagrant misuse of the Antiquities Act should not be tolerated. This monument's advocates steadfastly refuse to recognize the obvious - a national monument or park featuring little more than acres of trees is not, and never will be, the second coming of Acadia National Park. Successful parks are successful because they embrace inherently compelling attractions. For example, the Bar Harbor region was an extremely popular tourist destination years before the federal government stepped in.

In closing, we ask that you abolish this monument, or turn management of this industrial forestland over to the state of Maine.



Thank you for your consideration of our request.

Anne Mitchell

Maine Woods Coalition

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

**To:** Maine Woods Coalition[mainewoodscoalition@gmail.com]  
**From:** Williams, Timothy  
**Sent:** 2017-06-06T12:12:02-04:00  
**Importance:** Normal  
**Subject:** Re: KWW monument review  
**Received:** 2017-06-06T12:12:38-04:00

Hi Anne. This is Tim Williams with the Department of the Interior. Can you give me a call regarding the monument. 202-706-4982.

Thank you, Tim Williams

On Fri, May 5, 2017 at 12:57 PM, Maine Woods Coalition <[mainewoodscoalition@gmail.com](mailto:mainewoodscoalition@gmail.com)> wrote:

Dear Mr. Williams and Secretary Zinke,

Our opposition to a national park or monument in Maine's north woods has been ongoing since 2000 when RESTORE.org announced their plan for a 3.2 million acre park in northern Maine. This has been a long battle and now our grassroots organization has been outmaneuvered by great wealth and connections in Washington. We want to take this opportunity to ask for review of what this monument is and how it came to be.

We believe this monument designation should be overturned because it clearly fails to meet the letter and the intent of the Antiquities Act.

- The properties that comprise the Katahdin Woods and Waters National Monument (KWWNM) are not of special historic, scientific, or scenic value. The president's proclamation establishing the Monument dwells at some length on the geological history of the region, the Indians who once inhabited it, and the region's common flora and fauna. If these are justification for a National Monument, then much of our country qualifies. In fact, the word "unique" appears only one time in the entire proclamation and that is to assert that the monument land "*provides a unique and important opportunity for scientific investigation of the effects of climate change across ecotones.*" That is surely inadequate scientific justification for a national monument designation.
- These properties are not endangered. Ironically, the greatest threat to such values as they do possess, would come from a futile attempt to make them into a popular monument or park. It is wishful thinking to believe that monument designation will significantly benefit the local economy. In fact, it is already a detriment to logging operations on private roads which have been taken over by the NPS for access to the monument lands.

- The wording of the Antiquities Act does not admit a collection of (thirteen) scattered parcels such as comprise this monument and the proclamation makes no distinction as to special characteristics of each parcel. Inasmuch as the Act requires that a national monument be defined by the smallest possible footprint, if these parcels qualified (which they do not), it would seem a national monument would have to be limited to the smallest of them. In-holders whose timber land lies between these parcels of the monument face the threat of condemnation and eminent domain as the monument expands in size, as most have done.

In addition, these monument lands have no direct access and the NPS is using the deeded right of ways for each parcel, using privately owned roads and turning them into public ways in order to gain access for visitors. This traffic is causing problems for logging operations already and can only get worse.

The Executive Order directs the Department of the Interior to review monuments designated using the Antiquities Act since January 1, 1996, that are in excess of 100,000 acres *“or that were expanded without adequate public outreach and coordination with relevant stakeholders.”* The KWW monument qualifies for several reasons.

There were three referendum votes in local towns (Patten, Medway, and East Millinocket) with results showing overwhelming opposition to a park or monument. The town of Millinocket passed a resolution opposing a park/monument. The Maine Legislature passed a resolve opposing a park or monument, and the Governor (s) have also been opposed.

Attached is a list of 225 local businesses totaling 5,000+ employees opposing the park/monument, and in addition to the Maine Woods Coalition, other organizations including the Sportsman’s Alliance of Maine, the Maine Snowmobile Association, and the Fin & Feathers Club of Millinocket all oppose it.

In addition, and just as significantly, I speak from personal knowledge. There was absolutely no coordination with relevant stakeholders (abutting landowners and businesses) at all. Landowners whose roads have been taken over by the NPS were not contacted in any way. Not even a phone call before the NPS started doing what they wanted with the road and bridges they are using as an entrance to the land-locked monument lands. I know this because my family is directly involved. The NPS has taken over our roads and our bridge across the East Branch of the Penobscot.

We ask that this sham be abolished or it be turned over to the State of Maine for

management.

Thank you for your consideration.

Anne Mitchell

Maine Woods Coalition

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

Tel. 207-685-4545

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**Department Of The Interior**

External and Intergovernmental Affairs

Timothy Williams

[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)

Office: (202) 208-6015

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**To:** Williams, Timothy[timothy\_williams@ios.doi.gov]; Jason Funes[jason\_funes@ios.doi.gov]  
**From:** Smith, Steven  
**Sent:** 2017-05-30T10:41:43-04:00  
**Importance:** Normal  
**Subject:** Fwd: Antiquities Act  
**Received:** 2017-05-30T10:41:51-04:00  
[2016 Presidential Proclamation.pdf](#)  
[MLA Article Monuments.docx](#)  
[PLF lawsuit news release.pdf](#)  
[MLA vs US.pdf](#)

FYI - Regarding the Maritime Monuments

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

**From:** **Meghan Lapp** <Meghan@seafreezeld.com>  
**Date:** Thu, May 25, 2017 at 1:26 PM  
**Subject:** RE: Antiquities Act  
**To:** "Willard, Aaron (Federal)" <AWillard@doc.gov>, "steven\_m\_smith@ios.doi.gov" <steven\_m\_smith@ios.doi.gov>, Lee Ann Sennick <(b)(6)>

Hi Steven,

Thanks for taking the time to look into this issue, and thank you, Aaron, for the introduction. The Northeast National Marine Monument announced late in President Obama's Administration has heavily impacted the commercial fishing industry, and is out of line with the Antiquities Act itself for various reasons- i.e., it is not on land, or the territorial sea, of the United States (and therefore should be null and void), is not the smallest area compatible with the "reason" for its creation (supposedly protecting deep sea corals that do not live in much of the area), and others. The area of the monument is outside the US territorial sea (which reaches to 12 miles), but within its Exclusive Economic Zone(which reaches to 200 miles). Prior to the monument announcement, I actually provided NOAA with confidential fishing information from our company's vessels, and the Council on Environmental Quality was provided with economic information on fisheries that existed in the area. NOAA held a "Town Hall" meeting in Providence, RI to "solicit input" from the public on the potential designation, which was heavily attended by the fishing community as well as environmental non-profits. It was more of a smokescreen than anything. There was also a public comment portal established by NOAA, which was essentially a black hole for us to submit additional information, although nobody could answer my questions about who would be reviewing the comments, how they would be used, etc., and the deadline for comments kept changing. I actually raised these points while testifying before the House Subcommittee on Water, Oceans and Power last year, see: <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=400425>. Despite the industry's attempts to show the economic devastation that would result from this action, President Obama took away our historic fishing grounds with the stroke of a pen. The announcement is attached, forgive my notes. Also attached is an article about the process and (lack of) science used to create the monument that I wrote for the Massachusetts Lobsterman's

Association, a plaintiff on the lawsuit launched by fishing groups against the designation. The Pacific Legal Foundation has taken the case on behalf of various fishing organizations, including the Rhode Island Fishermen's Alliance, to which my company, Seafreeze Ltd., is a member. I have also attached a copy of the PLF press release on the case, as well as a copy of the case itself, which includes all the pertinent information.

One of the major developments surrounding the designation of this particular monument was the uncovering of environmental "non-profit" group involvement in its creation. Several emails obtained by a fishery group showed representatives from the Conservation Law Foundation, Natural Resources Defense Council, Pew charitable Trusts, and others colluding with the Obama Administration over the monument process. The House Committee on Natural Resources raised a red flag about this, sent a letter to the Obama Administration requesting all correspondence and memos relating to the monument designation and Executive Branch communications with the non-profit organizations connected to the "Town Hall" meeting. The House Committee letter and press release can be found here:

<http://naturalresources.house.gov/newsroom/documentsingle.aspx?DocumentID=399424>. It specifically states:

*"[T]he day after the Subcommittee's hearing, a chain of emails were publicly released which raise serious questions regarding the Administration's plans for a new marine monument designation and the potential involvement of a number of outside interests. Specifically, the emails show representatives from the Conservation Law Foundation (CLF), the Natural Resources Defense Council, and Pew warning their members to avoid talking to the 'outside world' about the organizations' efforts to influence the Administration to announce a Marine National Monument off of New England during the 'Our Ocean Conference' in Chile."* I am sure the Committee never received a reply.

The monument has cost Seafreeze vessels alone tens of thousands if not hundreds of thousands of dollars this year so far. Although we have fished that area for 30 years, we have now lost a major place of business. It takes the vessels four hours to even cross the monument boundary, to search for fish on the other side.

Now that PLF has filed the lawsuit, from what I understand it would only take the DOJ refusing to defend the case for the whole monument to go away. If you need to speak to anyone at PLF regarding the case, the contact information for lead attorney Jonathan Wood is at the top of the press release attached above.

Please feel free to send any questions my way.

Very Best,

Meghan

Meghan Lapp

Fisheries Liaison, Seafreeze Ltd.

Tel: (401) 295-2585, Ext. 15

Cell: (401) 218-8658

[Meghan@seafreezeltd.com](mailto:Meghan@seafreezeltd.com)

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**From:** Willard, Aaron (Federal) [mailto:[AWillard@doc.gov](mailto:AWillard@doc.gov)]

**Sent:** Wednesday, May 24, 2017 5:52 PM

**To:** [steven\\_m\\_smith@ios.doi.gov](mailto:steven_m_smith@ios.doi.gov); Meghan Lapp; Lee Ann Sennick

**Subject:** Antiquities Act

Steven,

Hope things are well, good to see you last weekend. Copied on this email are some folks that WH OPA shot over to us and we met with on some issues facing the commercial fishing industry, but one of the things that came up was also the current review process you all are undertaking over at Interior as a result of the Antiquities Act EO. As mentioned before, the maritime monuments fall under the purview of NOAA within the department of Commerce. Under the previous administration they added a huge geographic sphere to a number of these maritime monuments and it has had an impact on the fishing industry.

Meghan Lapp, who is copied on this email can talk a little more to that effect. Our ask is that you all include the maritime monuments in your review under the EO.

As always if I can be of help to you as well, don't hesitate to reach out.

*Aaron Willard*

*Director, Intergovernmental Affairs*

*U.S. Department of Commerce*

[awillard@doc.gov](mailto:awillard@doc.gov)

cell (202) 531-6418

office (202) 482-1148

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**Steven M. Smith**

Advisor - Intergovernmental Affairs

Office of the Secretary

U.S. Department of the Interior

Desk: (202) 513-0888

Cell: (202) 706-9438





# PLF NEWS RELEASE

Contact: Jonathan Wood  
Attorney  
Pacific Legal Foundation  
[jw@pacificlegal.org](mailto:jw@pacificlegal.org)  
(703) 647-4119  
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Damien M. Schiff  
Senior Attorney  
Pacific Legal Foundation  
[dms@pacificlegal.org](mailto:dms@pacificlegal.org)  
(916) 419-7111  
[www.pacificlegal.org](http://www.pacificlegal.org)

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## New England fishermen challenge Obama's marine national monument

*Creation of the Northeast Canyons and Seamounts Marine National Monument exceeded the Antiquities Act, which authorizes monuments only on federal land, not the ocean*

**Boston, MA; March 7, 2017:** A coalition of New England fishermen organizations filed suit today over former President Barack Obama's designation of a vast area of ocean as a national monument — a dictate that could sink commercial fishing in New England.

The organizations filing the lawsuit are the Massachusetts Lobstermen's Association, Atlantic Offshore Lobstermen's Association, Long Island Commercial Fishing Association, Rhode Island Fisherman's Alliance, and Garden State Seafood Association.

They are represented, free of charge, by Pacific Legal Foundation, a watchdog organization that litigates nationwide for limited government, property rights, and a balanced approach to environmental regulations.

### Watch this brief video

The lawsuit challenges President Obama's September 15, 2016, creation of the Northeast Canyons and Seamounts Marine National Monument, 130 miles off the coast of Cape Cod.

“By declaring over 5,000 square miles of ocean — an area the size of Connecticut — to be a national monument, President Obama set this entire area off-limits to most fishing immediately,

(more)

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Headquarters: 930 G Street, Sacramento, CA 95814 (916) 419-7111 Fax: (916) 419-7747  
Alaska: (907) 278-1731 Fax: (907) 276-3887 • Oregon: (503) 241-8179  
Atlantic: 8645 N. Military Trail, Suite 511, Palm Beach Gardens, FL 33410 (561) 691-5000 Fax: (561) 691-5006  
Hawaii: P.O. Box 3619, Honolulu, HI 96811 (808) 733-3373 Fax: (808) 733-3374  
Washington: 10940 NE 33rd Place, Suite 210, Bellevue, WA 98004 (425) 576-0484 Fax: (425) 576-9565  
DC Center: 3033 Wilson Boulevard, Suite 700, Arlington, VA 22201 (202) 888-6881 Fax: (202) 888-6855  
Liberty Clinic: Chapman University, Fowler School of Law, 1 University Drive, Orange, CA 95866 (714) 591-0490  
E-mail: [plf@pacificlegal.org](mailto:plf@pacificlegal.org) • Website: <http://www.pacificlegal.org>

"Instead of punishing New England's fishermen — and shutting down their businesses — federal officials should be acknowledging their positive role as stewards of the ocean's environmental resources," Wood added. "This is shown in their laudable efforts to promote sustainability. PLF's clients, for instance, have spent years working to improve their methods and equipment and to retire excess fishing permits, knowing that these costly sacrifices will provide long-term benefits to their industry and the environment. The monument designation undermines those sustainability efforts, by depriving the fishermen of any reward for their sacrifices."

**With a 'stroke of the pen,' Obama's illegal action 'puts men and women out of work'**

"We are fighting every day to keep the men and women in the commercial fishing industry working, but with one stroke of President Obama's pen — and his abuse of the Antiquities Act — they are out of work," said Beth Casoni, executive director of the Massachusetts Lobstermen's Association.

"The monument designation will have a negative rippling effect across the region as fishermen will have to search for new fishing grounds — only to find they are already being fished," she said. "The shoreside businesses will also feel the impacts, as fishermen have to go further and further to harvest their catch, leaving less funds to reinvest in their businesses.

"We are extremely grateful to have PLF at our side as we fight back against this legal travesty, which is causing so much hardship for the commercial fishing industry here in the Northeast."

The case is *Massachusetts Lobstermen's Association v. Friedman*. More information, including the complaint, a video, and an explanatory blog post, is available at: [www.pacificlegal.org](http://www.pacificlegal.org).

**About Pacific Legal Foundation**

Pacific Legal Foundation, America's most powerful ally for justice, litigates in courts nationwide for limited government, property rights, individual liberty, and a balanced approach to environmental regulations. PLF represents all clients free of charge.

###

with what remains of fishing opportunities to be phased out over the next few years," said PLF attorney Jonathan Wood. "This illegal, unilateral presidential action threatens economic distress for individuals and families who make their living through fishing, and for New England communities that rely on a vibrant fishing industry."

### **A monumental abuse of presidential power**

President Obama claimed to be relying on the federal Antiquities Act. But as today's lawsuit makes clear, his decree far exceeded the authority granted to presidents by that 1906 statute. The Antiquities Act was enacted to protect ancient antiquities and human relics threatened by looting, giving the president broad powers to declare monuments consistent with that purpose.

However, the statute permits creation of national monuments only on "lands owned or controlled" by the federal government. Moreover, any designation must be "confined to the smallest area" needed to protect the artifacts or objects that the monument is intended to safeguard.

"President Obama violated both of those core requirements of the law when he created the Northeast Canyons and Seamounts Marine National Monument," Wood noted. "Most fundamentally, the ocean, where the monument is located, is not 'land,' nor is it federally owned or controlled. The monument designation is also not confined to the smallest necessary area; on the contrary, its sprawling boundaries bear no relation to the underwater canyons and seamounts it is supposed to protect. In short, the designation of a vast area of ocean as a national monument was a blatant abuse of presidential power.

"Unfortunately, the Antiquities Act has morphed into a favorite tool for presidents to abuse," Wood continued. "Today, presidents use it to place vast areas of federal lands off limits to productive use with little input. Monument designations are particularly common at the end of a chief executive's term, once the president can no longer be held accountable.

"Former President Obama was the king of Antiquities Act abuse, invoking it more times than any prior president and including vastly more area within his designations than any predecessor," said Wood. "Our lawsuit is intended to rein in abuse of the Antiquities Act and underscore that it is not a blank check allowing presidents to do whatever they want. The creation of the Northeast Canyons and Seamounts Marine National Monument is a clear example of a president exceeding his authority, and we are suing to make sure this edict is struck down and the rule of law prevails."

### **No environmental justification**

"Beyond its violation of the law, the monument designation also threatens to harm the environment by pushing fishermen to other, less sustainable fisheries, and increasing conflicts between their gear and whales," said Wood. "The president's proclamation cites protection of coral as one of the reasons for the monument. But the corals remain pristine after more than four decades of commercial fishing because fishermen know where the corals are, and carefully avoid them, out of environmental concern and because coral destroys their gear.

(more)

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

September 15, 2016

NORTHEAST CANYONS AND SEAMOUNTS MARINE NATIONAL MONUMENT

- - - - -

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

For generations, communities and families have relied on the waters of the northwest Atlantic Ocean and have told of their wonders. Throughout New England, the maritime trades, and especially fishing, have supported a vibrant way of life, with deep cultural roots and a strong connection to the health of the ocean and the bounty it provides. Over the past several decades, the Nation has made great strides in its stewardship of the ocean, but the ocean faces new threats from varied uses, climate change, and related impacts. Through exploration, we continue to make new discoveries and improve our understanding of ocean ecosystems. In these waters, the Atlantic Ocean meets the continental shelf in a region of great abundance and diversity as well as stark geological relief. The waters are home to many species of deep-sea corals, fish, whales and other marine mammals. Three submarine canyons and, beyond them, four undersea mountains lie in the waters approximately 130 miles southeast of Cape Cod. This area (the canyon and seamount area) includes unique ecological resources that have long been the subject of scientific interest.

The canyon and seamount area, which will constitute the monument as set forth in this proclamation, is composed of two units, which showcase two distinct geological features that support vulnerable ecological communities. The Canyons Unit includes three underwater canyons -- Oceanographer, Gilbert, and Lydonia -- and covers approximately 941 square miles. The Seamounts Unit includes four seamounts -- Bear, Mytilus, Physalia, and Retriever -- and encompasses 3,972 square miles. The canyon and seamount area includes the waters and submerged lands within the coordinates included in the accompanying map. The canyon and seamount area contains objects of historic and scientific interest that are situated upon lands owned or controlled by the Federal Government. These objects are the canyons and seamounts themselves, and the natural resources and ecosystems in and around them.

The canyons start at the edge of the geological continental shelf and drop from 200 meters to thousands of meters deep. The seamounts are farther off shore, at the start of the New England Seamount chain, rising thousands of meters from the ocean floor. These canyons and seamounts are home to at least 54 species of deep-sea corals, which live at depths of at least 3,900 meters below the sea surface. The corals, together with other structure-forming fauna such as sponges and anemones, create a

foundation for vibrant deep-sea ecosystems, providing food, spawning habitat, and shelter for an array of fish and invertebrate species. These habitats are extremely sensitive to disturbance from extractive activities.

Because of the steep slopes of the canyons and seamounts, oceanographic currents that encounter them create localized eddies and result in upwelling. Currents lift nutrients, like nitrates and phosphates, critical to the growth of phytoplankton from the deep to sunlit surface waters. These nutrients fuel an eruption of phytoplankton and zooplankton that form the base of the food chain. Aggregations of plankton draw large schools of small fish and then larger animals that prey on these fish, such as whales, sharks, tunas, and seabirds. Together the geology, currents, and productivity create diverse and vibrant ecosystems.

### **The Canyons**

Canyons cut deep into the geological continental shelf and slope throughout the mid-Atlantic and New England regions. They are susceptible to active erosion and powerful ocean currents that transport sediments and organic carbon from the shelf through the canyons to the deep ocean floor. In Oceanographer, Gilbert, and Lydonia canyons, the hard canyon walls provide habitats for sponges, corals, and other invertebrates that filter food from the water to flourish, and for larger species including squid, octopus, skates, flounders, and crabs. Major oceanographic features, such as currents, temperature gradients, eddies, and fronts, occur on a large scale and influence the distribution patterns of such highly migratory oceanic species as tuna, billfish, and sharks. They provide feeding grounds for these and many other marine species.

Toothed whales, such as the endangered sperm whale, and many species of beaked whales are strongly attracted to the environments created by submarine canyons. Surveys of the area show significantly higher numbers of beaked whales present in canyon regions than in non-canyon shelf-edge regions.



Endangered sperm whales, iconic in the region due to the historic importance of the species to New England's whaling communities, preferentially inhabit the U.S. Atlantic continental margin. Two additional species of endangered whales (fin whales and sei whales) have also been observed in the canyon and seamount area.

### **The Seamounts**


The New England Seamount Chain was formed as the Earth's crust passed over a stationary hot spot that pushed magma up through the seafloor, and is now composed of more than 30 extinct undersea volcanoes, running like a curved spine from the southern side of Georges Bank to midway across the western Atlantic Ocean. Many of them have characteristic flat tops that were created by erosion by ocean waves and subsidence as the magma cooled. Four of these seamounts -- Bear, Physalia, Retriever, and Mytilus -- are in the United States Exclusive Economic Zone. Bear Seamount is approximately 100 million years old and the largest of the four; it rises approximately 2,500 meters from the seafloor to within 1,000 meters of the sea surface. Its summit is over 12 miles in diameter. The three

smaller seamounts reach to within 2,000 meters of the surface. All four of these seamounts have steep and complex topography that interrupts existing currents, providing a constant supply of plankton and nutrients to the animals that inhabit their sides. They also cause upwelling of nutrient-rich waters toward the ocean surface.

Geographically isolated from the continental platform, these seamounts support highly diverse ecological communities with deep-sea corals that are hundreds or thousands of years old and a wide array of other benthic marine organisms not found on the surrounding deep-sea floor. They provide shelter from predators, increased food, nurseries, and spawning areas. The New England seamounts have many rare and endemic species, several of which are new to science and are not known to live anywhere else on Earth.

### **The Ecosystem**

The submarine canyons and seamounts create dynamic currents and eddies that enhance biological productivity and provide feeding grounds for seabirds; pelagic species, including whales, dolphins, and turtles; and highly migratory fish, such as tunas, billfish, and sharks. More than ten species of shark, including great white sharks, are known to utilize the feeding grounds of the canyon and seamount area. Additionally, surveys of leatherback and loggerhead turtles in the area have revealed increased numbers above and immediately adjacent to the canyons and Bear Seamount.

Marine birds concentrate in upwelling areas near the canyons and seamounts. Several species of gulls, shearwaters, storm petrels, gannets, skuas, and terns, among others, are regularly observed in the region, sometimes in large aggregations. Recent analysis of geolocation data found that Maine's vulnerable Atlantic puffin frequents the canyon and seamount area between September and March, indicating a previously unknown wintering habitat for those birds. 

These canyons and seamounts, and the ecosystem they compose, have long been of intense scientific interest. Scientists from government and academic oceanographic institutions have studied the canyons and seamounts using research vessels, submarines, and remotely operated underwater vehicles for important deep-sea expeditions that have yielded new information about living marine resources. Much remains to be discovered about these unique, isolated environments and their geological, ecological, and biological resources.

WHEREAS, the waters and submerged lands in and around the deep-sea canyons Oceanographer, Lydonia, and Gilbert, and the seamounts Bear, Physalia, Retriever, and Mytilus, contain objects of scientific and historic interest that are situated upon lands owned or controlled by the Federal Government;

WHEREAS, section 320301 of title 54, United States Code (the "Antiquities Act"), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to

be national monuments, and to reserve as a part thereof parcels of land, the limits of which shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS, it is in the public interest to preserve the marine environment, including the waters and submerged lands, in the area to be known as the Northeast Canyons and Seamounts Marine National Monument, for the care and management of the objects of historic and scientific interest therein;

WHEREAS, the well-being of the United States, the prosperity of its citizens and the protection of the ocean environment are complementary and reinforcing priorities; and the United States continues to act with due regard for the rights, freedoms, and lawful uses of the sea enjoyed by other nations under the law of the sea in managing the canyon and seamount area and does not compromise the readiness, training, and global mobility of the U.S. Armed Forces when establishing marine protected areas;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Federal Government to be the Northeast Canyons and Seamounts Marine National Monument (monument) and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Federal Government within the boundaries described on the accompanying map entitled "Northeast Canyons and Seamounts Marine National Monument," which is attached hereto, and forms a part of this proclamation. The Federal lands and interests in lands reserved consist of approximately 4,913 square miles, which is the smallest area compatible with the proper care and management of the objects to be protected.

The establishment of the monument is subject to valid existing rights. All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws to the extent that those laws apply, including but not limited to, withdrawal from location, entry and patent under mining laws, and from disposition under all laws relating to development of oil and gas, minerals, geothermal, or renewable energy. Lands and interest in lands within the monument not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of title or control by the United States.

#### **Management of the Marine National Monument**

The Secretaries of Commerce and the Interior (Secretaries) shall share management responsibility for the monument. The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), and in consultation with the Secretary of the Interior, shall have responsibility for management of activities and species within the monument under the Magnuson-Stevens Fishery Conservation and Management Act,

the Endangered Species Act (for species regulated by NOAA), the Marine Mammal Protection Act, and any other applicable Department of Commerce legal authorities. The Secretary of the Interior, through the United States Fish and Wildlife Service (FWS), and in consultation with the Secretary of Commerce, shall have responsibility for management of activities and species within the monument under its applicable legal authorities, including the National Wildlife Refuge System Administration Act, the Refuge Recreation Act, and the Endangered Species Act (for species regulated by FWS), and Public Law 98-532 and Executive Order 6166 of June 10, 1933.

The Secretaries shall prepare a joint management plan, within their respective authorities, for the monument within 3 years of the date of this proclamation, and shall promulgate as appropriate implementing regulations, within their respective authorities, that address any further specific actions necessary for the proper care and management of the objects and area identified in this proclamation. The Secretaries shall revise and update the management plan as necessary. In developing and implementing any management plans and any management rules and regulations, the Secretaries shall consult, designate, and involve as cooperating agencies the agencies with jurisdiction or special expertise, including the Department of Defense and Department of State, in accordance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations. In addition, the Secretaries shall work to continue advances in resource protection in the Monument area that have resulted from a strong culture of collaboration and enhanced stewardship of marine resources.

This proclamation shall be applied in accordance with international law, and the Secretaries shall coordinate with the Department of State to that end. The management plans and their implementing regulations shall not unlawfully restrict navigation and overflight and other internationally recognized lawful uses of the sea in the monument and shall incorporate the provisions of this proclamation regarding U.S. Armed Forces actions and compliance with international law. No restrictions shall apply to or be enforced against a person who is not a citizen, national, or resident alien of the United States (including foreign flag vessels) unless in accordance with international law. Also, in accordance with international law, no restrictions shall apply to foreign warships, naval auxiliaries, and other vessels owned or operated by a state and used, for the time being, only on government non-commercial service, in order to fully respect the sovereign immunity of such vessels under international law.

## **Restrictions**

### *Prohibited Activities*

The Secretaries shall prohibit, to the extent consistent with international law, any person from conducting or causing to be conducted the following activities:

1. Exploring for, developing, or producing oil and gas or minerals, or undertaking any other energy exploration or development activities within the monument.



2. Using or attempting to use poisons, electrical charges, or explosives in the collection or harvest of a monument resource.

3. Introducing or otherwise releasing an introduced species from within or into the monument.

4. Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging, or attempting to remove, move, take, harvest, possess, injure, disturb, or damage, any living or nonliving monument resource, except as provided under regulated activities below.

5. Drilling into, anchoring, dredging, or otherwise altering the submerged lands; or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands, except for scientific instruments and constructing or maintaining submarine cables.

6. Fishing commercially or possessing commercial fishing gear except when stowed and not available for immediate use during passage without interruption through the monument, except for the red crab fishery and the American lobster fishery as regulated below.

#### *Regulated Activities*

Subject to such terms and conditions as the Secretaries deem appropriate, the Secretaries, pursuant to their respective authorities, to the extent consistent with international law, may permit any of the following activities regulated by this proclamation if such activity is consistent with the care and management of the objects within the monument and is not prohibited as specified above:

1. Research and scientific exploration designed to further understanding of monument resources and qualities or knowledge of the North Atlantic Ocean ecosystem and resources.

2. Activities that will further the educational value of the monument or will assist in the conservation and management of the monument.

3. Anchoring scientific instruments.

4. Recreational fishing in accordance with applicable fishery management plans and other applicable laws and other requirements.

5. Commercial fishing for red crab and American lobster for a period of not more than 7 years from the date of this proclamation, in accordance with applicable fishery management plans and other regulations, and under permits in effect on the date of this proclamation. After 7 years, red crab and American lobster commercial fishing is prohibited in the monument.

6. Other activities that do not impact monument resources, such as sailing or bird and marine mammal watching so long as those activities are conducted in accordance with applicable laws and regulations, including the Marine Mammal Protection Act. Nothing in this proclamation is intended to require that

the Secretaries issue individual permits in order to allow such activities.

7. Construction and maintenance of submarine cables.

*Regulation of Scientific Exploration and Research*

The prohibitions required by this proclamation shall not restrict scientific exploration or research activities by or for the Secretaries, and nothing in this proclamation shall be construed to require a permit or other authorization from the other Secretary for their respective scientific activities.

**Emergencies and Law Enforcement Activities**

The prohibitions required by this proclamation shall not apply to activities necessary to respond to emergencies threatening life, property, or the environment, or to activities necessary for law enforcement purposes.

**U.S. Armed Forces**

1. The prohibitions required by this proclamation shall not apply to activities and exercises of the U.S. Armed Forces, including those carried out by the United States Coast Guard.

2. The U.S. Armed Forces shall ensure, by the adoption of appropriate measures not impairing operations or operation capabilities, that its vessels and aircraft act in a manner consistent so far as is practicable, with this proclamation.

3. In the event of threatened or actual destruction of, loss of, or injury to a monument resource or quality resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or the United States Coast Guard, the cognizant component shall promptly coordinate with the Secretaries for the purpose of taking appropriate action to respond to and mitigate any harm and, if possible, restore or replace the monument resource or quality.

4. Nothing in this proclamation or any regulation implementing it shall limit or otherwise affect the U.S. Armed Forces' discretion to use, maintain, improve, manage or control any property under the administrative control of a Military Department or otherwise limit the availability of such property for military mission purposes, including, but not limited to, defensive areas and airspace reservations.

**Other Provisions**

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, excavate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this  
fifteenth day of September, in the year of our Lord  
two thousand sixteen, and of the Independence of the  
United States of America the two hundred and forty-first.

BARACK OBAMA

# # #

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14 FOR THE DISTRICT OF COLUMBIA

15 MASSACHUSETTS LOBSTERMEN'S )  
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16 8 Otis Place )  
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24 )  
25 RHODE ISLAND FISHERMEN ALLIANCE )  
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26 Plaintiffs,

27 v.  
28

No. 1:17-cv-00406

Judge.

James E. Boasberg.

1 BENJAMIN FRIEDMAN, in his official capacity as )  
Deputy Undersecretary for Operations for the National )  
2 Oceanic and Atmospheric Association )  
1401 Constitution Ave. NW, Room 5128 )  
3 Washington, DC 20230 )

4 RYAN ZINKE, in his official capacity as Secretary of )  
the Department of Interior )  
5 1849 C Street, NW )  
Washington, DC 20240 )  
6

7 DONALD J. TRUMP, in his official capacity as )  
President of the United States )  
1600 Pennsylvania Ave. NW )  
8 Washington, DC 20006 )

9 JANE DOE, in her official capacity as Chairman for )  
the Council on Environmental Quality, )  
10 722 Jackson Place NW )  
Washington, DC 20506 )  
11

12 Defendants. )

13  
14 **COMPLAINT**

15  
16 **Introduction**

17 1. The Antiquities Act of 1906 authorizes the President to declare historic artifacts,  
18 historic landmarks, and other objects of historic or scientific interest “situated upon the lands  
19 owned or controlled by the Government of the United States” as national monuments. The  
20 President may also reserve “parcels of land” for a monument’s protection. These lands must be  
21 limited to “the smallest area compatible with proper care and management of the objects to be  
22 protected.”

23 2. On September 15, 2016, the President declared approximately 5,000 square  
24 mile—roughly the size of Connecticut—area of the Atlantic Ocean to be the Northeast Canyons  
25 and Seamounts National Marine Monument. This area lies 130 miles from the New England coast  
26 and has been an important commercial fishery for decades. Under the President’s unilateral  
27 declaration, the entire area is off-limits to many commercial fishermen, with the rest ejected after  
28 seven years.



1 representative of the Massachusetts' lobstermen, the association, through this lawsuit, seeks to  
2 protect its members' interests germane to its purposes. *Cf. Hunt v. Washington Apple Advertising*  
3 *Comm'n*, 432 U.S. 333 (1977) (standard for organizations to bring lawsuits on behalf of their  
4 members in a representative capacity).

5 8. The Massachusetts Lobstermen's Association members would have standing to  
6 challenge the monument in their own right but their participation is not required for this lawsuit.  
7 *Cf. id.* The association has approximately 250 members who will be adversely affected, directly  
8 or indirectly, by the monument. It will deplete the value of some of the lobstermen's permits—a  
9 key part of these small businesses' value—put more pressure on the fisheries left open to  
10 fishermen, and impact coastal businesses that depend on a productive lobster industry, including  
11 marinas, bait dealers, mechanics, processors, and restaurants. Based on the significant impacts this  
12 monument will have on the industry, the association spoke out against it in the only public town  
13 hall held on the proposal. It also signed onto letters opposing the monument as bad for the  
14 economy, the environment, and exceeding the President's power under the Antiquities Act.

15 9. The Atlantic Offshore Lobstermen's Association was founded in 1973 to sustain  
16 and enhance the offshore lobster fishery. Its membership includes the owners of 45% of the  
17 permits for offshore lobster and Jonah crab and 57% of the total traps for these species. It also  
18 represents dozens of shoreside businesses related to this industry. The association educates its  
19 members and the public about issues affecting the offshore lobster fishery. It also supports efforts  
20 to improve the resource, protect habitat, and other conservation efforts that benefit the lobster  
21 industry. As the representative of the East Coast's lobstermen, the association, through this  
22 lawsuit, seeks to protect its members' interests germane to its purposes. *Cf. Hunt*, 432 U.S. 333.

23 10. The Atlantic Offshore Lobstermen's Association's members would have standing  
24 to challenge the monument but their individual participation is not required for this lawsuit. *Cf. id.*  
25 The monument designation will displace over 11,000 lobster traps used by members of the Atlantic  
26 Offshore Lobstermen's Association. These traps are hauled in weekly, year-round and are thus an  
27 important source of employment and income for the industry. The association estimates the impact  
28 on the industry will be \$3 million. The displacement of these traps will cause severe disruption to

1 the industry and the environment. It will increase conflicts with other gear as lobstermen invade  
2 other fisheries. Although the lobster fishery in Gulf of Maine/Georges Bank is healthier than the  
3 Southern New England lobster fishery, this displacement will put further pressure on that fishery.

4 11. The Long Island Commercial Fishing Association has represented Long Island's  
5 commercial fishermen since 2001. Its members include more than 150 businesses, boats, or  
6 individual fishermen who fish for a variety of species. The Long Island Commercial Fishing  
7 Association's trawl and longline fishermen have been injured by the monument declaration, which  
8 forbids them from fishing in the area. Previously, this was an important area for New York's fluke,  
9 whiting, squid, swordfish, and tuna fishermen. Prior to the monument's declaration, the  
10 Association's leaders and members met with members of the Council on Environmental Quality  
11 to discuss the adverse impacts the monument would have on their industry and individual  
12 members. The association estimates that the loss to New York fishermen alone will be \$1.6 million  
13 per year. But these impacts are further multiplied when you consider impacts to shore side  
14 businesses related to the fishermen, like marinas and restaurants. As the representative of Long  
15 Island's commercial fishermen, the association, through this lawsuit, seeks to protect its members  
16 interests germane to its purposes. *Cf. Hunt*, 432 U.S. 333. The association's member would have  
17 standing to challenge the monument but their individual participation is not required for this  
18 lawsuit. *Cf. id.*

19 12. The Garden State Seafood Association represents the interests of New Jersey  
20 fishermen and fishery dependent businesses. It is active on regulatory issues at both the state and  
21 federal level and helps to coordinate fishing industry representatives throughout the country.

22 13. Founded in 2007, the Rhode Island Fishermen's Alliance is the state's largest  
23 commercial fishing industry advocacy organization, representing 150 members from the state's  
24 two major ports. It has been extensively involved in every major issue that has confronted Rhode  
25 Island's fishing community since its inception, including fisheries management, collaborative  
26 research on sustainable fishing, state and federal lobbying, and the establishment of festivals to  
27 promote awareness of the importance of this industry to the community. Many of its members are  
28 trawl fishermen who have worked in the area included within the monument designation. Based



1 on the impacts of the first few months that this fishing has been prohibited, the alliance estimates  
2 that its fishermen will lose more than \$3 million in annual income. The impact on the many  
3 businesses that depend on a thriving commercial fishing industry are likely to be three times that.  
4 Representing its members, the alliance participated in the limited public process during the  
5 President's consideration of the monument, including attending a town hall and meetings with  
6 representatives from the Council on Environmental Quality.

7  
**Defendants**

8 14. Donald J. Trump is the President of the United States and is sued in his official  
9 capacity. His predecessor, President Barack Obama, issued the proclamation establishing the  
10 monument.

11 15. Benjamin Friedman is the National Oceanic and Atmospheric Association's Deputy  
12 Undersecretary for Operations and is sued in his official capacity. The proclamation establishing  
13 the monument charges the Secretary of Commerce, through the National Oceanic and Atmospheric  
14 Administration, with responsibility for managing the monument. The Secretary of Commerce, with  
15 the Secretary of Interior, enforces the proclamation's fishing prohibitions. Currently, the Secretary  
16 of Commerce position is vacant. Upon information and belief, Mr. Friedman exercises the  
17 authority over the monument given to the Secretary and National Oceanic and Atmospheric  
18 Administration.

19 16. Ryan Zinke is the Secretary of Interior and is sued in his official capacity. The  
20 proclamation establishing the monument directs the Secretary of Commerce to consult with the  
21 Secretary of Interior on decisions about how to manage the monument. Together, the Secretaries  
22 are required to issue a joint management plan for the monument and implement the proclamation's  
23 fishing prohibitions.

24 17. Jane Doe is the Chairman for the Council on Environmental Quality which, on  
25 information and belief, consulted with the President and purportedly collected evidence to support  
26 the proclamation. Nancy Sutley, the chairman when the monument proclamation was issued, has  
27 since stepped down and no successor has been announced.

28 ///

## Legal Background

### *The Antiquities Act of 1906*

18. Responding to reports of pueblo ruins looted in the southwest, Congress enacted the Antiquities Act of 1906 to empower the President to quickly and unilaterally protect these precious antiquities.

19. Under the Antiquities Act, the President may declare historic landmarks, historic structures, and other objects of historic or scientific interest “situated on land owned or controlled” by the federal government to be national monuments. 54 U.S.C. § 320301(a). To protect these objects, the President may reserve “parcels of land,” if “confined to the smallest area compatible with the proper care and management of the objects to be protected.” *Id.* § 320301(b). The statute also directs the agencies who manage the monument to issue uniform rules and regulations to carry out the purposes of the act. *Id.* § 320303.

20. The Antiquities Act “places discernible limits” on the President’s power to declare monuments. *Mountain States Legal Found. v. Bush*, 306 F.3d 1132, 1136 (D.C. Cir. 2002). Therefore, courts are “obligated to determine whether statutory restrictions have been violated.” *Id.*

21. The first of those limits is that only “historic landmarks,” “historic and prehistoric structures,” and similar “objects of historic or scientific interest” may form the basis of a monument designation. 54 U.S.C. § 320301(a); *cf. Yates v. United States*, 135 S. Ct. 1074 (2015) (applying *noscitur a sociis* and statutory context to hold that a fish is not a “tangible object” in the context of the Sarbanes-Oxley Act).

22. The second limit is that a monument may only be designated for objects on “land owned or controlled by the Federal government[.]” 54 U.S.C. § 320301(a). Consistent with Congress’ purpose of protecting historic Indian artifacts, this phrase includes Indian lands and federal territories that are controlled but not owned by the federal government. In 1906, most of the Southwest, where these objects were located, was Indian land or federal territory. The Antiquities Act does not authorize the President to designate monuments on anything other than lands “owned or controlled” by the federal government. A monument may not be designated on

1 privately owned land. Nor may one be designated beyond the nation's territory, including the high  
2 seas. *Cf. Treasure Salvors, Inc. v. Unidentified Wrecked and Abandoned Sailing Vessel*, 569 F.2d  
3 330, 337-40 (5th Cir. 1978) (holding that the Antiquities Act does not apply to a 1622 shipwreck  
4 beyond the nation's territorial sea).

5 23. A third limit is that the area set aside for the monument must be "confined to the  
6 smallest area compatible with proper care and management of the objects to be protected[.]" 54  
7 U.S.C. § 320301(b). Congress has twice amended the Antiquities Act in response to Presidents  
8 abusing this power by making huge monument designations. *See* 54 U.S.C. § 320301(d) (no  
9 monuments can be designated in Wyoming); 16 U.S.C. § 3213 (no monuments larger than 5,000  
10 acres in Alaska).

11 *Federal authority over the high seas, including the Exclusive Economic Zone*

12 24. In 1906, the United States' territorial reach extended only three miles off the  
13 coast—the limits of the territorial sea. Beyond that was the high seas, which were international  
14 waters. By proclamation, President Reagan asserted that the territorial sea extends up to 12 miles  
15 off the coast. *See United States v. Alaska*, 521 U.S. 1, 8-9 (1997).

16 25. Under the Convention on the Law of the Sea—which has never been ratified by  
17 Congress—the next 188 miles from the coast are the Exclusive Economic Zone.

18 26. Nations enjoy limited regulatory authority over the Exclusive Economic Zone but  
19 do not have the level of sovereignty they enjoy within their territories. *See* Restatement (Third) of  
20 Foreign Relations Law § 514 cmt. C. For instance, nations may regulate oil drilling and fishing in  
21 this area but may not interfere with navigation or the laying of cables.

22 *Federal regulation of ocean fisheries*

23 27. Congress has exercised its limited authority to regulate the Exclusive Economic  
24 Zone to protect the environment by adopting statutes specifically directed to this area of the ocean  
25 and establishing procedures to protect against excess restrictions on its sustainable use.

26 28. In 1972, Congress adopted the National Marine Sanctuaries Act, which is aimed  
27 at protecting sensitive areas of the Exclusive Economic Zone to the extent the United States can.  
28 *See* 16 U.S.C. §§ 1431-1445(b). This statute permits the Secretary of Commerce to designate

1 marine sanctuaries within the Exclusive Economic Zone based on twelve factors explicitly set out  
2 in the statute and only after providing notice to the public and consultation with state regulators.  
3 16 U.S.C. §§ 1433-1434. If a marine sanctuary is established, the Regional Fishery Management  
4 Council, not the Secretary, has primary authority to regulate fishing to the extent required to  
5 protect it. 16 U.S.C. § 1434(a)(5). The statute encourages all public and private uses of the  
6 resources in a marine sanctuary, to the extent compatible with the sanctuary's protection.

7 29. In 1976, Congress enacted the Magnuson-Stevens Fishery Conservation and  
8 Management Act, which is more commonly known as the Magnuson-Stevens Act. 16 U.S.C.  
9 § 1801, *et seq.* This is the primary law governing fisheries management in the Exclusive Economic  
10 Zone. It is administered by eight regional fishery management councils, which must include  
11 representatives of federal and state agencies as well the fishing industry.

12 30. Pursuant to the Magnuson-Stevens Act, the regional councils prepare an annual  
13 stock assessment for each species commercially harvested in a fishery. If that assessment indicates  
14 that a species is being overfished, the regional council sets an annual catch limit. As a result of this  
15 regulatory program, nearly 90% of fisheries managed under the statute maintain healthy,  
16 sustainable harvest levels below their annual catch limits.

17 31. In addition to regulating the levels of harvest, the regional councils regulate the gear  
18 used to fish, to reduce impacts to the ecosystem and incidental bycatch.

19 32. Unlike the Antiquities Act, these statutes refer to the ocean or Exclusive Economic  
20 Zone specifically, rather than "lands owned or controlled" by the federal government, and tailor  
21 the degree of environmental protection to the limited authority the federal government enjoys in  
22 this area.

### 23 Factual Allegations

#### 24 *Georges Bank fishery*

25 33. The Georges Bank is an elevated area of sea floor off the Massachusetts coast that  
26 separates the Gulf of Maine from the Atlantic Ocean.

27 34. Like much of the continental shelf off the United States' east coast, canyons  
28 pockmark the Georges Bank's edge.

1 35. Although a few companies have explored for oil under the Georges Bank, none of  
2 those efforts have been successful. Consequently, the federal government has enforced a  
3 moratorium on further drilling and exploration for decades.

4 36. For centuries, the Georges Bank has supported lucrative fisheries. The iconic  
5 fishing communities of New England and throughout the East Coast sprang up because of the value  
6 of this fishery.

7 37. Today, this area supports significant fisheries for a wide variety of species of fish  
8 and shellfish. Those fisheries provide an important source of income and employment for  
9 fishermen throughout the northeast, including Plaintiffs' members.

10 38. The commercial fisheries are part of a rich ecosystem that also features whales,  
11 sharks, sea turtles, and other ocean species.

12 39. Beyond Georges Bank lie several seamounts rising from the ocean floor. These too  
13 support fish and other species. However, they are not the subject of significant commercial fishing.

14 40. Deep-sea coral grows on both the canyons and seamounts.

15 41. Fishermen are careful to avoid areas where coral is present because it severely  
16 damages their gear, costing the fishermen more than any benefit that could be obtained from  
17 fishing in this area.

18 *Existing management*

19 42. The New England Fishery Management Council manages the Georges Bank fishery  
20 under the Magnuson-Stevens Act. Since that statute was enacted, it has worked with industry, state  
21 and federal government, and nongovernment organizations to improve sustainability of the fishery.  
22 These efforts have included regulation of the equipment and methods fishermen use, the areas they  
23 use them, as well as enforcing catch limits.

24 43. The Atlantic States Marine Fisheries Commission manages lobster fishing on the  
25 Georges Bank under an interstate compact. It too has worked with industry, state and federal  
26 government, and nongovernmental organizations to improve sustainability. In particular, the  
27 Commission, working with several of the Plaintiffs, has retired permits in order to reduce pressures  
28

1 on the lobster stock. Those efforts have been very successful and the Commission's latest stock  
2 report shows record abundance of lobster in Georges Bank and the Gulf of Maine.

3 *Proposal to designate a monument in the North Atlantic*

4 44. In 2015, the penultimate year of former-President Obama's second term, several  
5 environmental groups petitioned the President to designate a monument in the Atlantic Ocean  
6 before his presidency ended.

7 45. The proposal met with substantial opposition from both government and industry.

8 46. On September 18, 2015, the Massachusetts Lobstermen's Association, joined by  
9 the Atlantic Offshore Lobstermen's Association and several other fishermen organizations, sent  
10 a letter to the Council on Environmental Quality opposing the potential monument. That letter  
11 explained the many steps taken by the industry groups, working with state and federal fisheries  
12 managers, to improve sustainability of this fishery. This has included developing a prohibition  
13 against harmful gear and improving fishing methods during the region. The fishery in this area is  
14 thriving precisely because of the success of these efforts. Exhibit 1 is an accurate copy of the  
15 Massachusetts Lobstermen's Association letter.

16 47. In November 2015, Governor Baker of Massachusetts sent a letter to the President  
17 criticizing the proposed monument designation, arguing that it would undermine ongoing efforts  
18 to sustainably manage the fishery.

19 48. On May 9, 2016, the Atlantic States Marine Fisheries Commission also submitted  
20 a letter on the potential designation of a monument designation. The New England Fishery  
21 Management Council noted that it was already working on an Omnibus Deep-Sea Coral  
22 Amendment to protect corals in all the canyons in its region, which could be frustrated by a  
23 monument designation. The letter specifically requested that any monument designation not  
24 prohibit mid water or surface fishing methods, as these could not impact deep-sea coral.

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1 49. On June 27, 2016, the eight Regional Fishery Management Councils jointly filed  
2 a letter on the possibility of a monument designation in the North Atlantic. That letter specifically  
3 noted that a monument designation would frustrate the Councils efforts to responsibly regulate  
4 fisheries and ultimately harm the environment. Specifically, the Councils explained “[m]arine  
5 monument designations can be counterproductive as they may shift fishing effort to less  
6 sustainable practices . . .” Exhibit 2.

7 50. On September 14, 2016, the Southern Georges Bank Coalition, a group made up  
8 of many of the Plaintiffs and their members, sent the Council on Environmental Quality a letter  
9 opposing the potential monument designation. The Coalition argued that the Antiquities Act does  
10 not authorize the President to designate monuments beyond the nation’s territorial sea and, even  
11 if it did, the proposed monument was too big to comply with the statute. The Coalition further  
12 argued that management of the fishery should remain under the public, collaborative, and  
13 science-based process established by the Magnuson-Stevens Act. Exhibit 3 is an accurate copy of  
14 the Southern Georges Bank Coalition letter.

15 *Northeast Canyons and Seamounts Marine National Monument*

16 51. Despite these objections, on September 15, 2016, President Obama issued a  
17 proclamation declaring the Northeast Canyons and Seamounts Marine National Monument. The  
18 proclamation describes the monument as consisting of two units. The Canyons unit includes three  
19 large underwater canyons and two smaller ones, and covers nearly 1,000 square miles  
20 (approximately 640,000 acres). The Seamounts Unit includes four seamounts (underwater  
21 mountains) and covers nearly 4,000 square miles (approximately 2.56 million acres). Exhibit 4 is  
22 an accurate copy of the President’s Proclamation.

23 ///

24 ///

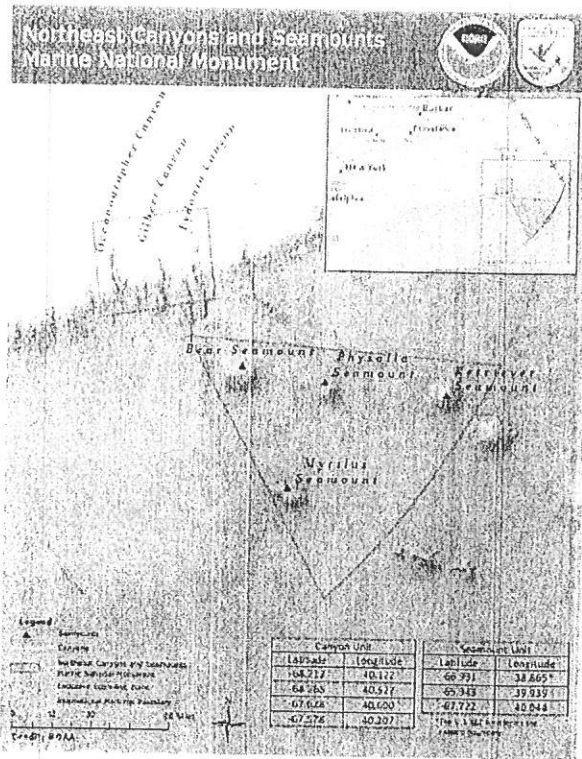
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52. The proclamation asserts that the canyons and seamounts, and the natural resources and ecosystems in and around them, are “objects of historic and scientific interest” and form the basis for the monument designation.

53. The three underwater canyons start at the edge of the continental shelf and drop thousands of meters to the ocean floor. The proclamation notes that deep-sea corals live in the canyon and form the foundation of a deep-sea ecosystem. The steep sides of the canyons concentrate phytoplankton, which draw fish, whales, and other ocean species.

54. The four seamounts are part of a larger seamount chain formed by extinct volcanoes. The seamounts also support deep-sea coral and several ecosystems.

55. The proclamation also asserts that the ecosystems in the huge area around the canyons and seamounts have drawn scientific interest. The ecosystem includes sharks, whales, turtles, and many highly migratory fish.

///

///



1           56.     The proclamation offers no explanation for why this huge section of the ocean is  
2 "lands owned or controlled" by the federal government. Instead, it simply asserts that protecting  
3 the marine environment is in the public interest.

4           57.     The proclamation offers no justification for why this roughly 5,000 square mile  
5 (3.2 million acre) area is the smallest area compatible with protecting the monument.

6           58.     The proclamation divides the authority to manage the monument between the  
7 Secretaries of Commerce and Interior. The Secretary of Commerce, through the National Oceanic  
8 and Atmospheric Administration, is responsible for managing activities and species within the  
9 monument. The Secretary of Interior is responsible for managing the area pursuant to its statutory  
10 authorities. Together, the Secretaries are directed to prepare a joint management plan within 3  
11 years and promulgate regulations to protect the monument.

12           59.     Recognizing that the federal government's authority to regulate this area is limited  
13 by international law, the proclamation forbids the Secretaries from adopting and implementing any  
14 regulations which would exceed the federal government's authority even if necessary to protect  
15 the monument. In particular, the proclamation forbids the Secretaries from restricting the ships that  
16 can pass through the area or the planes that can fly over it or regulating any lawful uses of the high  
17 seas.

18           60.     The proclamation directs the Secretaries to specifically prohibit: energy exploration  
19 and development within the monument; the taking or harvesting of any living or nonliving  
20 resources within the monument; drilling, anchoring, or dredging in the area, unless for scientific  
21 reasons or constructing or maintaining cables; and commercial fishing or the possession of  
22 commercial fishing gear, if available for immediate use.

23           61.     The proclamation allows the Secretaries, according to their unconstrained  
24 discretion, to permit: research and scientific exploration; recreational fishing; commercial fishing  
25 with some gear types but not others for red crab, Jonah crab, and lobster; but only for the next  
26 7 years; other activities that do not impact any resource within the monument; and the construction  
27 and maintenance of underwater cables.

28 ///

1           62.     On November 14, 2016, the proclamation's prohibition against all fishing in the  
2 area except for lobster and red crab went into effect. Since that time, none of the Plaintiffs'  
3 members who previously fished for other species in the area have been able to do so.

4                           **Allegations Supporting Declaratory and Injunctive Relief**

5           63.     Unless a permanent injunction is issued to forbid the implementation of the  
6 proclamation's fishing prohibitions, Plaintiffs are and will continue to be irreparably harmed. They  
7 are currently and continuously injured by the proclamation's restrictions. The fishermen are  
8 suffering and will continue to suffer a diminution of income, reduced fishing opportunities, and  
9 depletion of their investment in their boats and permits.

10          64.     Plaintiffs have no plain, speedy, and adequate remedy at law.

11          65.     If not enjoined by this Court, Defendants will continue to enforce the  
12 proclamation's fishing prohibitions and adopt regulations further restricting fishing within the  
13 monument.

14          66.     An actual and substantial controversy exists between Plaintiffs and Defendants over  
15 the President's power to proclaim monuments in the ocean beyond the nation's territorial sea.

16          67.     This case is currently justiciable because the proclamation is self-executing and  
17 immediately forbids many types of fishing within the monument and requires the Secretaries to  
18 phase out remaining fishing from the area over the next seven years. Plaintiffs are currently and  
19 continuously injured by the proclamation's fishing restrictions.

20          68.     Injunctive and declaratory relief are therefore appropriate to resolve this  
21 controversy.

22                           **Claim for Relief**

23                           (Violation of the Antiquities Act, 54 U.S.C. §§ 320301-320303)

24          69.     The Antiquities Act limits the President's authority to designate monuments to  
25 historic artifacts, historic landmarks, and similar objects of historic or scientific interest "situated  
26 on land owned or controlled by the Federal government." 54 U.S.C. § 320301(a). Any designation  
27 must "the smallest area compatible with proper care and management" of the objects protected by  
28 the monument. *Id.* § 320301(b).

1 A. The President exceeded his power by designating a monument on the ocean rather  
2 than “lands owned or controlled” by the federal government

3 70. The Northeast Canyons and Seamount National Marine Monument purports to  
4 designate a monument in the ocean 130 miles from the nation’s coast. This area of the ocean is not  
5 “lands owned or controlled” by the federal government. Therefore, the Antiquities Act does not  
6 authorize the President to establish the Northeast Canyon and Seamounts Marine National  
7 Monument.

8 B. The President exceeded his power by designating a monument that is not the smallest  
9 area compatible with the care and management of antiquities and similar objects of  
10 historic or scientific interest

11 71. Even if the Antiquities Act authorized the President to declare a monument in the  
12 ocean beyond the territorial sea, the Northeast Canyons and Seamounts Marine National  
13 Monument would violate the statute because it is not “the smallest area compatible with proper  
14 care and management” of the canyons and seamounts on which it is purportedly based.

15 72. The monuments boundaries bear little relation to the canyons and seamounts,  
16 thereby prohibiting much fishing outside of these areas that would have no impact on the canyons,  
17 seamounts, or the coral that grows on them. Between Retriever and Mytilus Seamounts, for  
18 instance, the monument encompasses areas that are dozens of miles from the nearest seamount. Yet  
19 in other areas, the monument’s boundary lies right next to a seamount excluding areas that are at  
20 most only several miles away.

21 73. Similarly, the monument’s canyon unit broadly sweeps in the entire area between  
22 the canyons, as well as a significant area closer to shore than the canyons. Many of these areas are  
23 miles from the nearest canyon’s edge and fishing would not adversely affect the canyons.

24 74. To the extent the monument’s overly large size is not defended based on the  
25 canyons or seamounts but instead the area’s marine ecosystem, that too would exceed the  
26 President’s power under the Antiquities Act. An ecosystem is not an “object” under the Antiquities  
27 Act. *Cf. Yates*, 135 S. Ct. 1074. The individual fish and shellfish that make up that ecosystem are  
28 also not “objects” for the purposes of the statute.

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**Request for Relief**

Plaintiffs respectfully request the following relief:

1. A declaration that the Antiquities Act does not authorize the President to establish ocean monuments and that the establishment of the Northeast Canons and Seamounts National Marine Monument is consequently unlawful;
2. An injunction forbidding the President, Secretary of Commerce, and Secretary of Interior from enforcing any of the proclamation's fishing prohibitions;
3. An injunction forbidding the Secretary of Commerce and Secretary of Interior from issuing any further regulations restricting fishing pursuant to the proclamation;
4. An award of attorney's fees, expenses, and costs; and
5. Any other relief the Court deems just and proper.

DATED: March 7, 2017.

Respectfully submitted,

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\**Pro hac vice* pending

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Attorneys for Plaintiffs

## Marine Monuments Article for Massachusetts Lobsterman's Association Newsletter

By Meghan Lapp, Seafreeze Ltd.

Last year, on September 3, an unexpected email announcement was distributed via NOAA's listserve. It gave stakeholders a two week notice of a "Town Hall" meeting to be held on September 15, announcing that the Administration was considering designating several New England deep sea canyons as Marine National Monuments, for protection of deep sea corals. During this meeting, every participant was limited to a two minute time slot of verbal comments. However, we were not even sure what was being proposed, because no boundary lines had been drawn or even hinted at. We were asked to comment on the concept of a Marine Monument in the area, not an actual proposal with any defined boundaries.

Holding just this one public meeting to allow for stakeholder input, NOAA released a comment portal through which stakeholders were directed to submit further comment. Attempting to protect our vessels' interests, I submitted not only written comments but proprietary information documenting our fishing activity in the area, to argue that our fishing grounds needed to be kept open. When I inquired, no one at NOAA could tell me how long the comment period would remain open, although the agency was administering the comment portal. Neither could anyone at the agency inform me how or why this discussion was initiated, if there was any specific process being followed, who would be reviewing our comments, who would be presenting them, and to whom. As a company which has participated many times in public process, especially on fisheries issues, it is disturbing that we were left completely in the dark with an issue that has the potential to put us out of business.

This initiative came soon after the Mid Atlantic Council had completed a Deep Sea Corals Amendment designed to protect deep sea corals in offshore canyons, the same alleged justification for the proposed Marine Monuments. The MAFMC's Deep Sea Coral Amendment process included extensive stakeholder input, including an interactive, collaborative workshop to draw boundary lines, in which Seafreeze was an active participant. This workshop involved many of the same individuals and environmental organizations who have been intensely lobbying for Marine Monument designation of the New England canyons. The push for Marine Monument designations of the New England canyons also coincided with the New England Council's resuming of work on its own Deep Sea Corals Amendment in the area in question, making it very clear that the same environmental groups which weeks before had been praising and receiving awards for participation in the MAFMC Corals Amendment's collaborative process were not at all interested in true collaboration with the fishing industry moving forward. They clearly did not get what they wanted through a transparent and deliberative process, so moved to eliminate that process altogether by designation of Marine Monuments rather than engagement with the New England Fishery Management Council.

In fact, shortly after the single public meeting, fisheries media outlet Saving Seafood requested and obtained public record emails detailing strategic lobbying activity by a coalition of environmental groups including Conservation Law Foundation, National Resources Defense Council, Pew Charitable Trusts, Earthjustice, National Geographic, and the Center for American Progress, which included not only a concrete monument proposal but also allusion to inside information, warnings about talking to the “outside world” about their campaign, and possible designation dates.<sup>i</sup> Although no designation occurred at that time, the onslaught of misinformation to the public and pressure on the Administration continues through these organizations.

Several attempts have been made by Congress to block any New England Marine Monuments and Presidential use of the Antiquities Act to designate them. Following the “Town Hall” meeting and environmental email scandal, the House Committee on Natural Resources held an oversight hearing in the issue and wrote a letter to the Administration requesting further information on its designation of marine monuments. Both focused on the lack of transparency, “apparent collusion and influence of environmental groups with regard to the Interior Department’s designation process”, and lack of local input.<sup>ii</sup> Congressmen Walter Jones (NC) and Don Young (AK) cosponsored a bill, H.R. 330 or the Marine Access and State Transparency (MAST) Act, which would prevent any President from unilaterally designating marine monuments without the approval of Congress and the legislature of each state within 100 nautical miles of the proposed monument.<sup>iii</sup> Additionally, the Atlantic States Marine Fisheries Commission has unanimously agreed that the New England Corals Amendment should be allowed to continue without Presidential declaration of a marine monument; but also that if the designation were to go forward, such a monument should be limited to waters deeper than 900 meters, thereby protecting important fishing grounds.<sup>iv</sup> Unfortunately, disregard for the facts and impacts on New England fishing communities have led to another recent proposal for New England Marine Monument designation through the elected officials of Connecticut. This proposal would also severely damage New England fisheries.<sup>v</sup>

Environmental claims that these monument proposal areas are “pristine” , “untouched” and in need of protection do not acknowledge the fact that extremely productive fisheries have been operating within them for decades. They also do not acknowledge that the marine life, including deep sea corals, that may live there still exist because we do not fish where they are. The corals which may exist inside a canyon are protected by virtue of their habitat. As our vessels are trawl vessels, I will approach the environmental misinformation from that standpoint.

According to the National Resources Defense Council webpage, “one pass of a weighted trawl net scraping along a canyon wall can destroy corals”. The problem with this statement is that trawls cannot operate on canyon walls. In order to maintain the proper geometry necessary for a trawl to work, it cannot be towed sideways or horizontally on a canyon wall. Furthermore, nets are made of twine which, even if it could somehow be towed horizontally, would be shredded by the rocky canyon walls and the coral itself, costing tens of thousands of dollars in damage. Clearly, no fisherman would risk tens of thousands of dollars’ worth of damage to his gear. Trawls only operate on the top of the edges of canyons, where the terrain is flatter and smooth. These areas are not coral habitat but have

been included in the proposed monument designations, apparently for no other reason than to prohibit fishing in the area.

According to National Geographic, the “canyons of Georges Bank” needing “protection” contain “rock [that is] so excavated out by all the living creatures that scientists call them ‘pueblo communities’”.<sup>vi</sup> It is true that some of the canyons in question, specifically Oceanographer and Lydonia Canyons, are already closed to mobile bottom tending gear through the Tilefish Gear Restricted Areas (GRAs) due to their “pueblo habitat”.<sup>vii</sup> However, this habitat is not rock, which is the preferred habitat of corals; it is clay. “The complex of burrows in clay outcrops along the slopes and walls of submarine canyons, and elsewhere on the outer continental shelf, has been called ‘pueblo’ habitat because of its similarity to human structures in the southwestern United States”, according to the Tilefish Fishery Management Plan.<sup>viii</sup> Furthermore, the clay pueblo habitat has already been protected by the GRAs through fishery management, so the areas are not in need of protection.

Many environmental organizations such as Conservation Law Foundation, Pew Charitable Trusts, and National Geographic are claiming that the canyons are “increasingly vulnerable to overfishing”, “under growing threat of destruction from overfishing”, and “if the fishing threat isn’t permanently curtailed by the monument designation it could decimate the wildlife” such as “squid, herring...and other species”.<sup>ix</sup> This is an outright lie. The Magnuson Steven Act of 2007, which governs federal fisheries, mandates that fishery management plans “shall...prevent overfishing”. Threats of overfishing are ever decreasing, not increasing. Additionally, claims that the “wildlife population densities around these areas ‘are like a time machine to the New England of 400 years ago’...before the onset of overfishing”<sup>x</sup> contradict themselves in the sense that not only do healthy fisheries currently exist in the area, but neither are they overfished.

The primary trawl fisheries occurring in the monument proposals are squid, mackerel, butterfish, and whiting, and since herring is specified by the environmental community I will address that species also. All of these fisheries are managed and regulated by the Magnuson Act, and none are overfished.<sup>xi</sup> In fact, squid populations are “booming” in New England according to a recent article by Science Magazine,<sup>xii</sup> and squid and butterfish are projected to be “winners” in predicted climate change in the region.<sup>xiii</sup> Butterfish numbers are nearly twice the scientifically targeted biomass,<sup>xiv</sup> and mackerel is scheduled to undergo an assessment this year. The herring stock is at its highest levels ever recorded, and fishing mortality rates are at their lowest levels since 1965.<sup>xv</sup> Both the northern and southern whiting stocks are healthy and experiencing strong recruitment.<sup>xvi</sup> Allegations of overfishing are clearly fabricated.

These areas are extremely productive and support countless fishery related jobs, in addition to a consistent supply of healthy seafood for the U.S. public. Federal fishing effort is catalogued according to catch by statistical area. From 2005-2014 the 10 year average annual harvest of squid (calamari), mackerel, butterfish, herring and whiting from the statistical areas proposed for monument designation was over 8.4 million lbs., supporting individual vessels, crews, dockside facilities and processors, restaurants and tackle shops, cold storage facilities, fishing gear and fuel businesses, and the list could

go on. In addition to these species, other fisheries that occur in the areas include lobster, Jonah crab and red crab. Each of these fisheries supports their own economic activity and families.

Unilateral executive designation of marine monuments would devastate these fisheries and the Americans that rely on them. Contrary to general public knowledge, fishing vessels do not have access to the whole ocean and cannot just “relocate” their activity. The fishing industry is restricted by many area closures, gear restricted areas, seasonal quotas, area quotas, and other measures that limit where they can go, when they can go there, and what they can catch at that time, besides the fact that certain fish live in certain areas. Access to the area proposed for a marine monument is critical to the survival of these fisheries.

Although it will be the Administration that ultimately makes the decision with regards to whether or not a monument will be designated and where it may be, it has been clear from the beginning that this process has been initiated and propagated by the environmental community through a continual flow of misinformation. This is unacceptable. It is deceptive to the American public, Administration and lawmakers, and completely disregards the potential loss of healthy seafood, jobs, families, personal investments and life savings that fishermen have tied up in their vessels, and the communities that rely on them. Such environmental organizations should not be allowed to drive any governmental process.

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<sup>i</sup> See

[http://www.eenews.net/stories/1060025612?utm\\_source=EMILY+YEHLE%3A+Greens+hopes+for+quick+win+on+New+England+monument+fade&utm\\_campaign=Emails+obtained+by+SS&utm\\_medium=email](http://www.eenews.net/stories/1060025612?utm_source=EMILY+YEHLE%3A+Greens+hopes+for+quick+win+on+New+England+monument+fade&utm_campaign=Emails+obtained+by+SS&utm_medium=email).

<sup>ii</sup> See <http://naturalresources.house.gov/newsroom/documentsingle.aspx?DocumentID=399424>.

<sup>iii</sup> See <https://jones.house.gov/press-release/jones-fights-save-fishing-access-atlantic>.

<sup>iv</sup> . See <http://www.savingseafood.org/wp-content/uploads/2016/05/pr14MarineMonuments.pdf>.

<sup>v</sup> See <https://www.blumenthal.senate.gov/newsroom/press/release/connecticut-delegation-urges-president-obama-to-designate-new-england-coral-canyons-and-seamounts-as-first-ever-atlantic-marine-national-monument>  
and

[http://www.blumenthal.senate.gov/imo/media/doc/2016\\_08\\_02%20Blumenthal%20et%20al%20Letter%20to%20President%20MAP%20ATTACHMENT\\_FINAL.pdf](http://www.blumenthal.senate.gov/imo/media/doc/2016_08_02%20Blumenthal%20et%20al%20Letter%20to%20President%20MAP%20ATTACHMENT_FINAL.pdf).



- 
- <sup>vi</sup> See <http://news.nationalgeographic.com/2016/03/160330-atlantic-marine-monument-cashes-ledge-new-england-seamounts-georges-bank/>.
- <sup>vii</sup> See <https://www.greateratlantic.fisheries.noaa.gov/nero/nr/nrdoc/09/09tilefishGRAreas.pdf>.
- <sup>viii</sup> . See [http://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5176d866e4b0e95e599d2670/1366743142476/Tilefish\\_FMP.pdf](http://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5176d866e4b0e95e599d2670/1366743142476/Tilefish_FMP.pdf).
- <sup>ix</sup> See <http://www.clf.org/strategies/protecting-special-places/> ; <http://advocacy.pewtrusts.org/ea-action/action?ea.client.id=1793&ea.campaign.id=41754>; and <http://news.nationalgeographic.com/2016/03/160330-atlantic-marine-monument-cashes-ledge-new-england-seamounts-georges-bank/>.
- <sup>x</sup> See <http://news.nationalgeographic.com/2016/03/160330-atlantic-marine-monument-cashes-ledge-new-england-seamounts-georges-bank/>.
- <sup>xi</sup> See [http://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/572ce64dc6fc08d82d934af3/1462560335098/MSB\\_APIInfo-2016.pdf](http://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/572ce64dc6fc08d82d934af3/1462560335098/MSB_APIInfo-2016.pdf); <https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/whiting/index.html>; <https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/atlherring/index.html>.
- <sup>xii</sup> See <http://www.sciencemag.org/news/2016/05/world-octopus-and-squid-populations-are-booming>.
- <sup>xiii</sup> See <http://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/57ab8599440243ba6de65c8b/1470858689147/EAFM-Guidance-Document-Aug2016.pdf>.
- <sup>xiv</sup> See <http://nefsc.noaa.gov/publications/crd/crd1403/parta.pdf>.
- <sup>xv</sup> See <http://www.nefsc.noaa.gov/saw/herring-review-2015/pdfs/working-paper-1-deroba.pdf>.
- <sup>xvi</sup> See <http://s3.amazonaws.com/nefmc.org/Alade-presentation-Hake-Assessment-update.pdf>.

**To:** Caroline Boulton[caroline\_boulton@ios.doi.gov]; Russell Roddy[russell\_rodny@ios.doi.gov]; Timothy Williams[timothy\_williams@ios.doi.gov]  
**From:** Chambers, Micah  
**Sent:** 2017-06-08T16:17:03-04:00  
**Importance:** Normal  
**Subject:** ME Congressional Staff Attendees  
**Received:** 2017-06-08T16:17:50-04:00

All are listed below. Also, I told them we'd share the invitee list once we had them.

Thanks

**Collins:**

Attending all three events:

Carol Woodcock

State Office Representative to Senator Collins

Cell -202-329-1994 office -990-0927

She invited an intern to the Roundtable with the Maine Woods Coalition and has cleared it with them

Jack Lucy

Intern to Senator Collins

Cell- (b)(6) office 945-0417

**Sen. King:**

Barb will be attending the Lunksoos Camp dinner, the morning meeting and the afternoon meeting in Augusta. Edie Smith may also be attending the meeting in Augusta.

Barbara Hayslett

Constituent Service Representative

(b)(6)

Edie Smith

Regional Representative

(b)(6)

**Rep. Poliquin:**

6/14 expected ~6:00 Dinner at Lunksoos Camp –Brandi Leathers attending  
Brandi Leathers, Maine Staff Assistant

(b)(6)

6/15 8:30-9:30 Breakfast Meeting with Katahdin Chamber of Commerce & Local  
Councilmen – Mark Kontio attending  
Mark Kontio, Maine Staff Assitant

(b)(6)

6/15 2:00-3:00 Roundtable with Maine Woods Coalition – Tim Gallant attending  
Tim Gallant, Maine Staff Assistant

(b)(6)

--

Micah Chambers

Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

**To:** Jason Funes[jason\_funes@ios.doi.gov]  
**From:** Smith, Steven  
**Sent:** 2017-06-13T17:46:09-04:00  
**Importance:** Normal  
**Subject:** Antiquities Act. Testimony: National Coalition for Fishing Communities  
**Received:** 2017-06-13T17:46:16-04:00  
[Testimony re Antiquities Act NCFC.pdf](#)

Attached is the Written Testimony of New Bedford Mayor Jon Mitchell On Behalf of the National Coalition for Fishing Communities

**Steven M. Smith**  
Advisor - Intergovernmental Affairs  
Office of the Secretary  
U.S. Department of the Interior  
Desk: (202) 513-0888  
Cell: (202) 706-9438



**Written Testimony of New Bedford Mayor Jon Mitchell  
On Behalf of the National Coalition for Fishing Communities**

**Before the U.S. House Committee on Natural Resources  
Subcommittee on Water, Power, and Oceans  
Wednesday, March 15, 2017**

Thank you, Chairman Bishop and members of the Committee. My name is Jon Mitchell. I am the Mayor of New Bedford, Massachusetts, the nation's top-grossing commercial fishing port for the past sixteen years. I'm pleased to testify today as mayor, and on behalf of the National Coalition for Fishing Communities, of which New Bedford is a leading member.

I would like to submit my written testimony for the record, and use my time this morning to offer my perspective on the designation of permanent marine monuments under the Antiquities Act.

**The National Coalition for Fishing Communities**

Commercial fishing is a vital business for the nation's coastal communities, employing tens of thousands of people and generating billions of dollars in revenue. The Port of New Bedford, for example, generates \$9 billion in direct and indirect economic output annually.

Despite these significant economic contributions, in recent decades, fishermen and fishing communities have lacked the ability to effectively communicate industry concerns to the public at large, and in Washington. On issues vital to their livelihood, they often compete directly with well-funded and well-coordinated non-government organizations.

Recognizing the need for better communication, in 2009, the non-profit Saving Seafood was created by a small group of New Bedford-based industry leaders to report and aggregate news and information for our domestic harvesters and processors. The first major reporting effort of Saving Seafood led to the exposure and correction of problems in NOAA Fisheries' law enforcement division.

Saving Seafood demonstrated the value of educating policy-makers and the public about developments in the fishing industry, and that led, in turn, to the formation in 2015 of the National Coalition for Fishing Communities.

The Coalition's mission is to be a voice for the communities that depend on commercial fishing so that policy-makers and the public hear directly from those whose lives and livelihoods are at stake.

As the nation's number one fishing port, New Bedford has a history of very active engagement on policy matters before NOAA, Capitol Hill, and in the White House. That is why the City decided to take a leadership role in founding the Coalition, and provided the initial seed grant which enabled its creation.

Today the Coalition is comprised of dozens of fishing businesses and organizations with deep roots in port communities across country, from New England to the Gulf of Mexico to California to Hawaii. Our members represent many of the country's most valuable fisheries, like the Atlantic sea scallop, red crab, lobster, tuna and swordfish, to name just a few.

One of the Coalition's first priorities has been to communicate the growing concerns of its members over insufficient consultation in the designation of marine monuments, including the expansion of monuments around Hawaii, proposed monuments off the coast of California, and the newly created monument off the coast of New England.

The Coalition has brought these concerns to the press and public. We have worked to inform members of Congress. We have been pleased, for example, to host Chairman Bishop during his recent visit with affected fishermen in New Bedford. And we have facilitated several meetings between industry and the White House Council on Environmental Quality (CEQ).

### **Marine Monument Concerns**

The port communities represented by the Coalition have serious concerns about the impacts that monuments have had, and may continue to have, on the U.S. commercial fishing industry. These concerns take two forms: (1) poorly conceived terms of particular monument designations, and (2) more fundamental concerns with the process itself.

We in New Bedford have been especially troubled by questionable terms of recent Northeast Canyons and Seamounts Marine Monument designation.

This designation, the first in the Atlantic Ocean, was adopted without even the base level of scrutiny conducted for *temporary* ocean closures. For example, with little advance warning, our red crab industry lost access to large swaths of its historically most productive fishing grounds.

The red crab fishery represents nearly 10% of the 240 million pounds of seafood transported annually to New Bedford for processing, so this term of the monument designation has been particularly impactful.

The Atlantic monument designation also established a moratorium on fishing in the water column above the monument seabed. This approach was of serious concerns for our pelagic fisheries, including swordfish and tuna fishermen and processors. Pelagic fishermen have no impact on the integrity of the bathymetry and substrate that a monument is meant to protect, so we question the underlying basis for this particular restriction.

I offer these two local examples as illustrative of a longer list of poorly conceived monument terms that have had unnecessary and harmful impacts in fishing communities nationwide.

In addition to the New England and Mid-Atlantic fishermen impacted by the Atlantic designation, Coalition members around the country have experienced their own harm from recently designated monuments. Others fear the effects of proposed monuments.

In Hawaii, previous administrations created and then expanded the largest marine protected area in the world, the Papahānaumokuākea Marine National Monument, which is now more than twice the size of Texas. Hawaii longline fishermen who depend on access to those waters are being pushed further into the open ocean to catch species like bigeye tuna, often in competition with foreign fishermen.

Another monument, the Pacific Remote Islands Marine National Monument, also bars Hawaii fishermen from large swaths of the U.S. exclusive economic zone.

On the West Coast, monument proposals surfaced last year that would have declared virtually all offshore seamounts, ridges, and banks off the California coast as marine monuments, permanently closing those areas to commercial fishing.

Such closures would have resulted in economic devastation for California fishermen and the communities that rely on the sustainable catch of albacore tuna, mackerel, market squid, and numerous other important species. These communities continue to be concerned that any president has the power to take these valuable grounds away from them with just the stroke of a pen.

But simply pointing out instances where the monument process got it wrong, misses the larger issue, which is this:

The monument designation process has evolved effectively into a parallel, much less robust fishery management apparatus that has, to date, been conducted, in all essential respects, entirely independent of the tried and true Fishery Management Council process provided for under the Magnuson Act.

And that is precisely why, I would suggest, the monument designation process has consistently led to less than optimal policy outcomes.

It lacks sufficient amounts of all the ingredients that good policy-making requires: Scientific rigor, direct industry input, transparency, and a deliberate pace that allows adequate time and space for review.

This is especially troubling given that, unlike the ordinary regulatory determinations made under Magnuson, monument designations under the Antiquities Act are by definition *permanent*.

I want to be clear on this--The designation process is not lacking because the agency staff, principally the White House CEQ, didn't work hard at their assignment. The officials involved with the Atlantic monument designation with whom I interacted were all, to a person, earnest, professional, and well-intentioned. But they were operating without a solid, consistent procedural framework and they lacked the resources and familiarity with commercial fishing operations necessary to do their task justice.

In contrast, the Fishery Management Council process is far from perfect, but it affords ample, structured opportunities for stakeholders and the public alike to study and comment on policy decisions and for the peer reviewing of the scientific bases for those decisions.

For its part, the Port of New Bedford has been an active participant in the New England Fishery Management Council. Our fishing interests are directly affected by the decisions made by the New England Fishery Management Council and NOAA Fisheries, and we don't hesitate to use the Council process to challenge regulatory approaches with which we disagree.

That said, there is a process in place that allows industry concerns to be aired; a process in place for revisiting management decisions to account for new data; and a process in place that, at its best, finds creative policy solutions that respect the interests of competing stakeholders.

I would argue that the continued use of a parallel process outside Magnuson, outside the Management Councils--however well-meaning--ultimately works against the long-run interests of *all* stakeholders.

We all lose when the checks and balances employed in the NOAA process are abandoned. A decision-making process driven by the simple assertion of executive branch authority ultimately leaves ocean management decisions permanently vulnerable to short-term political considerations. Such an outcome is cause for deep concern no matter one's position in the current policy debates.

So I encourage the Committee to explore ways to integrate the executive branch's monument authority with proven processes established under the Magnuson Act.



This Congress has an important opportunity to restore the centrality of Magnuson's Fishery Management Councils to their rightful place as the critical arbiters of fisheries management matters.

Doing so would give fishing communities much more confidence in the way our nation approaches fisheries management. And it could give the marine monument designation process the credibility and acceptance that it regrettably lacks today.

**To:** Timothy Williams[timothy\_williams@ios.doi.gov]  
**From:** Funes, Jason  
**Sent:** 2017-06-13T18:05:30-04:00  
**Importance:** Normal  
**Subject:** Fwd: Antiquities Act. Testimony: National Coalition for Fishing Communities  
**Received:** 2017-06-13T18:06:08-04:00  
Testimony re Antiquities Act NCFC.pdf

Tim,

Just wanted to make sure you had this written testimony from National Coalition for Fishing Communities as it is a subsidiary of Saving Seafood.

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

**From:** **Smith, Steven** <[steven\\_m\\_smith@ios.doi.gov](mailto:steven_m_smith@ios.doi.gov)>  
**Date:** Tue, Jun 13, 2017 at 5:46 PM  
**Subject:** Antiquities Act. Testimony: National Coalition for Fishing Communities  
**To:** Jason Funes <[jason\\_funes@ios.doi.gov](mailto:jason_funes@ios.doi.gov)>

Attached is the Written Testimony of New Bedford Mayor Jon Mitchell On Behalf of the National Coalition for Fishing Communities

**Steven M. Smith**  
Advisor - Intergovernmental Affairs  
Office of the Secretary  
U.S. Department of the Interior  
Desk: (202) 513-0888  
Cell: (202) 706-9438

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**Jason Funes**  
**Special Assistant**  
**Intergovernmental and External Affairs**  
**Office of the Secretary**  
**Department of the Interior**  
**Office: (202) 208-5541**



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**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Chambers, Micah  
**Sent:** 2017-07-11T16:53:21-04:00  
**Importance:** Normal  
**Subject:** Fwd: Invitations to Southern New Mexico for Secretary Zinke  
**Received:** 2017-07-11T16:54:10-04:00  
[Invitation Secretary Zinke FOMDP.PDF](#)  
[LCGCC Invitation to Zinke 2017.pdf](#)  
[Joint Mayoral Invite to Interior Secy 6.28.17.pdf](#)  
[VVF OMDP DOI Invite .pdf](#)  
[Zinke Letter-Invitation OMDP.DOC](#)

FYI for southern new mexico planning

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

**From:** **Harding, Stephenne (Tom Udall)** <[Stephenne\\_Harding@tomudall.senate.gov](mailto:Stephenne_Harding@tomudall.senate.gov)>  
**Date:** Tue, Jul 11, 2017 at 4:33 PM  
**Subject:** Invitations to Southern New Mexico for Secretary Zinke  
**To:** "Chambers, Micah" <[micah\\_chambers@ios.doi.gov](mailto:micah_chambers@ios.doi.gov)>, "[Scott Hommel@ios.doi.gov](mailto:Scott_Hommel@ios.doi.gov)" <[Scott\\_Hommel@ios.doi.gov](mailto:Scott_Hommel@ios.doi.gov)>  
**Cc:** "Hermann, Maya (Heinrich)" <[Maya\\_Hermann@heinrich.senate.gov](mailto:Maya_Hermann@heinrich.senate.gov)>, "Romo, Rene (Tom Udall)" <[Rene\\_Romo@tomudall.senate.gov](mailto:Rene_Romo@tomudall.senate.gov)>, "Parker, Dara (Heinrich)" <[Dara\\_Parker@heinrich.senate.gov](mailto:Dara_Parker@heinrich.senate.gov)>, "[Timothy Williams@ios.doi.gov](mailto:Timothy_Williams@ios.doi.gov)" <[Timothy\\_Williams@ios.doi.gov](mailto:Timothy_Williams@ios.doi.gov)>

Micah & Scott—

I wanted to sure to share the invitations which we have been cc'ed on from local officials and constituents to Secretary Zinke inviting him to see parts of Southern New Mexico with them during this trip. I am sure these are not the only invitations, but figured I should share what we received. We look forward to working with you to accommodate these invitations and other commitments he has made during the Secretary's visit.

As always, if you have any questions, please do not hesitate to call.

Cheers,

Stephenne

Stephenne Harding



Senior Policy Advisor

(202) 224-7984

[Stephenne\\_Harding@tomudall.senate.gov](mailto:Stephenne_Harding@tomudall.senate.gov)

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Micah Chambers

Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

*Southwest Consolidated Sportsmen*  
**Las Cruces, New Mexico**

100 Juh Trail, Hillsboro New Mexico 88042-9500

June 28, 2017

The Honorable  
Ryan Zinke  
Secretary of the Interior  
1849 C Street N. W.  
Washington, DC 20240

Dear Mr. Secretary:

As representatives of the Southwest Consolidated Sportsmen, a coalition of the organized sportsmen and outdoor enthusiasts groups in the Las Cruces area, we wish to convey our concerns about the ongoing consideration to reduce the footprint of the Organ Mountains-Desert Peaks National Monument.

Many members of our organization have been actively involved in the discussions regarding the formation of the monument since the initial consideration of protection for these areas began back in the late 1980s. Some of our members have been hunting and recreating in these areas for better than fifty years and, as such, are intimately familiar with all of them, the opportunities they present for the public and the cultural, social, and economic values they hold for the region.

Granted, we as sportsmen were initially concerned for the future of these special locations in the direction of the debates and discussions among the various stakeholders. We feared that our values as wildlife enthusiasts and hunters would be dismissed or, worse yet, eliminated altogether in the process. What we found instead was a refreshing willingness to compromise and accept differing viewpoints and outlooks among almost all of the stakeholders involved.

The result of all of those interactions, debates and discussions was a final product that objectively took into consideration every reasonable request for consideration from all of the parties involved, while still maintaining the overall perspective of protecting these areas as a whole.

We are concerned that the political bickering at the national level has led us to a place where all of our efforts over the last few decades to, first, protect these landscapes because they are deserving of protection, while second, providing reasonable multiple uses to all stakeholders involved are being jeopardized. They are being threatened because of a small minority of special interests and individuals that somehow believe their perspective supersedes the overall interest of the public as a whole and, even more importantly, the protection the monument designation affords these special places.

The Organ Mountains-Desert Peaks National Monument, in its entirety, has overwhelming support from a large majority of the citizens of this area. On behalf of those citizens, we would hope that your ultimate recommendation would be to preserve our monument as it is.

Finally, we are aware that you are making an effort to visit the various monuments being reviewed. As representatives of the local sportsmen's community, we would like to meet with you, at your convenience, to discuss the monument "in person." In fact, if time allows, we would be delighted to show you around "our" monument from a sportsmen's perspective. Also, if you would like to hone your shotgun skills, we would like to challenge you to a little competition at Butterfield Shooting Range, our state-of-the-art trap and skeet range sited just on the edge of the monument. We could do

The Honorable Ryan Zinke  
June 28, 2017  
Page 2

this early in the morning or at an evening shoot to stay out of the heat and any potential wind, and local sportsmen will provide wild game fare for either breakfast or dinner.

Please feel free to contact either of us by phone or email: John Cornell at 575-740-1759 or [jcls1010@gmail.com](mailto:jcls1010@gmail.com); Jim Bates at 575-644-7751 or [jim\\_bates2@hotmail.com](mailto:jim_bates2@hotmail.com).

We look forward to hearing from you.

Sincerely,

John Cornell & Jim Bates, Co-chairmen

Southwest Consolidated Sportsmen

Honorable Ryan Zinke  
Secretary of the Interior  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

June 28, 2017

Dear Secretary Zinke:

Last week you announced your intent to visit New Mexico, and you committed to visit with a wide range of stakeholders here including federal, state and local officials about the Organ Mountains-Desert Peaks National Monument. As the mayors of Las Cruces, Mesilla, Anthony and Sunland Park, we represent constituents who live in close proximity to the monument and whose livelihoods and families are connected to the monument. We also see the day-to-day effects of the Organ Mountain-Desert Peaks National Monument's designation on our cities and towns, including the positive economic impacts the monument has brought to the region.

As the mayors, we invite you to participate in a public meeting we will host when you are in southern New Mexico so that you can hear from community members about the Organ Mountains-Desert Peaks National Monument. We know that your attendance will be viewed as an important opportunity for the public to be heard. As local leaders, we can facilitate a constructive discussion with those who have great stakes in the monument and provide the kind of input you are seeking during your review.

We understand you are still planning your trip. We look forward to working with you so you can attend a public meeting with our constituents as well as visit the monument itself to see the spectacular landscape in which we live. We ask that you please have your staff reply as quickly as possible so that we can make the appropriate arrangements to accommodate your schedule. Please contact Cynthia Stoechner-Hernandez, Mesilla town clerk-treasurer, 575-524-3262, ext. 105, or at [cynthias-h@mesillanm.gov](mailto:cynthias-h@mesillanm.gov), and she will share your office's information with the other mayors.

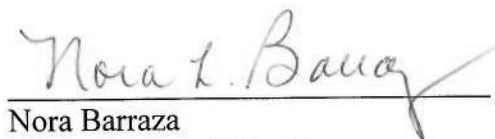
Sincerely,



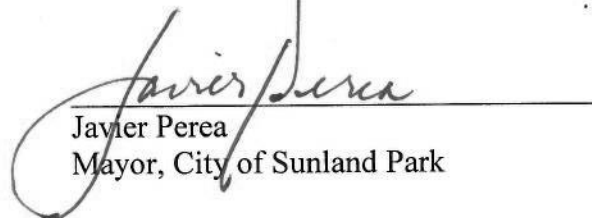
Ken Miyagishima  
Mayor, City of Las Cruces



Diana Trujillo  
Mayor, City of Anthony, NM



Nora Barraza  
Mayor, Town of Mesilla



Javier Perea  
Mayor, City of Sunland Park



July 7, 2017

The Honorable Ryan Zinke  
Secretary of the Interior  
1849 C St NW  
Washington, DC 20240

Dear Secretary Zinke,

You would know better than many Americans that serving in the U.S. military is about more than defending our nation's people and its values; it's also about fighting to ensure that the very lands on which we live and recreate are still here for our children and grandchildren to enjoy.

The Organ Mountains-Desert Peaks is special place of unparalleled rugged beauty. It stands at the crossroads of American history including pre-historical places sacred to Native Americans, the Camino Real traversed by Spanish settlers for centuries, and the Butterfield Stage Route used by Americans traveling east-west across the country in the 19<sup>th</sup> century. These kinds of sites tell us something about our past and how far we've come as a nation.

Thus, I would like to offer you the opportunity to hike and discover some of the special places the Organ Mountain-Desert Peaks contains with a group of military veterans who worked very hard to make their support of the monument heard by the previous administration. I understand you will be in New Mexico at the end of July. Please let me know what day and time you would like to hike with our veterans through the Organ Mountains-Desert Peaks. We are happy to accommodate your schedule.

As a veteran who understands and appreciates the military contribution to our country, you might enjoy seeing some of the rich military history connected to the monument. During this hike, we can show you how the Organ Mountains Desert-Peaks also is home to some more recent pieces of history that are particularly important to veterans. Perhaps the best examples are the Deming aerial bombing targets, which were used to help train Army Air Corps pilots during World War II. These large bull's eye targets gave our Greatest Generation critical training to defeat the enemies of freedom during some of the darkest days the world has ever known.

Though I served my country in the armed forces, I believe fighting for this monument was another kind of service – a type of service that will allow my children and grandchildren to explore and enjoy these public lands as well as learn more rich chapters of the American story.

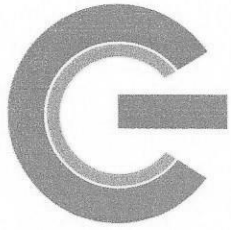
The proximity of military installations like Ft. Bliss and White Sands Missile Range means that these lands offer great opportunities for our service members, veterans and their families to enjoy and explore. Las Cruces and the surrounding region has a proud military tradition and a strong veteran community.


Thank you in advance and look forward to showing you this special part of my community.

Sincerely,

A handwritten signature in black ink, appearing to read "Garrett Reppenhagen", with a long horizontal flourish extending to the right.

Garett Reppenhagen  
US Army 1<sup>st</sup> Infantry, Kosovo and OIF II Veteran  
Regional Director  
Vet Voice Foundation  
719-235-7030  
[repp@vetvoicefoundation.org](mailto:repp@vetvoicefoundation.org)



  
LAS CRUCES  
GREEN CHAMBER OF COMMERCE  
THINKLOCAL BUYLOCAL GIVELOCAL

July 11, 2017

Secretary Ryan Zinke  
Monument Review MS-1530  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Dear Secretary Zinke,

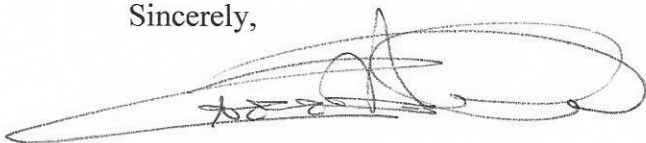
On behalf of the Las Cruces Green Chamber of Commerce, I would like to extend an invitation to you and your office to visit Las Cruces, New Mexico to experience the culture, the food, and our Organ Mountains-Desert Peaks National Monument.

As the only organization in town that focuses specifically on the economic impact of our locally owned businesses, the Las Cruces Green Chamber of Commerce has the honor of highlighting the hard work and dedication to our community that small business owners have and exhibit every day. We have also seen our local businesses take ownership of our National Monument and would like to share with you their stories.

We would be honored if you and your staff were able to visit Southern New Mexico to experience our incredible sunrises and sunsets, meet the amazing people here who are working hard every day to make our region the great place it is, and to see how our National Monument has impacted our city.

I look forward to hearing from your office.

Sincerely,



Carrie Hamblen  
CEO/President  
Las Cruces Green Chamber of Commerce  
221 N. Main Street, Las Cruces, New Mexico 88004  
575-323-1575



Friends of Organ Mountains – Desert Peaks  
PO Box 2676  
Las Cruces, NM 88001

Secretary Ryan Zinke  
Department of the Interior  
1849 C St. NW  
Washington, D.C. 20240

July 7, 2017

RE: Invitation to learn about Organ Mountains – Desert Peaks National Monument on the ground

Dear Secretary Zinke:

Friends of Organ Mountains – Desert Peaks is pleased to learn that you plan to visit Organ Mountains – Desert Peaks National Monument as part of the Monument Review process undertaken by the Department of Interior. We cordially invite you to join us on the ground to see firsthand the natural, cultural and historic resources protected by Organ Mountains – Desert Peaks National Monument and the diverse base of community support that the Monument enjoys.

Friends of Organ Mountains – Desert Peaks is a non-profit community-based organization based in Las Cruces, New Mexico. We represent diverse voices and stakeholders including sportsmen and women, local businesses, recreation users, faith leaders and local citizens. The Friends work closely with the Bureau of Land Management on shared goals and projects that connect our community with our public lands including community education and outreach programs, trail maintenance, trash cleanups and an Artist in Residence Program. We also provide significant volunteer resources to BLM to achieve their multipurpose mission.

Organ Mountains – Desert Peaks National Monument was designated in 2014 at our community's request, following an extensive outreach and engagement process that included local sportsmen and sportswomen's groups, businesses, recreational users, scientists and citizens who all weighed in to create a Monument that protected our most important cultural, historical and natural resources.

New Mexico's U.S. Senate offices, the Department of the Interior and the State Land Office worked closely with stakeholders to ensure that ranching, Border Patrol and national security activities could continue unimpeded by the new designation. By the time then-Secretary of the



Interior Sally Jewel visited to inspect the proposed Monument, the proposal enjoyed overwhelming support in polling, from stakeholder groups throughout Doña Ana County, and at a massive event held for the community at large.

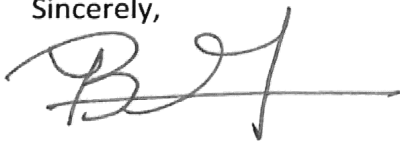
In the three years since designation of the National Monument in 2014, our community has even more fully embraced the Monument. The Las Cruces Convention & Visitor's Bureau's annual Monuments to Main Street celebration is a growing focal point of regional tourism and economic development for Southern New Mexico. Local businesses have incorporated the Monument into their marketing and developed new products connect visitors and locals to Organ Mountains – Desert Peaks. User groups have organized to volunteer and help maintain trails and build community identity around the Monument. National and international publications recognize Organ Mountains – Desert Peaks as a top destination for travelers.

As you might understand, our community was surprised to hear of a Monument Review process, given the positive impacts and continued community support we have witnessed since designation. In response to the review, thousands of comments have been generated by Doña Ana County residents in support of the Monument, and local boards and commissions have passed formal resolutions of support, citing overwhelming community support, economic impact, and the importance of the protected cultural, historical and natural resources to our region. These include the Doña Ana County Board of County Commissioners, Las Cruces City Council, Anthony City Council, Town Council of Mesilla and Sunland Park City Council.

Please reach out to me to arrange to visit the Monument and meet with community leaders and citizens. I look forward to meeting with you and showing you our Organ Mountains – Desert Peaks National Monument.

I can be reached at [ben@organmtnfriends.org](mailto:ben@organmtnfriends.org) or via phone at (575) 489-4709.

Sincerely,

A handwritten signature in black ink, appearing to read 'Benjamin Gabriel', with a long horizontal line extending to the right.

Benjamin Gabriel

Executive Director  
Friends of Organ Mountains – Desert Peaks

**To:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**Cc:** Russell Roddy[russell\_rodny@ios.doi.gov]; Wadi Yakhour[wadi\_yakhour@ios.doi.gov];  
Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-06T13:48:44-04:00  
**Importance:** Normal  
**Subject:** Monday T.P.  
**Received:** 2017-05-06T13:48:53-04:00  
[0507SumBETribeRecreation3306 \(1\).docx](#)  
[0507SumBETribeRecreation3306 \(1\).pdf](#)

Laura and Heather,

Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office  
440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe (Kykotsmovi, AZ)  
James Adakai, President, Utah Navajo Chapter of Olijato, Navajo  
Nation (Fort Defiance, AZ)  
Davis Filfred, Navajo Nation Council (Window Rock, AZ)  
Shaun Chapoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)  
Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)  
Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute  
(Towaoc, CO)  
Natasha Hale, Native American Program Director, Grand Canyon  
Trust  
Charles Wilkinson, Legal Advisor, University of Colorado  
Leland Begay, Legal Advisor, Ute Mountain Ute  
Gavin Noyes, Utah Dine Bikeyah, Executive Director  
TBD other support staff  
Ed Roberson, BLM State Director  
Don Hoffheins, BLM, Monticello Field Manager  
Tyler Ashcroft, BLM, Bears Ears Project Manager  
Mike Richardson, BLM, Acting Communications Director  
Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)

Senator Orrin Hatch

Senator Mike Lee

Rep. Rob Bishop

Rep. Jason Chaffetz

Rep. Chris Stewart

Utah Attorney General Sean Reyes

Justin Harding, Chief of Staff, Office of Governor Herbert

Mike Mower Deputy Chief of Staff, Office of Governor Herbert

Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert

Jacey Skinner, General Counsel, Office of Governor Herbert

Cody Stewart, Director of Federal Affairs, Office of Governor Herbert

Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert

Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office

Mike Styler, Executive Director, Utah Department of Natural Resources

Val Hale, Executive Director, Governor's Office of Economic Development

Tom Adams, Director, Office of Outdoor Recreation

Vicki Varela - Director of Utah Office of Tourism and Branding

Aimee Edwards - Communication Director, Governor's Office of Economic Development

Matt Sandgren, Chief of Staff, Office of Senator Hatch

John Tanner, Legislative Director, Office of Senator Hatch

Ed Cox, Legislative Assistant, Office of Senator Hatch

Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch

Alyson Bell, Chief of Staff, Office of Senator Mike Lee

Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee

Devin Wisner, Chief of Staff, Office of Rep. Rob Bishop

Peter Jenks, District Director, Office of Rep. Rob Bishop

Wade Garrett, District Director, Office of Rep. Jason Chaffetz

Clay White, Legislative Director, Office of Rep. Jason Chaffetz

Brian Steed, Chief of Staff, Office of Rep. Chris Stewart

Gary Webster, District Director, Office of Rep. Chris Stewart

Laurel Price, District Director, Office of Rep. Mia Love

Speaker Greg Hughes

Rep. Brad Wilson

Rep. Frances Gibson

Rep. John Knotwell

Rep. Keven Stratton

Rep. Kay Christofferson

President Wayne Niederhauser

Senator Stuart Adams

Senate Leadership - TBD

Senate Leadership - TBD

Senate Leadership - TBD

Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

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Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

# **INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** Meeting with Bears Ears Inter-Tribal Coalition

**DATE:** May 7, 2017                      **TIME:** 3:30 - 4:30 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

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## **I. STATEMENT OF PURPOSE**

Meeting with members of the Bears Ears Inter-Tribal Coalition.

## **II. BACKGROUND**

In July 2015, five American Indian Tribes with cultural affiliation to the Bears Ears region formed the Bears Ears Inter-Tribal Coalition. Members included the Hopi Tribe, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and the Zuni Tribe.

On Oct. 15, 2015, the coalition submitted a formal proposal to President Barrack Obama requesting designation of 1.9 million acres as the Bears Ears National Monument. The coalition's proposal emphasized collaborative management between the Tribes and the Federal government.

On Dec. 28, 2016, 1.35 million acres in southern Utah were designated as the Bears Ears National Monument. The proclamation stated that the BLM and the U.S. Forest Service would engage the Tribes in development of a management plan and the subsequent management of monument lands.

The coalition has said publicly that it intends to litigate any attempt to rescind the Bears Ears National Monument designation.

## **III. DISCUSSION**

Members of the Bears Ears Inter-Tribal Coalition invited to attend the meeting include:

Hopi Tribe:	<u>Alfred Lomahquahu</u> , Vice Chairman
Navajo Nation:	<u>Russell Begaye</u> , President; <u>Jonathan Nez</u> , Vice President; <u>Lorenzo Bates</u> , Speaker; <u>Davis Filfred</u> , Council Delegate
Ute Indian Tribe:	<u>Shaun Chapoose</u> , Chairman
Ute Mountain Ute Tribe:	<u>Harold Cuthair</u> , Chairman
Zuni Tribe:	<u>Carleton Bowekaty</u> , Councilman

Additional Tribal members and support staff may also be present.

## **IV. ATTACHMENTS**

1. March 3, 2017, letter from the Bears Ears Inter-Tribal Coalition to Secretary Ryan Zinke

March 17, 2017

Honorable Ryan Zinke  
Secretary of the Department of the Interior  
1849 C. Street NW  
Washington, D.C. 20240

Honorable Michael Scuse  
Acting Secretary of the Department of Agriculture  
1400 Independence Ave., SW  
Washington, D.C. 20250

Dear Secretary Zinke and Acting Secretary Scuse,

This letter is to inform you that the Bears Ears Commission, which was established in President Obama's Bears Ears National Monument Proclamation, is now fully constituted. The elected Commissioners from the five sovereign Native American Tribes are : Alfred Lomahquahu - the Hopi Nation, Davis Filfred and James Adakai - the Navajo Nation, Terry Knight - the Ute Mountain Ute Tribe, Shaun Chapoose - the Ute Indian Tribe of the Uintah Ouray, and Carleton Bowekaty - the Zuni Tribe. We urge you to meet with the Commission members as soon as possible, and there will be a good opportunity will when Secretary Zinke makes his first visit to Utah as Secretary. This letter sets forth the reasons that such meeting would be beneficial as soon as possible.

Our five Tribes were the driving force in the effort to create the Bears Ears National Monument. Our people were forcibly removed from the Bears Ears area in the mid-1800s but we have always continued to return to this cultural landscape for ceremonies, hunting, gathering of herbs and medicines, and other purposes. Then, beginning in 2010, we turned to formal protection. We conducted a tremendous amount of research into the scientific, historic, and cultural values of the region. Based on that research, we developed boundaries for a protected area. Then, in October 2015, we submitted a comprehensive, formal proposal for protection as a national monument or other designated area and took the lead in meetings with the Obama Administration and the Utah Delegation. This was the first time in history that American Indian Tribes had ever petitioned for a national monument or other such designation. Making the monument a reality required long and hard work by a large number of Indian people, especially our tribal leaders and traditional practitioners.

The purpose of the Proclamation is to honor the Tribes, both historic and contemporary, the land, and the relationship between the Tribes and the land. The proclamation, in many places, emphasizes the importance of incorporating tribal traditional knowledge into all aspects of monument management. To be certain that the Tribes are fully represented in managing the new monument, the Proclamation calls for a regime of collaborative management between the tribes and the federal agencies. Our Commission was established "to ensure that management decisions affecting the monument reflect tribal expertise and historical knowledge." (emphasis added). Among other provisions, your two agencies are directed to "partner" with the Commission, to "meaningfully engage" the Commission in monument management, to "carefully and fully consider" recommendations of the Commission, and to conduct "meaningful engagement" with the Commission. All of these provisions are now fully in force as federal law.

Now that our Commission has been fully constituted, we are most anxious to meet with agency officials in the field and, as mentioned, Secretary Zinke during his Utah visit. These will be opportunities to begin discussions on fulfilling the promise of this historic opportunity to create a unique and highly productive system of collaborative management.

We have heard reports that the Trump Administration may be considering actions to reduce the size of the monument or to eliminate it entirely. If that is correct, we would consider it essential that we are able to have full discussions with you about those possibilities. Of course, from our standpoint, any such actions would be absolute tragedies in terms of impacts on our people today and the eternal values and traditions of our many generations of ancestors. Needless to say, if

such actions are not being considered, than the meetings would be extraordinarily productive in terms of starting to put in place a system of collaborative management that would make this monument one of the brightest stars in America's public land system.

We invite you to meet with the Commission when you visit Utah in March so that we may discuss the Bears Ears National Monument, its importance to our Nations, and our management priorities with you. Please contact Commission member Carleton Bowekaty at (505) 879-2826 or [Carleton.Bowekaty@ashiwi.org](mailto:Carleton.Bowekaty@ashiwi.org) to arrange this meeting.

Respectfully,

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Alfred Lomahquahu Carleton Bowekaty

Bears Ears Commission Interim Co-Chair Bears Ears Commission Interim Co-Chair

Cc: Ed Roberson, State Director – Utah, Bureau of Land Management

Nora Rasure, Regional Forester, U.S. Forest Service

Tyler Ashcroft, Project Manager, Bureau of Land Management

Michael Diem, Moab/Monticello District Ranger, U.S. Forest Service

## **INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** Discussion on recreational industry representatives in Utah

**DATE:** May 7, 2017                      **TIME:** 6:00 - 9:00 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

### **I. STATEMENT OF PURPOSE**

Discussion on recreation viewpoints and activities in Utah especially as they relate to BLM monuments.

### **II. PARTICIPANTS**

- Federal and legislative representatives
- Utah Office of Outdoor Recreation
- Gary Heward, CEO, Liberty Mountain
- Bill Harmon, Goal Zero
- Joshua Bradley, Amer Sports
- Nazz Kurth, Petzl
- Amanda Covington, Vista Outdoors
- Ashley Kornblat, Western Spirit
- Don Peay, Utah Sportsmen for Fish and Wildlife

### **III. BACKGROUND**

#### **A. Bears Ears National Monument**

- Total estimated recreational visitors to the Monticello Field Office, including the Bears Ears National Monument, in Fiscal Year 2016 was 418,684 people. In Fiscal Year 2000, there were an estimated 180,233 visitors. Hiking, camping, off-highway vehicle use, viewing cultural resources, and photography were the top five recreational activities within the Monticello Field Office in Fiscal Year 2016.
- In Fiscal Year 2016, the Monticello Field Office issued 117 Special Recreation Permits to authorize a wide variety of commercial, competitive, and organized group activities to expand and enhance recreational access, including 13 permits to commercial hunting outfitter and guiding services. In Fiscal Year 2000, the field office issued 58 Special Recreation Permits, including 4 commercial hunting outfitter and guiding services.
- There are currently over 1,800 miles of designated roads and primitive roads within the Monticello Field Office that provide recreational off-highway vehicle access.

#### **B. Grand Staircase-Escalante National Monument**

- Total estimated recreational visitors to Grand Staircase-Escalante National Monument in Fiscal Year 2016 was 926,236 people. In Fiscal Year 2000, there were an estimated 568,214 visitors. Hiking, camping, off-highway vehicle use, scenic touring/viewing, and participating in environmental education events were the top five recreational activities within the Monument in Fiscal Year 2016.
- In Fiscal Year 2016, the Grand Staircase-Escalante National Monument issued 122 Special Recreation Permits to authorize a wide variety of commercial, competitive, and organized group activities to expand and enhance recreational access. In Fiscal Year 2000, the Monument issued 37 Special Recreation Permits.
- On average, the Monument issues 16 Special Recreation Permits to commercial hunting guide and outfitter services each year to support big game hunting opportunities for deer, elk, pronghorn, desert bighorn sheep, mountain lion, black bear, and turkey. The BLM has partnered



with the Utah Division of Wildlife Resources to re-introduce pronghorn, bighorn, wild turkey within the Monument.

- There are currently over 900 miles of designated roads and primitive roads within the Monument that provide recreational off-highway vehicle access.

#### IV. DISCUSSION

##### A. Bears Ears National Monument

- Specific visitation figures to the newly-designated National Monument are not yet available, however, there has been a significant increase in visitor demand for overnight and day-use permits throughout Cedar Mesa. BLM-Utah expects that recreational visitation to the Monument will continue to increase for some time, and has undertaken the following initiatives to promote responsible and sustainable heritage tourism opportunities:
- Within the last three years, BLM-Utah has funded the stabilization of 11 highly visited archaeological sites throughout the Monticello Field Office, primarily within the Bears Ears National Monument. These efforts will facilitate the development of new visitor amenities and the marketing of these recreational opportunities to visitors from all over the world.
- In partnership with the non-profit organization Tread Lightly!, BLM-Utah developed a public awareness campaign titled Respect and Protect, which aims to eliminate the looting and vandalism of archaeological, paleontological, and natural resources in Utah. BLM-Utah is currently developing a Memorandum of Understanding with 14 state and federal agencies, non-governmental organizations, and professional and avocational groups to collaboratively and consistently share the Respect and Protect campaign messages.

##### B. Grand Staircase-Escalante National Monument

- The Grand Staircase-Escalante National Monument is widely recognized as an international outdoor recreation destination for dispersed and undeveloped activities. There are intentionally very few developed facilities to provide visitors with back country recreational experiences.
- Most recreational uses and allocations within the Monument were established in the Monument Management Plan, which was approved in 2000.
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## INFORMATION MEMORANDUM FOR THE SECRETARY

**SUBJECT:** Discussion on recreational industry representatives in Utah

**DATE:** May 7, 2017                      **TIME:** 6:00 - 9:00 pm

**FROM:** Maureen Foster, Acting Assistant Secretary FWP

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### I.                      **PURPOSE**

Discussion on recreation viewpoints and activities in Utah especially as they relate to monuments.

### II.                      **PARTICIPANTS**

- federal and legislative representatives,
- Utah Office of Outdoor Recreation
- Gary Heward                      CEO, Liberty Mountain
- Bill Harmon                      Goal Zero
- Joshua Bradley                      Amer Sports
- Nazz Kurth                      Petzl
- Amanda Covington                      Vista Outdoors
- Ashley Kornblat                      Western Spirit
- Don Peay                      Utah Sportsmen for Fish and Wildlife

### IV.                      **KEY FACTS/HOT TOPICS**

- The Bear River Watershed Conservation Area (BRWCA) will use LWCF funds to gain a 728-acre easement from the Ferry family for \$800,000 in late 2017; the remaining \$1.2 M will be used to acquire other voluntary easements in the area.
- We are awaiting a final mandate for the 10<sup>th</sup> Circuit Court decision in the litigation regarding the ESA and Utah prairie dogs (UPD). It will not be issued until at least 5/22/17, after which our 4(d) rule would go back into effect.
- UT v. US, 12-cv-378-BSJ (D. Utah) Bear River Meander Line, filed 04/12. Utah asserts ownership of NWR lands because the true Great Salt Lake meander line was never located. DOJ seeking an extension on 5/7/17 deadline to continue negotiations with Utah.
- Bear River Club is in litigation with the USFWS over their water right claim for water from the Bear River.
- Greater Sage Grouse in UT are stable except the geographically isolated Sheeprock population in central Utah, which has declined by 40% over the last 4 years. It occurs in a BLM Priority Habitat Management Area (PHMA) and State Management Area.
- Outdoor recreation has a substantial positive economic generator in Utah and throughout the United States. In the US economy, outdoor recreation resulted in \$887 billion in consumer spending annually and provides 7.6 million American Jobs. (Source: Outdoor Industry Association, April 24, 2017)
- Forty-seven communities in Utah have requested NPS assistance in developing their conservation and outdoor recreation visions over the last 10 years.

### VI.                      **BACKGROUND**

- **LWCF and BRWCA:** Over the past 5 years, the USFWS has acquired 768 acres at Bear River Migratory Bird Refuge in Utah using \$1.599M in LWCF funding. In FY16, the Service was appropriated \$2m for the BRWCA located in Utah, WY, and ID for acquisition of voluntary easements. Congressman Bishop, Senator Hatch, and Senator Lee support BRWCA; Congressman Bishop attended the event honoring 30 acre donation by the Ferry family in Box

Elder County, Utah that was received in 2016 and formally established the BRWCA. The BRWCA enjoys broad landowner-based support.

- **Utah Prairie Dogs (UPD):** On 11/5/14, based on a complaint from the People for the Ethical Treatment of Property Owners (PETPO), the District Court of Utah Central Division ruled that ESA take prohibitions for UPD are unconstitutional on private lands. The Utah Division of Wildlife Resources (UDWR) then implemented a management plan and regulations for UPD on non-federal lands, which replaced the 1998 Iron County HCP and our 4(d) rule as the primary guide to UPD management on private lands. On 3/29/17, the 10th Circuit Court of Appeals reversed and remanded the District Court ruling, concluding that ESA regulation of take of a purely intrastate species, like the UPD, is a constitutional exercise of congressional authority under the Commerce Clause. Once a final mandate is issued, the State's Plan would no longer be in place and our 4(d) rule would go back into effect. Anticipating the 07/18 expiration of the 1998 Iron County HCP, we are working with the State and Iron County to develop a General Conservation Plan (GCP) that would include mitigation for impacts or significant conservation components for Utah prairie dogs, respectively, which the State's plan currently lacks. In the long-term, we are hopeful that we can replace the GCP with a locally-driven conservation strategy for the Utah prairie dog that will allow us to delist the species.
- **UT v. US, 12-cv-378-BSJ (D. Utah) Bear River Meander Line.** In April, 2012 the State filed a quiet title action in U.S. District Court in Salt Lake City against the U. S. Department of Interior, along with the USFWS, and the Bureau of Land Management (BLM). The U. S. Department of Justice (DOJ) has proposed the parties agree to a provisional "Compromise Line" within the Refuge in lieu of a meander line in order to determine the State lands. This agreement would allow the US to obtain title to State lands within the Refuge, ensuring its ability to manage the Refuge in perpetuity, while also providing the State with fair and reasonable compensation for any lands within the Refuge that would be conveyed to the United States or the subject of a disclaimer. After agreeing to the valuation of the lands as described above, the parties would determine whether to proceed with the United States' acquisition of State lands within the Refuge via purchase or land exchange.
- **The Bear River Club Company (est. 1909), and the Bear River Migratory Bird Refuge (est. 1928)** both utilize various water rights to create and maintain waterfowl habitat, and have had a cooperative existence. However, the Bear River Club is asserting they should be able to divert water from the Bear River in months when the USFWS does not believe they historically diverted. Additionally, the volumes they are seeking would injure the Refuge's ability to manage habitat. The Refuge, the Department of Justice, the Solicitor's Office and the Region 6 Water Resources Division are attempting to negotiate a settlement with the Club.
- **GSG:** The State of Utah's plan for greater sage-grouse applies to all lands within 11 state-designated Sage-Grouse Management Areas (SGMAs) and covers approximately 7.5 million acres. The state's goal is to conserve 90% of its greater sage-grouse habitat and approximately 94% of the population. Many of the conservation measures in the plan are voluntary and rely on negotiated, incentive-based actions to achieve conservation on non-federal lands. An Executive Order established due to the Plan requires the Utah Division of Oil, Gas and Mining to coordinate with the Utah Division of Wildlife Resources before issuing permits for energy development. It also directs the Utah Division of Oil, Gas and Mining to implement recommendations provided by the Utah Division of Wildlife. On Federal lands, BLM and U.S. Forest Service's amended land-use management plan complement the state's Plan and are critical to the success of greater sage-grouse conservation. The amendments limit surface disturbances and address habitat threats in the most important areas for sage-grouse. The highest value habitats are designated as Priority Habitat Management Areas (PHMA) and there is a 98% overlap with the state-designated Sage-

Grouse Core Areas. General Habitat Management Areas (GHMA) provide greater flexibility for federal land use activities. To address the recent declines of the Sheeprock population, BLM is working with state and local partners to implement and prioritize a suite of conservation actions, including translocations of greater sage-grouse to the area, habitat restoration, fire suppression, and minimizing impacts from right of way developments.

- **Utah Economy from Recreation:** The Outdoor Industry Association in 2012 estimated that outdoor recreation resulted in: 122,000 direct jobs in Utah, \$12 billion in consumer spending, \$3.6 billion in wages and salaries, and \$856 million in State and Local Tax Revenue (Source: Data from 2012 Outdoor Recreation Economy Generated)
  
- **National Parks in Utah (data from FY 2016):** There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites. *National Parks:* Arches NP, Bryce Canyon NP, Canyonlands NP, Capitol Reef NP, Zion NP. *National Historic Trails:* California NHT, Mormon Pioneer NHT, Old Spanish NHT, Pony Express NHT. *National Monuments:* Cedar Breaks NM, Dinosaur NM, Hovenweep NM, Natural Bridges NM, Rainbow Bridge NM, Timpanogos Cave NM. *National Recreation Area:* Glen Canyon NRA. *National Historic Site:* Golden Spike NHS.

In 2016, there were 13,988,000 visitors to National Park units in Utah creating a substantial economic contribution to Utah: \$1.1 billion spending by visitors to National Park units in Utah; 17.9 thousand jobs in Utah local economy including camping, fuel, groceries, hotels, recreation industries, restaurants, retail, transportation; \$546.7 million in labor income in Utah; \$1.6 billion in economic output resulting from National Parks in Utah (Source: 2016 National Park Visitor Spending Effects: Economic Contributions to Local Communities, States, and the Nation, Natural Resource Report NPS/NRSS/EQD/NRR – 2017/1421)

**NPS Rivers, Trails and Conservation Assistance Program:** NPS has worked with 54 Local and State partners on 63 outdoor recreation projects located within a half miles of approximately 967,000 residents. In response to applications from local leaders, the NPS supports several projects in UT at any given time by bringing partners and stakeholders together in a planning process that results in on the ground improvements to parks, trails, rivers, and natural areas that help to connect people to the outdoors. Assistance includes technical support for park and recreation planning and management, assistance with broad-based community engagement in the planning process, and helping to guide partners through the many steps needed to move from idea to action. Many of these project involve partnerships between DOI and other public land managers and community partners.

Significant NPS RTCA supported past successes:

- Jordan River - worked with partners to develop plans and secure support (\$2M+) to close a 1.2 mile gap in the trail in West Jordan, continue to support community engagement.
- Green River - supported partners in completing regional trails concept plan and helped to secure support (\$80k) for constructing mountain bike trails. The Utah Office of Outdoor Recreation through the Waypoint grant provided construction funding.
- Moab Lions Park - supported partners in planning and design of a trail and transportation hub for the gateway community, helped to secure support (\$800k+) for construction.

- Red Canyon Trail - helped partners to develop concept plan for 5 mile trail connecting to Bryce Canyon that was used to secure federal transportation funds (\$2M+) for construction.
- Brian Head Trail System - worked with partners to develop trail system and interpretation plan - including connections to Cedar Breaks NM, used to secure support (\$100k+) for trailhead improvements. The Office of Outdoor Recreation is involved with this project and provided construction funding through the Waypoint grant.
- Wasatch Front Youth Engagement - ongoing support to partners - including Timpanogos Cave National Monument to connect diverse urban audiences to public lands and the outdoors. Secured Challenge Cost Share grants (37k+) to support innovative University of Utah Urban Rangers program. BLM is currently funding the interagency Urban Ranger Program.

Current NPS RTCA supported projects:

- Backman Elementary Riverside Community - connecting students of Backman Elementary School in Salt Lake City and their families with the Jordan River and adjoining park lands.
- Bluff River Trail - developing a 7.5 mile trail along the San Juan River and supporting restoration priorities and environmental education outreach to native american tribes through an interagency effort with the National Park Service, Bureau of Land Management, with support from the Utah Office of Outdoor Recreation, and other partners.
- Cache County Trails - developing a community supported plan for County-wide trails network.
- Panguitch Area Trailhead Kiosks - improving public information at three regional trailheads.
- Smith Preserve Archaeological Site & Trail Plan - designing low impact site improvements to allow public to experience and appreciate the site's significant petroglyphs.
- Syracuse Shoreline Trail - developing a trail along the eastern shore of the Great Salt Lake.
- Vernal City - Dino Trails Planning - planning and securing support for a regional trails system.
- Wasatch Front Urban Ranger Program - working with University of Utah, United States Forest Service, Bureau of Land Management and other partners to create the next generation of rangers, trails stewards and advocates that are in turn engaging diverse urban audiences with regional trails.

**Land and Water Conservation Fund Grants:** \$48,880,000 has been provided to Utah through the National Park Service managed the Land and Water Conservation Fund that provides for the acquisition and development of public outdoor recreation areas and facilities.

**Federal Lands to Parks:** 2,765 acres of surplus Federal property had been transferred to local communities in Utah for parks and outdoor recreation areas.

# INFORMATION MEMORANDUM FOR THE SECRETARY

**SUBJECT:** Meeting with Bears Ears Inter-Tribal Coalition

**DATE:** May 7, 2017                      **TIME:** 3:30 - 4:30 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

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## **I. STATEMENT OF PURPOSE**

Meeting with members of the Bears Ears Inter-Tribal Coalition.

## **II. BACKGROUND**

In July 2015, five American Indian Tribes with cultural affiliation to the Bears Ears region formed the Bears Ears Inter-Tribal Coalition. Members included the Hopi Tribe, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and the Zuni Tribe.

On Oct. 15, 2015, the coalition submitted a formal proposal to President Barrack Obama requesting designation of 1.9 million acres as the Bears Ears National Monument. The coalition's proposal emphasized collaborative management between the Tribes and the Federal government.

On Dec. 28, 2016, 1.35 million acres in southern Utah were designated as the Bears Ears National Monument. The proclamation stated that the BLM and the U.S. Forest Service would engage the Tribes in development of a management plan and the subsequent management of monument lands.

The coalition has said publicly that it intends to litigate any attempt to rescind the Bears Ears National Monument designation.

## **III. DISCUSSION**

Members of the Bears Ears Inter-Tribal Coalition invited to attend the meeting include:

Hopi Tribe:	<u>Alfred Lomahquahu</u> , Vice Chairman
Navajo Nation:	<u>Russell Begaye</u> , President; <u>Jonathan Nez</u> , Vice President; <u>Lorenzo Bates</u> , Speaker; <u>Davis Filfred</u> , Council Delegate
Ute Indian Tribe:	<u>Shaun Chapoose</u> , Chairman
Ute Mountain Ute Tribe:	<u>Harold Cuthair</u> , Chairman
Zuni Tribe:	<u>Carleton Bowekaty</u> , Councilman

Additional Tribal members and support staff may also be present.

## **IV. ATTACHMENTS**

1. March 3, 2017, letter from the Bears Ears Inter-Tribal Coalition to Secretary Ryan Zinke

March 17, 2017

Honorable Ryan Zinke  
Secretary of the Department of the Interior  
1849 C. Street NW  
Washington, D.C. 20240

Honorable Michael Scuse  
Acting Secretary of the Department of Agriculture  
1400 Independence Ave., SW  
Washington, D.C. 20250

Dear Secretary Zinke and Acting Secretary Scuse,

This letter is to inform you that the Bears Ears Commission, which was established in President Obama's Bears Ears National Monument Proclamation, is now fully constituted. The elected Commissioners from the five sovereign Native American Tribes are : Alfred Lomahquahu - the Hopi Nation, Davis Filfred and James Adakai - the Navajo Nation, Terry Knight - the Ute Mountain Ute Tribe, Shaun Champoos - the Ute Indian Tribe of the Uintah Ouray, and Carleton Bowekaty - the Zuni Tribe. We urge you to meet with the Commission members as soon as possible, and there will be a good opportunity will when Secretary Zinke makes his first visit to Utah as Secretary. This letter sets forth the reasons that such meeting would be beneficial as soon as possible.

Our five Tribes were the driving force in the effort to create the Bears Ears National Monument. Our people were forcibly removed from the Bears Ears area in the mid-1800s but we have always continued to return to this cultural landscape for ceremonies, hunting, gathering of herbs and medicines, and other purposes. Then, beginning in 2010, we turned to formal protection. We conducted a tremendous amount of research into the scientific, historic, and cultural values of the region. Based on that research, we developed boundaries for a protected area. Then, in October 2015, we submitted a comprehensive, formal proposal for protection as a national monument or other designated area and took the lead in meetings with the Obama Administration and the Utah Delegation. This was the first time in history that American Indian Tribes had ever petitioned for a national monument or other such designation. Making the monument a reality required long and hard work by a large number of Indian people, especially our tribal leaders and traditional practitioners.

The purpose of the Proclamation is to honor the Tribes, both historic and contemporary, the land, and the relationship between the Tribes and the land. The proclamation, in many places, emphasizes the importance of incorporating tribal traditional knowledge into all aspects of monument management. To be certain that the Tribes are fully represented in managing the new monument, the Proclamation calls for a regime of collaborative management between the tribes and the federal agencies. Our Commission was established "to ensure that management decisions affecting the monument reflect tribal expertise and historical knowledge." (emphasis added). Among other provisions, your two agencies are directed to "partner" with the Commission, to "meaningfully engage" the Commission in monument management, to "carefully and fully consider" recommendations of the Commission, and to conduct "meaningful engagement" with the Commission. All of these provisions are now fully in force as federal law.

Now that our Commission has been fully constituted, we are most anxious to meet with agency officials in the field and, as mentioned, Secretary Zinke during his Utah visit. These will be opportunities to begin discussions on fulfilling the promise of this historic opportunity to create a unique and highly productive system of collaborative management.

We have heard reports that the Trump Administration may be considering actions to reduce the size of the monument or to eliminate it entirely. If that is correct, we would consider it essential that we are able to have full discussions with you about those possibilities. Of course, from our

standpoint, any such actions would be absolute tragedies in terms of impacts on our people today and the eternal values and traditions of our many generations of ancestors. Needless to say, if such actions are not being considered, than the meetings would be extraordinarily productive in terms of starting to put in place a system of collaborative management that would make this monument one of the brightest stars in America's public land system.

We invite you to meet with the Commission when you visit Utah in March so that we may discuss the Bears Ears National Monument, its importance to our Nations, and our management priorities with you. Please contact Commission member Carleton Bowekaty at (505) 879-2826 or [Carleton.Bowekaty@ashiwi.org](mailto:Carleton.Bowekaty@ashiwi.org) to arrange this meeting.

Respectfully,

---

Alfred Lomahquahu Carleton Bowekaty  
Bears Ears Commission Interim Co-Chair Bears Ears Commission Interim Co-Chair  
Cc: Ed Roberson, State Director – Utah, Bureau of Land Management  
Nora Rasure, Regional Forester, U.S. Forest Service  
Tyler Ashcroft, Project Manager, Bureau of Land Management  
Michael Diem, Moab/Monticello District Ranger, U.S. Forest Service



# **INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** Discussion on recreational industry representatives in Utah

**DATE:** May 7, 2017                      **TIME:** 6:00 - 9:00 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

## **I. STATEMENT OF PURPOSE**

Discussion on recreation viewpoints and activities in Utah especially as they relate to BLM monuments.

## **II. PARTICIPANTS**

- Federal and legislative representatives
- Utah Office of Outdoor Recreation
- Gary Heward, CEO, Liberty Mountain
- Bill Harmon, Goal Zero
- Joshua Bradley, Amer Sports
- Nazz Kurth, Petzl
- Amanda Covington, Vista Outdoors
- Ashley Kornblat, Western Spirit
- Don Peay, Utah Sportsmen for Fish and Wildlife

## **III. BACKGROUND**

### **A. Bears Ears National Monument**

- Total estimated recreational visitors to the Monticello Field Office, including the Bears Ears National Monument, in Fiscal Year 2016 was 418,684 people. In Fiscal Year 2000, there were an estimated 180,233 visitors. Hiking, camping, off-highway vehicle use, viewing cultural resources, and photography were the top five recreational activities within the Monticello Field Office in Fiscal Year 2016.
- In Fiscal Year 2016, the Monticello Field Office issued 117 Special Recreation Permits to authorize a wide variety of commercial, competitive, and organized group activities to expand and enhance recreational access, including 13 permits to commercial hunting outfitter and guiding services. In Fiscal Year 2000, the field office issued 58 Special Recreation Permits, including 4 commercial hunting outfitter and guiding services.
- There are currently over 1,800 miles of designated roads and primitive roads within the Monticello Field Office that provide recreational off-highway vehicle access.

### **B. Grand Staircase-Escalante National Monument**

- Total estimated recreational visitors to Grand Staircase-Escalante National Monument in Fiscal Year 2016 was 926,236 people. In Fiscal Year 2000, there were an estimated 568,214 visitors. Hiking, camping, off-highway vehicle use, scenic touring/viewing, and participating in environmental education events were the top five recreational activities within the Monument in Fiscal Year 2016.
- In Fiscal Year 2016, the Grand Staircase-Escalante National Monument issued 122 Special Recreation Permits to authorize a wide variety of commercial, competitive, and organized group activities to expand and enhance recreational access. In Fiscal Year 2000, the Monument issued 37 Special Recreation Permits.
- On average, the Monument issues 16 Special Recreation Permits to commercial hunting guide

and outfitter services each year to support big game hunting opportunities for deer, elk, pronghorn, desert bighorn sheep, mountain lion, black bear, and turkey. The BLM has partnered with the Utah Division of Wildlife Resources to re-introduce pronghorn, bighorn, wild turkey within the Monument.

- There are currently over 900 miles of designated roads and primitive roads within the Monument that provide recreational off-highway vehicle access.

#### **IV. DISCUSSION**

##### **A. Bears Ears National Monument**

- Specific visitation figures to the newly-designated National Monument are not yet available, however, there has been a significant increase in visitor demand for overnight and day-use permits throughout Cedar Mesa. BLM-Utah expects that recreational visitation to the Monument will continue to increase for some time, and has undertaken the following initiatives to promote responsible and sustainable heritage tourism opportunities:
- Within the last three years, BLM-Utah has funded the stabilization of 11 highly visited archaeological sites throughout the Monticello Field Office, primarily within the Bears Ears National Monument. These efforts will facilitate the development of new visitor amenities and the marketing of these recreational opportunities to visitors from all over the world.
- In partnership with the non-profit organization Tread Lightly!, BLM-Utah developed a public awareness campaign titled Respect and Protect, which aims to eliminate the looting and vandalism of archaeological, paleontological, and natural resources in Utah. BLM-Utah is currently developing a Memorandum of Understanding with 14 state and federal agencies, non-governmental organizations, and professional and avocational groups to collaboratively and consistently share the Respect and Protect campaign messages.

##### **B. Grand Staircase-Escalante National Monument**

- The Grand Staircase-Escalante National Monument is widely recognized as an international outdoor recreation destination for dispersed and undeveloped activities. There are intentionally very few developed facilities to provide visitors with back country recreational experiences.
- Most recreational uses and allocations within the Monument were established in the Monument Management Plan, which was approved in 2000.
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# INFORMATION MEMORANDUM FOR THE SECRETARY

**SUBJECT:** Discussion on recreational industry representatives in Utah

**DATE:** May 7, 2017                      **TIME:** 6:00 - 9:00 pm

**FROM:** Maureen Foster, Acting Assistant Secretary FWP

---

## I. PURPOSE

Discussion on recreation viewpoints and activities in Utah especially as they relate to monuments.

## II. PARTICIPANTS

- federal and legislative representatives,
- Utah Office of Outdoor Recreation
- Gary Heward                      CEO, Liberty Mountain
- Bill Harmon                      Goal Zero
- Joshua Bradley                      Amer Sports
- Nazz Kurth                      Petzl
- Amanda Covington                      Vista Outdoors
- Ashley Kornblat                      Western Spirit
- Don Peay                      Utah Sportsmen for Fish and Wildlife

## IV. KEY FACTS/HOT TOPICS

- The Bear River Watershed Conservation Area (BRWCA) will use LWCF funds to gain a 728-acre easement from the Ferry family for \$800,000 in late 2017; the remaining \$1.2 M will be used to acquire other voluntary easements in the area.
- We are awaiting a final mandate for the 10<sup>th</sup> Circuit Court decision in the litigation regarding the ESA and Utah prairie dogs (UPD). It will not be issued until at least 5/22/17, after which our 4(d) rule would go back into effect.
- UT v. US, 12-cv-378-BSJ (D. Utah) Bear River Meander Line, filed 04/12. Utah asserts ownership of NWR lands because the true Great Salt Lake meander line was never located. DOJ seeking an extension on 5/7/17 deadline to continue negotiations with Utah.
- Bear River Club is in litigation with the USFWS over their water right claim for water from the Bear River.
- Greater Sage Grouse in UT are stable except the geographically isolated Sheeprock population in central Utah, which has declined by 40% over the last 4 years. It occurs in a BLM Priority Habitat Management Area (PHMA) and State Management Area.
- Outdoor recreation has a substantial positive economic generator in Utah and throughout the United States. In the US economy, outdoor recreation resulted in \$887 billion in consumer spending annually and provides 7.6 million American Jobs. (Source: Outdoor Industry Association, April 24, 2017)
- Forty-seven communities in Utah have requested NPS assistance in developing their conservation and outdoor recreation visions over the last 10 years.

## VI. BACKGROUND

- **LWCF and BRWCA:** Over the past 5 years, the USFWS has acquired 768 acres at Bear River Migratory Bird Refuge in Utah using \$1.599M in LWCF funding. In FY16, the Service was appropriated \$2m for the BRWCA located in Utah, WY, and ID for acquisition of voluntary

easements. Congressman Bishop, Senator Hatch, and Senator Lee support BRWCA; Congressman Bishop attended the event honoring 30 acre donation by the Ferry family in Box Elder County, Utah that was received in 2016 and formally established the BRWCA. The BRWCA enjoys broad landowner-based support.

- **Utah Prairie Dogs (UPD):** On 11/5/14, based on a complaint from the People for the Ethical Treatment of Property Owners (PETPO), the District Court of Utah Central Division ruled that ESA take prohibitions for UPD are unconstitutional on private lands. The Utah Division of Wildlife Resources (UDWR) then implemented a management plan and regulations for UPD on non-federal lands, which replaced the 1998 Iron County HCP and our 4(d) rule as the primary guide to UPD management on private lands. On 3/29/17, the 10th Circuit Court of Appeals reversed and remanded the District Court ruling, concluding that ESA regulation of take of a purely intrastate species, like the UPD, is a constitutional exercise of congressional authority under the Commerce Clause. Once a final mandate is issued, the State's Plan would no longer be in place and our 4(d) rule would go back into effect. Anticipating the 07/18 expiration of the 1998 Iron County HCP, we are working with the State and Iron County to develop a General Conservation Plan (GCP) that would include mitigation for impacts or significant conservation components for Utah prairie dogs, respectively, which the State's plan currently lacks. In the long-term, we are hopeful that we can replace the GCP with a locally-driven conservation strategy for the Utah prairie dog that will allow us to delist the species.
- **UT v. US, 12-cv-378-BSJ (D. Utah) Bear River Meander Line.** In April, 2012 the State filed a quiet title action in U.S. District Court in Salt Lake City against the U. S. Department of Interior, along with the USFWS, and the Bureau of Land Management (BLM). The U. S. Department of Justice (DOJ) has proposed the parties agree to a provisional "Compromise Line" within the Refuge in lieu of a meander line in order to determine the State lands. This agreement would allow the US to obtain title to State lands within the Refuge, ensuring its ability to manage the Refuge in perpetuity, while also providing the State with fair and reasonable compensation for any lands within the Refuge that would be conveyed to the United States or the subject of a disclaimer. After agreeing to the valuation of the lands as described above, the parties would determine whether to proceed with the United States' acquisition of State lands within the Refuge via purchase or land exchange.
- **The Bear River Club Company (est. 1909), and the Bear River Migratory Bird Refuge (est. 1928)** both utilize various water rights to create and maintain waterfowl habitat, and have had a cooperative existence. However, the Bear River Club is asserting they should be able to divert water from the Bear River in months when the USFWS does not believe they historically diverted. Additionally, the volumes they are seeking would injure the Refuge's ability to manage habitat. The Refuge, the Department of Justice, the Solicitor's Office and the Region 6 Water Resources Division are attempting to negotiate a settlement with the Club.
- **GSG:** The State of Utah's plan for greater sage-grouse applies to all lands within 11 state-designated Sage-Grouse Management Areas (SGMAs) and covers approximately 7.5 million acres. The state's goal is to conserve 90% of its greater sage-grouse habitat and approximately 94% of the population. Many of the conservation measures in the plan are voluntary and rely on negotiated, incentive-based actions to achieve conservation on non-federal lands. An Executive Order established due to the Plan requires the Utah Division of Oil, Gas and Mining to coordinate with the Utah Division of Wildlife Resources before issuing permits for energy development. It also directs the Utah Division of Oil, Gas and Mining to implement recommendations provided by the Utah Division of Wildlife. On Federal lands, BLM and U.S.

Forest Service's amended land-use management plan complement the state's Plan and are critical to the success of greater sage-grouse conservation. The amendments limit surface disturbances and address habitat threats in the most important areas for sage-grouse. The highest value habitats are designated as Priority Habitat Management Areas (PHMA) and there is a 98% overlap with the state-designated Sage-Grouse Core Areas. General Habitat Management Areas (GHMA) provide greater flexibility for federal land use activities. To address the recent declines of the Sheeprack population, BLM is working with state and local partners to implement and prioritize a suite of conservation actions, including translocations of greater sage-grouse to the area, habitat restoration, fire suppression, and minimizing impacts from right of way developments.

- **Utah Economy from Recreation:** The Outdoor Industry Association in 2012 estimated that outdoor recreation resulted in: 122,000 direct jobs in Utah, \$12 billion in consumer spending, \$3.6 billion in wages and salaries, and \$856 million in State and Local Tax Revenue (Source: Data from 2012 Outdoor Recreation Economy Generated)
- **National Parks in Utah (data from FY 2016):** There are 13 units of National Parks, National Historic Trails, National Monuments and National Historic Sites. *National Parks:* Arches NP, Bryce Canyon NP, Canyonlands NP, Capitol Reef NP, Zion NP. *National Historic Trails:* California NHT, Mormon Pioneer NHT, Old Spanish NHT, Pony Express NHT. *National Monuments:* Cedar Breaks NM, Dinosaur NM, Hovenweep NM, Natural Bridges NM, Rainbow Bridge NM, Timpanogos Cave NM. *National Recreation Area:* Glen Canyon NRA. *National Historic Site:* Golden Spike NHS.

In 2016, there were 13,988,000 visitors to National Park units in Utah creating a substantial economic contribution to Utah: \$1.1 billion spending by visitors to National Park units in Utah; 17.9 thousand jobs in Utah local economy including camping, fuel, groceries, hotels, recreation industries, restaurants, retail, transportation; \$546.7 million in labor income in Utah; \$1.6 billion in economic output resulting from National Parks in Utah (Source: 2016 National Park Visitor Spending Effects: Economic Contributions to Local Communities, States, and the Nation, Natural Resource Report NPS/NRSS/EQD/NRR – 2017/1421)

**NPS Rivers, Trails and Conservation Assistance Program:** NPS has worked with 54 Local and State partners on 63 outdoor recreation projects located within a half miles of approximately 967,000 residents. In response to applications from local leaders, the NPS supports several projects in UT at any given time by bringing partners and stakeholders together in a planning process that results in on the ground improvements to parks, trails, rivers, and natural areas that help to connect people to the outdoors. Assistance includes technical support for park and recreation planning and management, assistance with broad-based community engagement in the planning process, and helping to guide partners through the many steps needed to move from idea to action. Many of these project involve partnerships between DOI and other public land managers and community partners.

Significant NPS RTCA supported past successes:

- Jordan River - worked with partners to develop plans and secure support (\$2M+) to close a 1.2 mile gap in the trail in West Jordan, continue to support community engagement.

- Green River - supported partners in completing regional trails concept plan and helped to secure support (\$80k) for constructing mountain bike trails. The Utah Office of Outdoor Recreation through the Waypoint grant provided construction funding.
- Moab Lions Park - supported partners in planning and design of a trail and transportation hub for the gateway community, helped to secure support (\$800k+) for construction.
- Red Canyon Trail - helped partners to develop concept plan for 5 mile trail connecting to Bryce Canyon that was used to secure federal transportation funds (\$2M+) for construction.
- Brian Head Trail System - worked with partners to develop trail system and interpretation plan - including connections to Cedar Breaks NM, used to secure support (\$100k+) for trailhead improvements. The Office of Outdoor Recreation is involved with this project and provided construction funding through the Waypoint grant.
- Wasatch Front Youth Engagement - ongoing support to partners - including Timpanogos Cave National Monument to connect diverse urban audiences to public lands and the outdoors. Secured Challenge Cost Share grants (37k+) to support innovative University of Utah Urban Rangers program. BLM is currently funding the interagency Urban Ranger Program.

Current NPS RTCA supported projects:

- Backman Elementary Riverside Community - connecting students of Backman Elementary School in Salt Lake City and their families with the Jordan River and adjoining park lands.
- Bluff River Trail - developing a 7.5 mile trail along the San Juan River and supporting restoration priorities and environmental education outreach to native american tribes through an interagency effort with the National Park Service, Bureau of Land Management, with support from the Utah Office of Outdoor Recreation, and other partners.
- Cache County Trails - developing a community supported plan for County-wide trails network.
- Panguitch Area Trailhead Kiosks - improving public information at three regional trailheads.
- Smith Preserve Archaeological Site & Trail Plan - designing low impact site improvements to allow public to experience and appreciate the site's significant petroglyphs.
- Syracuse Shoreline Trail - developing a trail along the eastern shore of the Great Salt Lake.
- Vernal City - Dino Trails Planning - planning and securing support for a regional trails system.
- Wasatch Front Urban Ranger Program - working with University of Utah, United States Forest Service, Bureau of Land Management and other partners to create the next generation of rangers, trails stewards and advocates that are in turn engaging diverse urban audiences with regional trails.

**Land and Water Conservation Fund Grants:** \$48,880,000 has been provided to Utah through the National Park Service managed the Land and Water Conservation Fund that provides for the acquisition and development of public outdoor recreation areas and facilities.

**Federal Lands to Parks:** 2,765 acres of surplus Federal property had been transferred to local communities in Utah for parks and outdoor recreation areas.

**To:** downey.magallanes@gmail.com[downey.magallanes@gmail.com]  
**From:** Downey Magallanes  
**Sent:** 2017-05-07T10:51:52-04:00  
**Importance:** Normal  
**Subject:** Fwd: Monday T.P.  
**Received:** 2017-05-07T10:51:59-04:00  
[ATT00001.htm](#)  
[Talking Points --UT Bears Ears Trip.docx](#)  
[Letter from Cason to NCAI 5.5.17.pdf](#)  
[ATT00002.htm](#)

Sent from my iPhone

Begin forwarded message:

**From:** "Rigas, Laura" <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>  
**Date:** May 6, 2017 at 1:07:24 PM MDT  
**To:** "Bauserman, Christine" <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)>  
**Cc:** Heather Swift <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)>, Russell Roddy <[russell\\_rodny@ios.doi.gov](mailto:russell_rodny@ios.doi.gov)>, Wadi Yakhour <[wadi\\_yakhour@ios.doi.gov](mailto:wadi_yakhour@ios.doi.gov)>, "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>  
**Subject:** **Re: Monday T.P.**

Hi Christine and team --

Attached please find:

1. His talking points which he should repeat and use at every meeting this week.
2. The letter that Jim Cason sent to NCAI clarifying his comments about Tribal sovereignty. He should echo these messages when he speaks to Tribes Sunday night and the rest of this week.

I have also printed them out and will take hard copies with me.

Please let me know if you need anything else. My flight is at 4:55 eastern but hopefully I will have wifi.

Thanks,

L

*Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior*

On Sat, May 6, 2017 at 1:48 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Laura and Heather,

Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office

440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe  
(Kykotsmovi, AZ)

James Adakai, President, Utah Navajo Chapter of  
Olijato, Navajo Nation (Fort Defiance, AZ)

Davis Filfred, Navajo Nation Council (Window  
Rock, AZ)

Shaun Chapoose, Chairman, Ute Indian Tribe (Fort  
Duchesne, UT)

Carleton Bowekaty, Councilman, Zuni Tribe (Zuni,  
NM)

Terry Knight, Tribal Historic Preservation Officer,  
Ute Mountain Ute (Towaoc, CO)

Natasha Hale, Native American Program Director,  
Grand Canyon Trust

Charles Wilkinson, Legal Advisor, University of  
Colorado

Leland Begay, Legal Advisor, Ute Mountain Ute  
Gavin Noyes, Utah Dine Bikeyah, Executive

Director

TBD other support staff

Ed Roberson, BLM State Director

Don Hoffheins, BLM, Monticello Field Manager

Tyler Ashcroft, BLM, Bears Ears Project Manager

Mike Richardson, BLM, Acting Communications  
Director

Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building



Participants: RZ

Governor Gary R. Herbert (last hour)  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Utah Attorney General Sean Reyes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Mike Mower Deputy Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office  
Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep.

Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia  
Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of  
Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney  
General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

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Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

## TOPLINE

God gave me two ears and one mouth so I'm here to do a lot of listening and learning and hopefully talking just enough to ask the right questions.

I'm here, directed by the President, to learn about the monuments, the historic and ecological significance, and make a determination.

Nothing is pre-determined. I come to this process with fresh eyes.

Nobody loves public lands more than me. You can love them as much, but not more.

## Talking Points

This Administration and Congress have heard from states and local leaders that, in some cases, the designations of monuments may have resulted in lost jobs, reduced wages, and residents moving away. In the case of significant land planning, we feel that public input should be considered.

That's why the President has asked for a review of large the monuments designated in the last 20 years, to see what changes and improvements can be made, and to give states and local communities a meaningful **voice** in this process.

This policy is consistent with President Trump's promise to rural Americans to give them a voice and make sure their voices are heard.

The President believes, like I do and many of my neighbors in Western States, that the Federal government can be a good neighbor, can protect areas of cultural and ecological importance, and that we can use federal lands for economic development – just as Teddy Roosevelt envisioned.

The Antiquities Act of 1906 grants the President the authority to declare “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” on federal lands.

Concerned about potential federal overreach, Antiquities Act authors specified the scope of the authority was to designate the “smallest area compatible with proper care and management of the objects to be protected.”

**What the Executive Order does:**

- This Executive Order restores trust between local communities and Washington and roots out abuses of power by previous administrations.
- This Executive Order puts America and the Department of the Interior back on track to manage our federal lands in accordance to traditional “multiple-use” philosophy by directing the Secretary of the Department of the Interior to make recommendations to the President on whether a monument should be rescinded, resized in order to better manage our federal lands.
- And - This Executive Order gives rural communities across America a voice and restores land use planning by directing the Secretary of the Interior to consult and coordinate with the Governors of States affected by monument designations or other relevant officials of affected State, Tribal, and local governments.

**What it does NOT do:**

- This Executive Order does NOT strip any monument of a designation.
- Does not sell or transfer federal lands
- This Executive Order does NOT loosen any environmental or conservation regulations on any land or marine areas.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

**MAY 05 2017**

Ms. Jacqueline Pata  
Executive Director  
National Congress of American Indians  
1516 P Street, NW.  
Washington, DC 20005

Dear Ms. Pata:

JACKIE,

As part of our ongoing dialogue, I am writing to make you aware that we were deeply disturbed by media mischaracterizations of Secretary Ryan Zinke's comments delivered at the National Tribal Energy Summit earlier this week. The Secretary, several Department of the Interior (Department) staff members, and I have already had conversations with several tribal leaders this week. I write to you today to let you know that we hear Indian Country's concerns, and want to set the record straight on where this Administration and Department stand on protecting and strengthening sovereignty.

As a former member of Congress and now head of the Department, the Secretary supports tribal self-determination, self-governance, and sovereignty, and believes the Federal Government should meet its trust responsibilities.

At the Summit, the Secretary made broad comments that referred to significant but sensitive moments in our Nation's history of tribal relations. He wanted to convey that he understands the continuing impacts of policies from the past and is dedicated to improving the conditions in Indian Country as the Trustee. He even emphasized that "if the Department is not value added, we should get out of the way."

At this time there are no plans to alter the Department's current management of our trust responsibilities. Without a doubt, there are many options for improvement as we work together, all of which will require detailed thought and consultation with Tribes interested in exercising a greater degree of self-governance and sovereignty.

We welcome dialogue regarding new strategies for improving our role in supporting sovereignty and providing services to Indian Country and encourage the continued involvement of tribal leaders in this important discussion. The Secretary and I look forward to continuing to work with tribal communities and welcome future discussions with tribal leaders to protect and strengthen sovereignty.

Thank you for your partnership. We look forward to the ongoing dialogue on these and many other important issues.

Sincerely,

James Cason

Delegated Authority of the Deputy Secretary

**To:** Don Peay[don@sfw.net]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-14T18:01:25-04:00  
**Importance:** Normal  
**Subject:** Re: : Sundance and Bears Ears  
**Received:** 2017-05-14T18:01:31-04:00

Thanks for sharing.

On Tue, May 9, 2017 at 11:33 AM, Don Peay <[don@sfw.net](mailto:don@sfw.net)> wrote:

Downey,

So nice to meet you Sunday night with Sec Zinke. Thanks for serving our country, I know the demands of those DC jobs!

I think you will really like this, I wrote. Mr Redford has weighed in, now so have I! See attached below

I am headed to Kanab and will meet up for a breakfast meeting in the morning. C U then.

**Subject: Sundance and Bears Ears**

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Domenech, Douglas  
**Sent:** 2017-04-24T17:27:08-04:00  
**Importance:** Normal  
**Subject:** Fwd: Maine woods national monument  
**Received:** 2017-04-24T17:27:34-04:00

Doug Domenech  
Senior Advisor  
US Department of the Interior

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

**From:** **Maine Woods Coalition** <[mainewoodscoalition@gmail.com](mailto:mainewoodscoalition@gmail.com)>  
**Date:** Mon, Apr 24, 2017 at 5:04 PM  
**Subject:** Maine woods national monument  
**To:** [Doug\\_Domenech@ios.doi.gov](mailto:Doug_Domenech@ios.doi.gov)

Dear Mr. Domench,

The people of northern Maine seek Congressional or Presidential reversal of President Obama's proclamation that established the Katahdin Woods and Waters National Monument. This monument designation should be overturned because it quite clearly fails to meet the letter and the intent of the Antiquities Act.

- The properties that comprise the Katahdin Woods and Waters National Monument (KWWNM) are not of special historic, scientific, or scenic value. The president's proclamation establishing the Monument dwells at some length on the geological history of the region, the Indians who once inhabited it, and the region's common flora and fauna. If these are justification for a National Monument, then much of our country qualifies. In fact, the word "unique" appears only one time in the entire proclamation and that is to assert that the monument land "*provides a unique and important opportunity for scientific investigation of the effects of climate change across ecotones.*" That is surely inadequate scientific justification for a national monument designation.

- These properties are not endangered. Ironically, the greatest threat to such values as they do possess, would come from a futile attempt to make them into a popular monument or park. It is wishful thinking to believe that monument designation will significantly benefit the local economy. In fact, it is already a detriment to logging operations on private roads taken over by the NPS for access to the monument lands.
- The wording of the Antiquities Act does not admit a collection of (thirteen) scattered parcels such as comprise this monument and the proclamation makes no distinction as to special characteristics of each parcel. Inasmuch as the Act requires that a national monument be defined by the smallest possible footprint, if these parcels qualified (which they do not), it would seem a national monument would have to be limited to the smallest of them. In-holders whose timber land lies between these parcels of the monument face the threat of condemnation and eminent domain as the monument expands in size, as most have done.
- The parcels comprising the KWW National Monument are unique only in that an extremely wealthy and well-connected woman has caused them to be donated to the federal government. The monument designation is being misapplied, not to protect a national treasure, but rather to protect a coveted gift and legacy for the donor.

No challenge of the executive branch can be easy, but flagrant misuse of the Antiquities Act should not be tolerated. This monument's advocates steadfastly refuse to recognize the obvious - a national monument or park featuring little more than acres of trees is not, and never will be, the second coming of Acadia National Park. Successful parks are successful because they embrace inherently compelling attractions. For example, the Bar Harbor region was an extremely popular tourist destination years before the federal government stepped in.

In closing, we ask that you abolish this monument, or turn management of this industrial forestland over to the state of Maine.



Thank you for your consideration of our request.

Anne Mitchell

Maine Woods Coalition

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

**To:** Gregory L. Zunino[GZunino@ag.nv.gov]  
**Cc:** Rusty Roddy[russell\_roddey@ios.doi.gov]  
**From:** Boulton, Caroline  
**Sent:** 2017-07-25T18:43:49-04:00  
**Importance:** Normal  
**Subject:** Re: Email Address  
**Received:** 2017-07-25T18:44:26-04:00

Hi Greg,

Apologies for the delay. The Secretary's schedule is below on Sunday the 30th (apologies it doesn't copy/paste perfectly). I've highlighted the City tour as mentioned over the phone. It is the longest portion the Secretary is on the ground and would likely be the best place for AG Laxalt to meet up with the group. I've cc'ed Rusty Roddy, who will be advancing the trip and coordinating the Secretary's NV travel going forward.

Best,  
Caroline

**8:45-9:30am PDT: Wheels up McCarran International Airport en route Kirt's Grotto**  
**9:30-10:00am PDT: Wheels down Kirt's Grotto // Meeting with BLM Support Staff**  
**10:00-11:30am PDT: Wheels up Whitney Pocket // Fly Over Tour of Gold Butte National Monument**  
**11:30-12:15pm PDT: Helicopter Tour departs Gold Butte National Monument en route Basin and Range National Monument**  
**12:15-12:45pm PDT: Wheels down White River Narrows in Basin and Range National Monument // Lunch Meeting with BLM Staff**  
**12:45-1:00pm PDT: White River Narrows Rock Art Site Tour**  
**1:00-1:45pm PDT: Wheels up White River Narrows for City**  
**1:45-3:15pm PDT: Wheels down City // City Landscape Art Site Tour**  
Location: *City Site*  
Participants: Michael Govan, LA County Museum of Art  
Erin Wright, LA County Museum of Art  
Note: Helicopter refuels during this time  
**3:15-4:00pm PDT: Wheels up City en route Shaman Knob / Mt. Irish**  
**4:00-4:30pm PDT: Wheels down Shaman Knob // Tour of Mt. Irish Petroglyph Site**  
**4:30-5:15pm PDT: Wheels up Mt. Irish en route North Las Vegas Airport**

**5:15-5:30pm PDT: Wheels Down North Las Vegas Airport**

On Fri, Jul 21, 2017 at 6:54 PM, Gregory L. Zunino <[GZunino@ag.nv.gov](mailto:GZunino@ag.nv.gov)> wrote:

Thanks Caroline for the info. You may reply to this address.

Greg Zunino

Acting Chief of Staff

Office of the Nevada Attorney General

(775) 684-1237 (Office)

(775) 722-1831 (Cell)

--

**Caroline Boulton**

Department of the Interior

Scheduling & Advance

[Caroline\\_Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | [Scheduling@ios.doi.gov](mailto:Scheduling@ios.doi.gov)

**To:** Bauserman, Christine[christine\_bauserman@ios.doi.gov]  
**Cc:** Heather Swift[heather\_swift@ios.doi.gov]; Russell Roddy[russell\_roddey@ios.doi.gov]; Wadi Yakhour[wadi\_yakhour@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**From:** Rigas, Laura  
**Sent:** 2017-05-06T15:07:24-04:00  
**Importance:** Normal  
**Subject:** Re: Monday T.P.  
**Received:** 2017-05-06T15:07:32-04:00  
[Talking Points --UT Bears Ears Trip.docx](#)  
[Letter from Cason to NCAI 5.5.17.pdf](#)

Hi Christine and team --

Attached please find:

1. His talking points which he should repeat and use at every meeting this week.
2. The letter that Jim Cason sent to NCAI clarifying his comments about Tribal sovereignty. He should echo these messages when he speaks to Tribes Sunday night and the rest of this week.

I have also printed them out and will take hard copies with me.

Please let me know if you need anything else. My flight is at 4:55 eastern but hopefully I will have wifi.

Thanks,

L

*Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior*

On Sat, May 6, 2017 at 1:48 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Laura and Heather,

Do we have any T.P. for the Secretary's Monday electronic briefing?

I am putting together all the Briefing Papers for you into one file right now. Attached are the 2 he needs T.P. for:

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

**Attendees:**

**3:30-4:30pm MDT: Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office  
440 West 200 South

Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke

Alfred Lomahquahu, Vice chairman, Hopi Tribe (Kykotsmovi, AZ)  
James Adakai, President, Utah Navajo Chapter of Olijato, Navajo Nation (Fort Defiance, AZ)  
Davis Filfred, Navajo Nation Council (Window Rock, AZ)  
Shaun Chapoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)  
Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)  
Terry Knight, Tribal Historic Preservation Officer, Ute Mountain Ute (Towaoc, CO)  
Natasha Hale, Native American Program Director, Grand Canyon Trust  
Charles Wilkinson, Legal Advisor, University of Colorado  
Leland Begay, Legal Advisor, Ute Mountain Ute  
Gavin Noyes, Utah Dine Bikeyah, Executive Director  
TBD other support staff  
Ed Roberson, BLM State Director  
Don Hoffheins, BLM, Monticello Field Manager  
Tyler Ashcroft, BLM, Bears Ears Project Manager  
Mike Richardson, BLM, Acting Communications Director  
Nora Rasure, USFS, Regional Forester

Brian Mark Pentecost, USFS Forest Supervisor, Manti La-Sal

**6:00-9:00pm MDT: Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors

Utah State Capitol Building

Participants: RZ

Governor Gary R. Herbert (last hour)  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Utah Attorney General Sean Reyes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Mike Mower Deputy Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy Coordinating Office  
Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of

Economic Development

Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator  
Orrin Hatch

Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love

Speaker Greg Hughes

Rep. Brad Wilson

Rep. Frances Gibson

Rep. John Knotwell

Rep. Keven Stratton

Rep. Kay Christofferson

President Wayne Niederhauser

Senator Stuart Adams

Senate Leadership - TBD

Senate Leadership - TBD

Senate Leadership - TBD

Senate Leadership - TBD

Rep. Brian King, House Minority Leadership

Rep. Joel Briscoe, House Minority Leadership

Senator Gene Davis, Senate Minority Leadership

Senator Karen Mayne, Senate Minority Leadership

Greg Hartley, Chief of Staff, Utah State House of Representatives

Ric Cantrell, Chief of Staff, Utah State Senate

Missy Larsen, Chief of Staff, Utah Attorney General's Office

Gary Heward, CEO, Liberty Mountain

Bill Harmon, Goal Zero

Joshua Bradley, Amer Sports

Nazz Kurth, Petzl

Amanda Covington, Vista Outdoors

Ashley Kornblat, Western Spirit

Don Peay, Utah Sportsmen for Fish and Wildlife

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

## TOPLINE

God gave me two ears and one mouth so I'm here to do a lot of listening and learning and hopefully talking just enough to ask the right questions.

I'm here, directed by the President, to learn about the monuments, the historic and ecological significance, and make a determination.

Nothing is pre-determined. I come to this process with fresh eyes.

Nobody loves public lands more than me. You can love them as much, but not more.

## Talking Points

This Administration and Congress have heard from states and local leaders that, in some cases, the designations of monuments may have resulted in lost jobs, reduced wages, and residents moving away. In the case of significant land planning, we feel that public input should be considered.

That's why the President has asked for a review of large the monuments designated in the last 20 years, to see what changes and improvements can be made, and to give states and local communities a meaningful **voice** in this process.

This policy is consistent with President Trump's promise to rural Americans to give them a voice and make sure their voices are heard.

The President believes, like I do and many of my neighbors in Western States, that the Federal government can be a good neighbor, can protect areas of cultural and ecological importance, and that we can use federal lands for economic development – just as Teddy Roosevelt envisioned.

The Antiquities Act of 1906 grants the President the authority to declare “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” on federal lands.

Concerned about potential federal overreach, Antiquities Act authors specified the scope of the authority was to designate the “smallest area compatible with proper care and management of the objects to be protected.”

**What the Executive Order does:**

- This Executive Order restores trust between local communities and Washington and roots out abuses of power by previous administrations.
- This Executive Order puts America and the Department of the Interior back on track to manage our federal lands in accordance to traditional “multiple-use” philosophy by directing the Secretary of the Department of the Interior to make recommendations to the President on whether a monument should be rescinded, resized in order to better manage our federal lands.
- And - This Executive Order gives rural communities across America a voice and restores land use planning by directing the Secretary of the Interior to consult and coordinate with the Governors of States affected by monument designations or other relevant officials of affected State, Tribal, and local governments.

**What it does NOT do:**

- This Executive Order does NOT strip any monument of a designation.
- Does not sell or transfer federal lands
- This Executive Order does NOT loosen any environmental or conservation regulations on any land or marine areas.





# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 05 2017

Ms. Jacqueline Pata  
Executive Director  
National Congress of American Indians  
1516 P Street, NW.  
Washington, DC 20005

Dear Ms. Pata:

JACKIE,

As part of our ongoing dialogue, I am writing to make you aware that we were deeply disturbed by media mischaracterizations of Secretary Ryan Zinke's comments delivered at the National Tribal Energy Summit earlier this week. The Secretary, several Department of the Interior (Department) staff members, and I have already had conversations with several tribal leaders this week. I write to you today to let you know that we hear Indian Country's concerns, and want to set the record straight on where this Administration and Department stand on protecting and strengthening sovereignty.

As a former member of Congress and now head of the Department, the Secretary supports tribal self-determination, self-governance, and sovereignty, and believes the Federal Government should meet its trust responsibilities.

At the Summit, the Secretary made broad comments that referred to significant but sensitive moments in our Nation's history of tribal relations. He wanted to convey that he understands the continuing impacts of policies from the past and is dedicated to improving the conditions in Indian Country as the Trustee. He even emphasized that "if the Department is not value added, we should get out of the way."

At this time there are no plans to alter the Department's current management of our trust responsibilities. Without a doubt, there are many options for improvement as we work together, all of which will require detailed thought and consultation with Tribes interested in exercising a greater degree of self-governance and sovereignty.

We welcome dialogue regarding new strategies for improving our role in supporting sovereignty and providing services to Indian Country and encourage the continued involvement of tribal leaders in this important discussion. The Secretary and I look forward to continuing to work with tribal communities and welcome future discussions with tribal leaders to protect and strengthen sovereignty.

Thank you for your partnership. We look forward to the ongoing dialogue on these and many other important issues.

Sincerely,

James Cason

Delegated Authority of the Deputy Secretary

**To:** downey.magallanes@gmail.com[downey.magallanes@gmail.com]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-07T09:50:38-04:00  
**Importance:** Normal  
**Subject:** Fwd: FW: Economic and Hunting Interest In Utah Monuments  
**Received:** 2017-05-07T09:50:40-04:00  
[Henry Mountains bison.JPG](#)  
[Henry Mountains buck.JPG](#)  
[ZINKE.pages](#)

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

**From:** **Tanner, John (Hatch)** <[John\\_Tanner@hatch.senate.gov](mailto:John_Tanner@hatch.senate.gov)>  
**Date:** Sat, May 6, 2017 at 11:00 AM  
**Subject:** FW: Economic and Hunting Interest In Utah Monuments  
**To:** "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>

Downey,

See below for the information that Don Peay, founder of [Sportsmen for Fish and Wildlife](#), will bring up in his meeting with Secretary Zinke tomorrow when he meets with him privately at the dinner.

The attachments include: the economic impacts of hunting to the State of Utah and the areas in and around both national monuments; and photos of big game taken in the area.

Don will also mention his ties to Donald Trump Jr. He developed a relationship with Jr. during the campaign. They have been on several hunts together in Utah.

See you tomorrow.

###

Soon, interior Secretary Zinke will be touring Utah Monuments - Bears Ears and Grand Staircase for a review per Executive Order from President Trump

These 3.2 Million acres, thanks to modern conservation funding are now home to thriving herds of Elk, Mule Deer, Desert Bighorn Sheep, antelope, cougar, black Bear and wild turkey

These areas are lands of the 235 plus inch mule deer, 400 inch elk, 170 inch Rams, and most importantly places where thousands of families have enjoyed world class hunting adventures on public lands. It is the place where many of our children have bagged their first turkey!

51,007 hunters apply for the permits in these areas - highly coveted opportunities! It generates at a Minimum \$29 Million in direct conservation funding, and economic activity. See attached.

The above data is supplied by Don Peay, Founder of Sportsmen for Fish And Wildlife, that has an MBA. It is

the best data as supplied by the Utah DWR and knowledge of the hunting economies in these areas. See attached, any comments welcome. Very important to the American Sportsmen

**Subject: Economic and Hunting Interest In Monuments**

Just north of Lake Powell, a cross from the Bears Ears Border, lies the magnificent Henry Mountains, with mountain peaks reaching 10,000 plus feet

The mountain Range is home to the only free ranging, disease free Bison herd in North America. The Bison herd, and restoration of what now many consider the best mule deer herd in North America, are examples of Modern day Sportsmen and state agency Conservation efforts. More than \$1 Million of private sportsmen funds have been invested in the last ten years to grow and expand these herds. The Dept. of Interior recognized the Bison efforts last year.

There are opportunities to further expand these herds, and make this a Zinke and Interior Legacy project for elk, Mule Deer and Bison. Desert bighorn are scheduled to be added to the mountain as well.

This is a microcosm for the west. Massive habitat restoration, impacts of fires, finding win win solutions for conflicts between wildlife and domestic livestock, sportsmen funding, state wildlife agencies working cooperatively with Federal Agencies.

And in the end, healthy watersheds, local economic growth, and incredible hunting on Americas great public lands!

.....  
Don Peay

--  
Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

Document could not be rendered.





**To:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Russell Roddy[russell\_rodny@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-07T16:40:28-04:00  
**Importance:** Normal  
**Subject:** Re: Secretary's Briefings - May 8th  
**Received:** 2017-05-07T16:40:30-04:00  
[Utah 0508SanJuanCtyComm.docx](#)  
[Utah 0508SanJuanCtyComm.pdf](#)

SanJuanCtyComm briefing attached now

On Sun, May 7, 2017 at 4:28 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

1. Two briefings today - SanJuanCtyComm and CedarMesaBLM
2. Attachments have the same naming.

Have a great evening.

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330



## **INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** San Juan County Commissioners

**DATE:** May 8, 2017                      **TIME:** TBD

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

---

### **I. STATEMENT OF PURPOSE**

To meet with the San Juan County Commissioners to hear their viewpoints on Bears Ears and other relevant San Juan County issues.

### **II. BACKGROUND**

Primary topic of discussion is likely to be the recent designation of the Bears Ears National Monument. The San Juan County Commission is on record publicly as being opposed to the use of the Antiquities Act to designate the Bears Ears National Monument.

- **Commissioners have also expressed concerns perceived federal overreach in regard to a variety of issues, including protection of archaeological resources and designation of the national monument. They have publicly expressed their opinion that federal lands would be better managed and sensitive resources would be better protected under state or local control.**

### **III. DISCUSSION**

- Moab Master Leasing Plan (MLP) Record of Decision signed December 2016. MLP strived to balance recreation and energy development using lease stipulations like no surface occupancy and controlled surface use; also provided a phased approach to minimize exploration and development conflicts between oil and gas and potash.
- Primary benefit to the county was that parcels nominated within the MLP boundary can now move forward (parcels were deferred during the planning process); commissioners have repeatedly expressed concerns over the number of parcels deferred from potential leasing.
- Uranium and copper mining have been a source of jobs within the county. Lisbon Valley Copper Mine is the second largest copper mine in the state of Utah; prices of copper and uranium are currently low, which has affected mine operations and jobs within the county; uranium mines are currently not operating, but the Daneros Uranium Mine is awaiting a BLM decision on mine expansion.
- BLM issued approval for county-proposed Indian Creek ATV route just prior to monument designation; the BLM chose not to issue a ROW to the county, instead asking for partnership in implementing the decision and establishing the trail. The decision is currently under appeal and IBLA has granted a stay to the appellants--a collaboration of groups led by Southern Utah Wilderness Alliance.
- Although the current working relationship between BLM rangers and San Juan County Sheriff's Office is very good, San Juan County Sheriff, Rick Eldredge has publicly expressed a desire for the County Sheriff's Office take the lead in enforcing the law on all lands within the county.

### **IV. ATTACHMENTS**

1. San Juan County Commissioners' Biographies





## **INFORMATION MEMORANDUM FOR THE SECRETARY**

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**DATE:** May 8, 2017                      **TIME:** TBD

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- Uranium and copper mining have been a source of jobs within the county. Lisbon Valley Copper Mine is the second largest copper mine in the state of Utah; prices of copper and uranium are currently low, which has affected mine operations and jobs within the county; uranium mines are currently not operating, but the Daneros Uranium Mine is awaiting a BLM decision on mine expansion.
- BLM issued approval for county-proposed Indian Creek ATV route just prior to monument designation; the BLM chose not to issue a ROW to the county, instead asking for partnership in implementing the decision and establishing the trail. The decision is currently under appeal and IBLA has granted a stay to the appellants--a collaboration of groups led by Southern Utah Wilderness Alliance.
- Although the current working relationship between BLM rangers and San Juan County Sheriff's Office is very good, San Juan County Sheriff, Rick Eldredge has publicly expressed a desire for the County Sheriff's Office take the lead in enforcing the law on all lands within the county.

### **IV. ATTACHMENTS**

1. San Juan County Commissioners' Biographies

**To:** Laura Rigas[laura\_rigas@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Russell Roddy[russell\_rodny@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-07T16:28:22-04:00  
**Importance:** Normal  
**Subject:** Secretary's Briefings - May 8th  
**Received:** 2017-05-07T16:28:31-04:00  
[Utah0508CedarMesaBLM.pdf](#)  
[Utah0508CedarMesaBLM.docx](#)  
[Utah 0508 San Juan Cty Comm 1230 Att 1of1.pdf](#)  
[Utah 0508 Cedar Mesa BLM Att 2of2.pdf](#)  
[Utah 0508 Cedar Mesa BLM Att 1of2.pdf](#)

1. Two briefings today - SanJuanCtyComm and CedarMesaBLM
2. Attachments have the same naming.

Have a great evening.

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330



## **INFORMATION MEMORANDUM FOR THE SECRETARY**

**SUBJECT:** Meeting with Friends of Cedar Mesa at Edge of Cedar Mesa Museum

**DATE:** May 8, 2017                      **TIME:** 06:00 - 07:00 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

---

### **I. STATEMENT OF PURPOSE**

This meeting is with Friends of Cedar Mesa (FCM) to discuss the group's involvement in protection of culturally significant sites within the Bears Ears National Monument and the Cedar Mesa area of southern Utah; the meeting will be held at the Edge of the Cedars State Park Museum in Blanding, Utah.

### **II. BACKGROUND**

- Friends of Cedar Mesa headquartered in in Bluff, Utah;
- In August 2017, the BLM-Utah Monticello Field Office signed a Memorandum of Understanding with Friends of Cedar Mesa to formalize a collaborative partnership and establish a cooperative framework for promoting public land stewardship, resource protection, and education;
- In August 2016, BLM signed an Assistance Agreement with Friends of Cedar Mesa for \$184,640 (\$85,860 Friends of Cedar Mesa; \$98,780 BLM) for the purpose of Cedar Mesa Cultural Resource Education and Protection Partnership;
- In September 2016, the BLM proposed an expanded Assistance Agreement with Friends of Cedar totaling \$751,257 (Friends of Cedar Mesa \$360,626; \$BLM 390,631);
- In June 2016, the BLM and Friends of Cedar Mesa formed a five-year partnership to develop a statewide cultural resource site stewardship program;
  - Site steward programs use trained citizen volunteers to regularly monitor at-risk cultural resource sites. This partnership is working to establish statewide standards for training, reporting, and data management, as well as recruiting and engaging volunteers;
  - The program is also developing a site monitoring application to make monitoring tasks easier while ensuring quality data are collected.

### **III. DISCUSSION**

Friends of Cedar Mesa is a strong advocate for Bears Ears National Monument and is a strong supporter of cultural site protections.

Friends of Cedar Mesa and BLM have a positive partnership; however, there have also been challenges associated with some BLM policies and guidelines, such as film permitting requirements. Friends of Cedar Mesa views some of these requirements as obstacles to implementing public outreach projects.

Rather than working directly with BLM or the Utah State Historic Preservation Office, Friends of Cedar Mesa recently reached out to a third-party archaeological contractor to request a report on archaeological data the group could use in its "advocacy role,"

### **IV. ATTACHMENTS**

1. BLM-Friends of Cedar Mesa Initial Memorandum of Understanding (FCM-BLM-MOU-09.17.2014)
2. Friend of Cedar Mesa key leadership biographies



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2. Friend of Cedar Mesa key leadership biographies

# **MEMORANDUM OF UNDERSTANDING (BLM-MOU-UT-2014-008)**

between the

**UNITED STATES DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
MONTICELLO FIELD OFFICE**

and the

**FRIENDS OF CEDAR MESA**

This Memorandum of Understanding, hereafter referred to as an MOU, is entered into by the United States Department of Interior, Bureau of Land Management, Monticello Field Office, hereafter referred to as the BLM, and the Friends of Cedar Mesa, hereafter referred to as FCM.

## **I. PURPOSE:**

The purpose of this document is to formalize a collaborative partnership between the BLM and FCM and to establish a general framework of cooperation for the promotion of public land stewardship, resource protection, and educational opportunities on public lands managed by the BLM Monticello Field Office. While the primary focus of FCM is on lands in the greater Cedar Mesa area, FCM may also assist the BLM on other lands within San Juan County, particularly regarding issues/projects relating to cultural resource and wilderness protection.

This agreement is intended to define the roles and expectations each party has for the partnership.

## **II. AUTHORITY:**

**A: BLM Authority.** The Federal Land Policy and Management Act of 1976, Section 307(b), provides that the BLM may undertake programs of resource management through cooperative agreements. Furthermore, the Utah 5-year NLCS Strategy outlines goals to “Advance and strengthen partnerships to facilitate shared stewardship and to advance the relevance of the National Conservation Lands . . .” as well as to “Expand opportunities for volunteers within the National Conservation Lands.”

**B: FCM Authority:** Friends of Cedar Mesa is a non-profit, public benefit 501(c)(3) corporation, and as such is authorized to enter into cooperative agreements with other entities to further the concerns of the organization.

## **III. STATEMENT OF MUTUAL BENEFITS:**

In developing this Memorandum of Understanding, the BLM and FCM recognize that we are entering this partnership as two autonomous organizations that have an opportunity to work within a voluntary, mutually beneficial collaborative relationship to benefit the public lands and public lands visitors. This partnership is built on the premise that each partner has the potential to make unique contributions, which can assist in moving toward

common goals, that neither organization could achieve alone. The fact that we choose to work together is not intended to diminish the individual authority, autonomy or independence of either party to the partnership, nor is it intended to modify either organization's individual mission.

The BLM has a broad mandate to manage vast tracts of federal land. This mission includes a duty to protect cultural resources, preserve wilderness character, provide for recreational opportunities, and manage many commercial uses of the land, such as grazing and mineral extraction. All of this requires a strong commitment to working with the public to protect lands owned by all Americans and maximize the public value derived from these lands. As such, the BLM can benefit from partnering with FCM and working closely on stewardship-related projects, as well as obtaining valuable feedback about projects or activities that might impact cultural resources or National Conservation Lands.

FCM was founded in 2009 with the mission "to effect good stewardship that protects the natural and cultural integrity of public lands in San Juan County, Utah." FCM has a strong interest in working closely with the BLM to maximize public involvement with protecting BLM lands, educating visitors, and improving on the ground conditions.

As such, both BLM and CCA mutually benefit from a cooperative relationship that works to achieve the following broad objectives:

1. Conserve, protect, restore and sustain the lands administered by the BLM, particularly those with high cultural, recreational, and natural resources.
2. Increase public awareness of the value of (and need to protect) cultural resources and National Conservation Lands, such as Cedar Mesa's four wilderness study areas.
3. Expand the volunteer base and provide meaningful volunteer opportunities within the field office.
4. Maintain open lines of communication so both parties can benefit from the expertise, experience, and "eyes and ears" of each other.

In consideration of the above premises, the parties agree as follows:

#### **IV. BLM SHALL:**

1. Meet with FCM representatives on a regular basis to build and promote a strong relationship. Invite FCM staff to discuss future projects, important developments and participate in project brainstorming or preparation meetings as appropriate.
2. Ensure that all projects, events, and other activities have gone through the required level of permitting/authorization prior to implementation (e.g. appropriate clearances, NEPA analysis, risk assessments, and volunteer agreements).

3. Utilize FCM as volunteers for engaging in service projects and co-sponsored events. BLM's liability and tort coverage will normally extend to volunteers who are signed up on volunteer agreements approved by the BLM in advance of doing volunteer work.

4. Identify opportunities for challenge grant program collaborations where appropriate to advance BLM duties and objectives.

#### **V. FCM SHALL:**

1. Help recruit and organize volunteers for service projects to benefit BLM lands and resources.

2. Within its discretion and to its ability, help raise funds to support conservation, education, and recreation enhancement projects.

3. Ensure that FCM staff, members, and volunteers comply with BLM safety procedures when working on BLM lands and projects.

4. Provide field observations, monitoring, research, and expertise to the BLM to assist with resource protection initiatives.

5. Regularly take photos and video documenting the area, as well as guide educational trips in the area. When doing so, FCM shall follow all BLM rules and regulations regarding group sizes, surface disturbance, travel, and other management policies. Most of the time, these activities will be purely educational and will not fit the BLM's definition of "commercial activity." However, FCM will occasionally engage in trips and photography/video that do qualify as commercial under BLM definitions. As such, FCM will seek the appropriate permits with the agency, which will be outlined in the appropriate permitting documents, separate from this agreement.

#### **VI. BLM and FCM MUTUALLY AGREE TO**

1. Collaborate in the long-term preservation and stewardship of important cultural and natural resources in the greater Cedar Mesa area.

2. Seek opportunities to coordinate, share, and/or combine resources to serve the mission and purpose of both the BLM and FCM.

3. Meet periodically to discuss and reach agreement on monitoring, education, outreach, protection, restoration, and/or similar projects, tasks, or initiatives undertaken pursuant to this MOU.

4. Enter into agreements, supplemental to this MOU, and when necessary or otherwise appropriate, regarding the implementation of agreed upon projects, tasks, or initiatives.

5. Maintain e-mail and telephone communications on issues, policies, and plans that may

affect FCM and particularly cultural resource and wilderness assets within the Field Office boundaries.

## **VI. OTHER PROVISIONS**

1. Either party may terminate this memorandum in part or in whole by providing 30 days written notice to the other party whenever it is determined that the other parties have materially failed to comply with the conditions of this memo.
2. This agreement terminates five (5) years from the date of the last signature. It may be renewed prior to the termination date by mutual agreement of the parties.
3. **NON-FUND OBLIGATION DOCUMENT:** This agreement is neither a fiscal nor a funds obligation document. Any endeavor to transfer anything of value involving reimbursement or contribution of funds between the Parties to this agreement will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate documents that shall be made in writing by representatives of the Parties and shall be independently authorized by appropriate statutory authority. This agreement does not represent such authority. Specifically, this agreement does not establish authority for noncompetitive award to the cooperator of any contract or other agreement.
4. Each party shall identify a point of contact for coordination of this MOU. If the below contacts change, the other party will be notified as soon as possible.

### **Friends of Cedar Mesa**

PO Box 338

Bluff, UT 84512

Contact: Josh Ewing, Executive Director

(801) 410-0773

[josh@cedarmesafriends.org](mailto:josh@cedarmesafriends.org)

### **BLM Monticello Field Office**

365 North Main

Monticello, Utah 84535

Contact: Don Hoffheins, Field Manager

(435) 587-1506

[dhoffhei@blm.gov](mailto:dhoffhei@blm.gov)

5. Nothing in this MOU will be construed as limiting or affecting in any way the respective authorities or legal responsibilities of either party.
6. Nothing in this MOU binds either party to perform beyond the respective authority of each.
7. Nothing in this MOU requires any party to assume or expend any sum in advance of



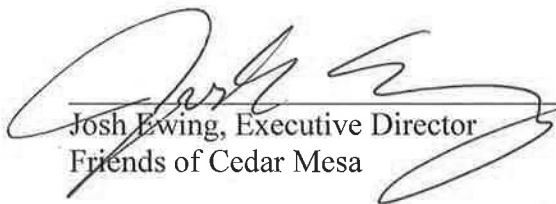
appropriations available nor does this agreement obligate the parties to spend funds on any particular project or purpose, even if funds are available.

8. Nothing in this MOU restricts either party from participating in similar activities or arrangements with other public or private agencies, organizations, or individuals.

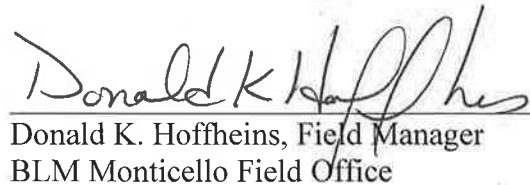
9. BLM retains the sole decision-making authority for public lands and resources it administers.

10. Activities conducted under this MOU will be in compliance with the nondiscrimination provisions as contained in Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (PL 100-259) and other nondiscrimination statutes, namely Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and in accordance with the regulations of 7 CFR 15, Subparts A and B, which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.

The parties hereto have executed this agreement as of the last day written below.

  
\_\_\_\_\_  
Josh Ewing, Executive Director  
Friends of Cedar Mesa

Date: 9/17/14

  
\_\_\_\_\_  
Donald K. Hoffheins, Field Manager  
BLM Monticello Field Office

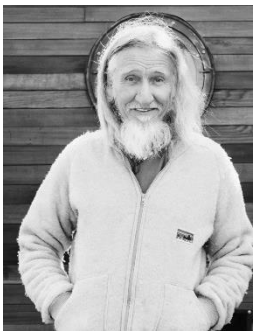
Date: 9/17/14



## Friends of Cedar Mesa



**Josh Ewing:** Josh has been fascinated by the Bears Ears area for 17 years, moving from Salt Lake City to Bluff in 2012. In 2013, Josh took over the helm of Friends of Cedar Mesa from its founder Mark Meloy, a former BLM river ranger. After taking over FCM, Josh helped develop the organization's strategic development to include significant on-the-ground stewardship work in collaboration with the BLM, USFS, NPS and SITLA. Josh personally attended more than 30 meetings in San Juan County regarding the PLI and was heavily personally invested in a legislative protective designation for Bears Ears, making several trips to Washington DC to meet with Utah's delegation and DOI on a compromise solution.



**Vaughn Hadenfeldt:** Vaughn is the Board President for Friends of Cedar Mesa. He owns Far Out Expeditions, sharing his knowledge of the cultural and natural histories of the Bears Ears landscape with visitors from all corners of the globe while emphasizing the ethics and understanding of exploring those sites respectfully. Vaughn has been guiding in the Bears Ears for more than 20 years and has been featured in many publications, including National Geographic and several books by David Roberts. Vaughn has worked with leading local archaeologists on documentation and excavation projects throughout the area



**Amanda Podmore:** Amanda leads FCM's stewardship and volunteer activities, as well as its policy initiatives. An avid river runner and hiker, she also volunteers as a site steward and as co-chairwoman of the Bluff Arts Festival. Amanda has a Masters in Natural Resource Law from the University of Denver and a B.A. in Environmental Policy from Colorado College. She has worked professionally with several non-profits concerned with watershed conservation & education, mining impacts, and sustainable development.

**Steve Simpson:** Steve advises Friends of Cedar Mesa in its efforts to engage business interests in protecting and stewarding public lands around Bluff. In 2016, Steve traveled to Washington DC with Friends of Cedar Mesa to talk with congressional and DOI representatives about local support for permanently protecting public lands around Bluff.



## San Juan County Commissioners



Phil Lyman, Chairman

Lives in Blanding, Utah. Professional Certified Public Accountant and runs a CPA business. Currently serving as commission chairman, longstanding member of the commission. Led a protest ride in May 2014 into Recapture Canyon, served 10 days Jail time in 2015, he has appealed his conviction. Family has long history in the county.



Bruce Adams, past chair

Longstanding member of the commission. Rancher, with long family history in the county.



Rebecca Benally

Rebecca Benally was born in New Mexico and was raised on a cattle farm. She has been recognized by the state of Utah for her efforts championing education for Navajo children and over 20 years in the education field before running for County Commission in 2014.



Nick Sandberg

Nick is the County Planner and serves as an administrator for the commission.

**To:** Bowman, Randal[[randal\\_bowman@ios.doi.gov](mailto:randal_bowman@ios.doi.gov)]  
**From:** Magallanes, Downey  
**Sent:** 2017-05-27T08:41:33-04:00  
**Importance:** Normal  
**Subject:** Fwd: Paria River Road Resolution  
**Received:** 2017-05-27T08:41:39-04:00  
[Kane County Paria Resolution.pdf](#)  
[ATV Club Letter Paria.pdf](#)

This is for the staircase

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

From: **Dirk Clayson** <[dirkclayson@gmail.com](mailto:dirkclayson@gmail.com)>

Date: Thu, May 25, 2017 at 10:40 PM

Subject: Paria River Road Resolution

To: Downey Magallanes <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>, Mike Noel

(b)(6)

Cc: John Tanner <[john\\_tanner@hatch.senate.gov](mailto:john_tanner@hatch.senate.gov)>, Brian Steed <[brian.steed@mail.house.gov](mailto:brian.steed@mail.house.gov)>

Hi Downey,

I wanted to send you an electronic copy of a couple of documents that may assist with your efforts on behalf of Kane County.

Attached are two documents in PDF format.

1- The Kane County resolution to save the access to Paria Canyon with the attached map of the Paria River road.

2- The letter from the local ATV club which I have included for reference mainly because it contains photo evidences of the open road per BLM sign as well as historical evidences back to the late 1800s and early 1900s helping to document the land term over 140 years of road use prior to the 2009 closure.

With the access closed, this fantastic area and the hiking trails accessed from the river road, no have very little visitation. What was once one of our most visited areas is now almost completely lost for the visitor experience simply because the hike to any trail heads are simply out of reach for most.

Please let me know if there is anything else that I can assist with regarding these or other Kane County matters. Again, Thanks so much for your help.

Best Regards,

Dirk Clayson  
Kane County Commission  
435-616-1234

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

Presentation by:  
Samuel Smith, President  
Utah/Arizona ATV Club  
6250 Antelope Trail  
Kanab, Utah 84741  
435 644-8236

I am speaking on behalf of the Utah/Arizona ATV Club of Kanab, Utah. Our club is mostly comprised of a variation of people who enjoy recreating on our public lands using our OHV's. We represent more than 100 households, and members and supporters from a number of western states. We are not supported by large corporate donations, or have paid staff or paid officers. Our efforts are supported by just volunteers and our love of visiting our public lands.

Many of us are retired and some are physically limited due to age and injuries. Here in Kanab, Utah our club endeavors to support our community through donations to schools, the needy and veterans, and by hosting visitors, including sponsoring OHV events that benefit this area. One of which is our annual 'Warriors Ride' where we take veterans, some disabled, to the beautiful red rock country we enjoy riding our OHV's here in Kane County, Utah. Like it or not, Kane County has become an OHV destination. That is evidenced by the large numbers of OHV visitors staying at our motels, visiting our local stores. On one day in March one of our ladies had occasion to count the number of OHV's coming to Kanab, from the St George area she counted 54 motorized OHV's on trailers.

The majority of our members are folks consisting of both home-grown locals and others who are new comers to this area. In past 25 years, the club used to enjoy many OHV Trails that are now closed such as riding up the Paria River; from the old Paria townsite north of US Highway 89. This particular Paria River corridor route had been a road into southern Utah since the 1800's. This route follows the Paria river bed from the area south of Cannonville, Utah, and exits at the old Paria town site. It was a signed open route at one time. This road is full of pioneer writings historical petroglyphs, and Pictoglyph sites. It was the favorite ride of the locals and many OHV visitors.

Please be aware, the Paria River, to the south of US Highway 89 is designated wilderness and is respected as such. That area is protected by two other designated congressionally approved wilderness areas and allows those seeking a wilderness experience to hike all the way to the Colorado River.

Then in 2009, environmental groups petitioned the Grand Staircase Escalante National Monument (GSENM) BLM field office to close access to the northern section of this RS2477 titled Paria River designated road. This route, being not only a historic byway used by OHV enthusiasts, but by people interested in visiting the pioneer rock art name site locations made by pioneers who often were their own forebearers. The local people had enjoyed this for years causing no damage to the route. You see, when the annual floods run the Paria, all tracks are washed away.

In 2009, the GSENM BLM Field Office arbitrarily and unilaterally closed this route without input from anyone except those environmental groups or handpicked committees. Kane County

at that time protested and took this issue to the courts where it remains. The GSENM BLM office posted it as a wilderness study area. Disregarding, that this route had been considered a RS2477 road by Kane county for years. There were huge protests here in Kane County which brought out large groups of people from both sides of the issue.

Our ATV Club, and the Southern Utah Off Highway Vehicle Alliance, based here in Kanab, Utah would urge you to consider reviewing decisions made by our local BLM land managers. It seems that attempts to communicate or give local input to the GSENM BLM Field office are ignored, simply dismissed by double talk. No one seems to be held accountable to the affected local people regarding the unilateral decision making methods the BLM employs in such issues. This includes many of the BLM field offices in Southern Utah and namely the BLM Office who manages the Grand Staircase National Monument.

The below comments come from a former Kane county, Utah County Commissioner Mark Habbeshaw who was involved in this litigation at that time.

***“The specific document closing the Paria road to motorized travel was the Grand Staircase/Escalante National Monument (GSENM) management’s administrative decision to close the road based on petitions to close the road submitted to the BLM GSENM by Southern Utah Wilderness Alliance (SUWA) and The Wilderness Society (TWS). The petitions were submitted during the time Kane County was under a federal injunction issued by Judge Tena Campbell not to take any action on roads without quiet title adjudication in federal court. Thus, the county was powerless to stop the closure. The closure took effect shortly after the protest ride up the Paria in 2009. Judge Campbell was subsequently overturned by the 10th Circuit and the Paria is in the current quiet title lawsuit of over 700 roads in Kane County”.***

***“One and one half years prior to the closure the county commission submitted a request for a non-binding determination supporting the public’s RS2477 rights along the road (including all of our documentation supporting the road as a public highway) as per Department of Interior policy under Secretary Norton. Unfortunately, the BLM refused to consider the county’s submission. The county was successful in securing QT to six roads (the first in the nation) and will likely prevail in many more titles in the current QT litigation”.***

***“It is my understanding that the current commission is relying on quiet title to resolve road ownership rather than creating an issue by opening the road on the ground. It may be some time before the quiet title litigation resolves the issue”.***

What we hope for is the opportunity to resolve the status of our RS2477 roads based on reasonable resolution and short of quiet title but there are no specific efforts that I am aware of at this time of the willingness of anyone with the authority to even discuss this.

Thank you for your consideration.

## 1999 Photo of BLM Sign at the Paria River

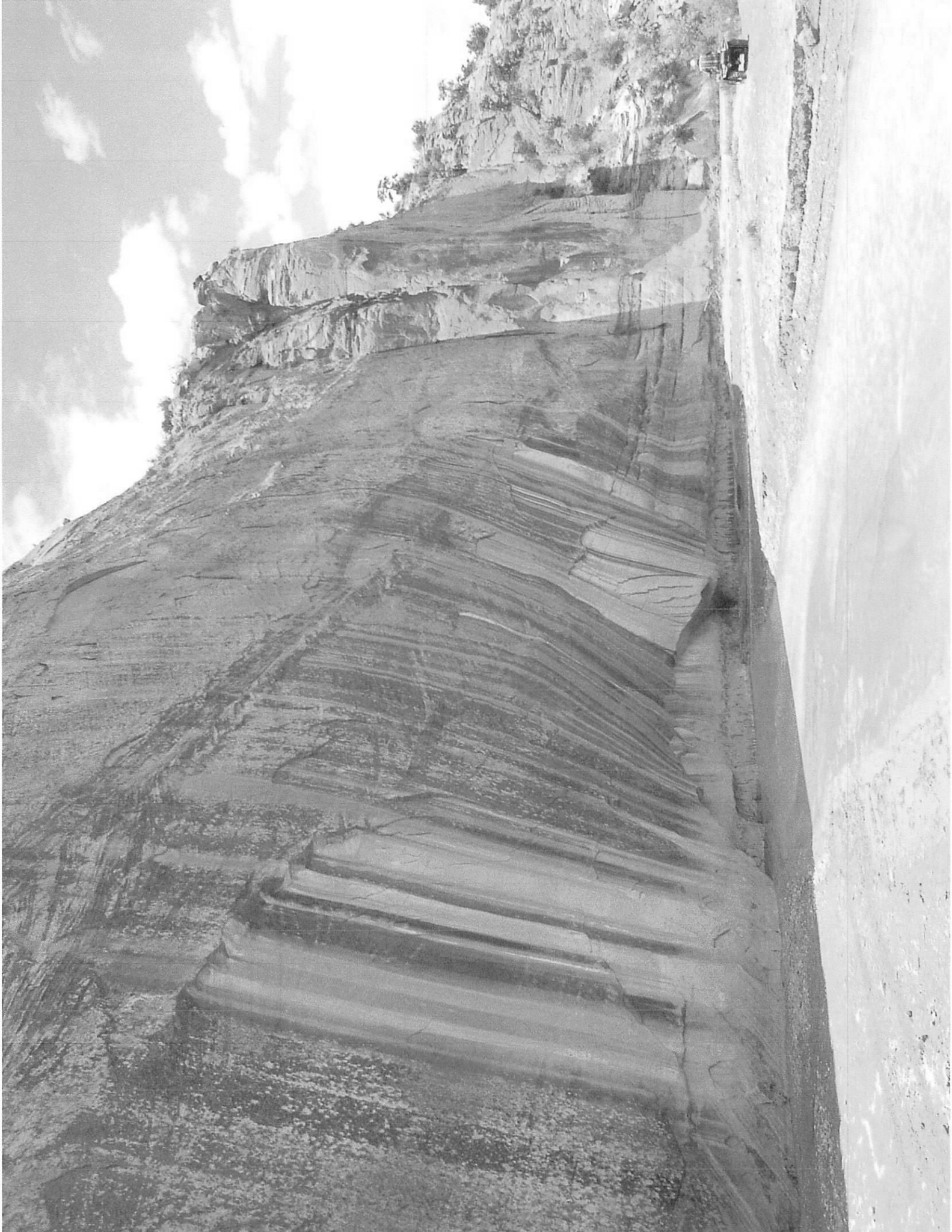


The GSENM Field Office denies this sign was there.





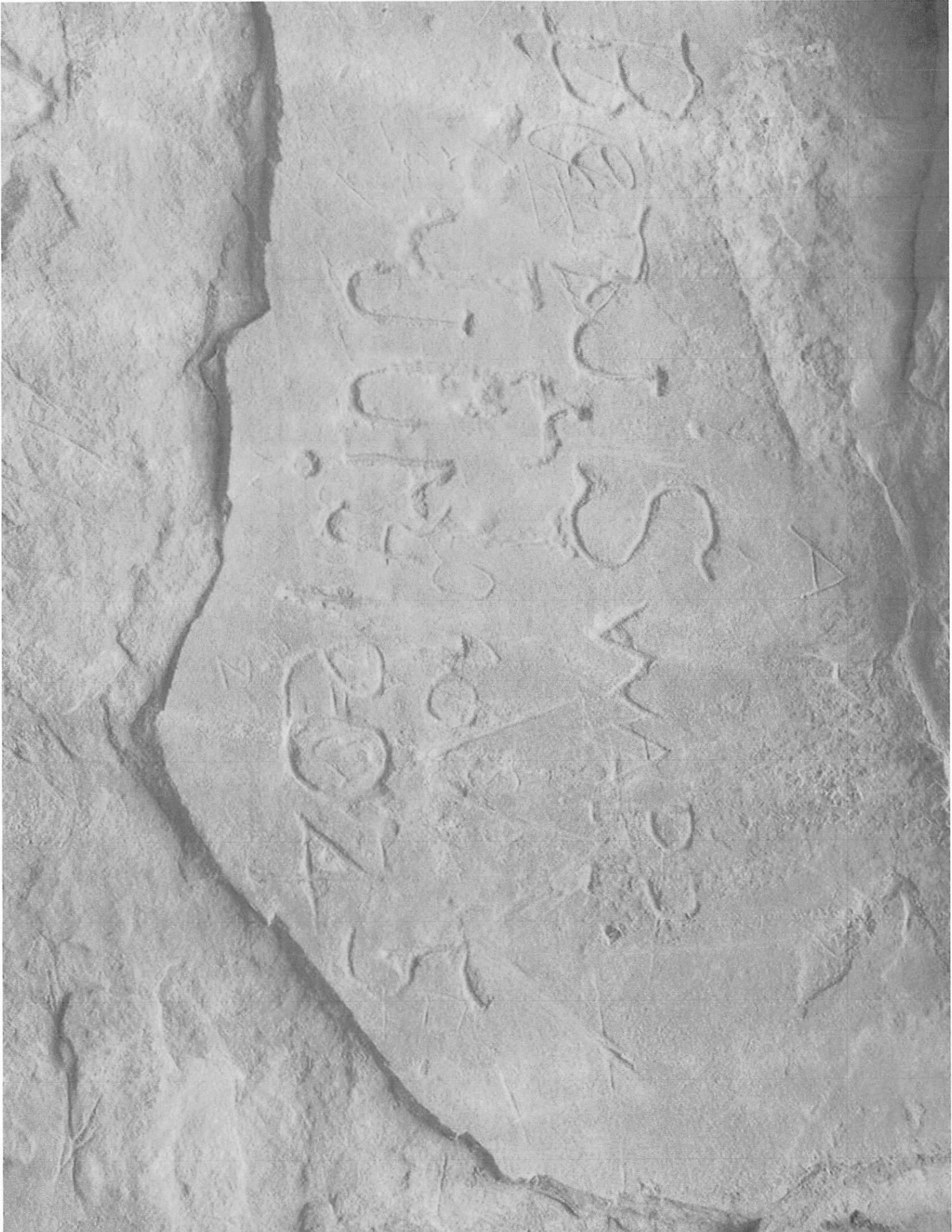
Who was this Lional Hancock back in 1888? Well, I did a little bit of research and think this is Franklin Lional Hancock, born 1871 Payson, Utah. He is on the 1880 census living in Payson, Utah with his parents Elijah and Eliza, along with his siblings. In 1890, he married Elizabeth Rebecca Tryon in Eden, Arizona. They had 12 children together and on the 1900 census, he is shown with an occupation of farmer. Franklin Lional Hancock died 1909 at Graham, Arizona and is buried at the Eden Cemetery, Arizona. I can't figure out who the other person, Yapaz is, but perhaps it is a nickname for his brother Erastus. That is my best guess anyway. I did find a wonderful story that mentions Lional and his wife in it, describing how they joined several other people from Eden, Arizona on a wagon trip to the Temple in Salt Lake City. If you would like to read more about their life full of joys and hardships, please click [no](#) the link [The Story of My Life by Annie May Oliver Fuller 1947](#). I also located a picture of Franklin Lional Hancock and wish I could give credit to whoever shared this but I could not find any information on where or who it came from. If I can locate that information I will immediately correct this.



10/27/1878

D. R. Stenge  
M.E. D.R.





Handwritten text in a cursive script, possibly a form of shorthand or a specific dialect. The text is arranged in several lines across the central rectangular area. The characters are somewhat stylized and difficult to decipher without a key.

A

A

A



HEAVY  
WATER  
J.B. STRIPP  
2-11-11

**KANE COUNTY RESOLUTION NO. R-2017-10**

**A RESOLUTION TO SAVE ACCESS TO THE PARIA CANYON**

**WHEREAS**, commencing in 1865 Mormon settlers lead by Peter Shirts established communities in the Rockhouse area and then the Pahreah townsite by traveling the Paria River road. The Pahreah townsite grew to include 130 inhabitants, public facilities and a church. Floods later washed away crop lands over the years and resulted in the last residents leaving the area in the 1930s, however, the Pahreah cemetery remains as a respectful reminder of these early pioneers. The stories of Peter Shirts and his “pull the plow” share cropping efforts with the Native American Indians is a great reminder of the human element in the history of these lands; and

**WHEREAS**, by 1873 the Paria River road was established as the main public thoroughfare for travel between Salt Lake City, Utah, and Lee’s Ferry, Arizona, which is well documented by John D. Lee and numerous history books; and

**WHEREAS**, the Paria River road through the Paria Canyon was continuously used as a public thoroughfare for 140 years until 2009 when it was summarily closed; and

**WHEREAS**, the Southern Utah Wilderness Alliance (SUWA) and The Wilderness Society (TWS) sued Kane County and obtained a federal court injunction finding that Kane County could not own an R.S. 2477 right-of-way for any road, like the Paria River road, unless and until its title was adjudicated in court. A Bureau of Land Management (BLM) legal advisor stated his agreement with the finding, and SUWA and TWS then prevailed upon BLM to barricade and physically close the Paria River road in 2009; and

**WHEREAS**, Kane County later prevailed in the legal proceedings and reversed the adverse decision. However, BLM’s physical closure of the Paria River road remains; and

**WHEREAS**, Kane County would like to make a statement of their appreciation for the local BLM office. The local BLM office, at the time, was assisting with responsible use and enjoyment of the area and was not working to close the road. The directive was issued to them from higher offices within the department. Local BLM officials were excluded from the decisionmaking that affected our area; and

**WHEREAS**, the Paria River road closure was done without consideration of the road’s purpose, rights, local economies, customs, culture and heritage; and

**WHEREAS**, for nine years, this closure has negatively impacted the tourism in Kane County as the Paria River road was a well-known popular recreation area and route to trail heads; and

**WHEREAS**, the Paria River road provided access to several hiking trailheads such as Deer Creek and the confluence of Bull Valley Gorge, Rock Springs Creek, Starlight Canyon, and Snake Creek; and

**WHEREAS**, many historical pioneer markers of the Paria River road are being lost from our heritage and historical interpretation since they are no longer accessible; and

**WHEREAS**, Kane County R.S. 2477 litigation is pending on this road. Litigation strategies by the Department of the Interior and the Department of Justice, now coordinated with SUWA, serve to delay the court proceedings. These delays are prejudicial to Kane County through the loss of evidence and increased expense; and

**WHEREAS**, precedent set with the Kane County Bald Knoll R.S. 2477 litigation clearly demonstrates the county's ability to quiet title to its R.S. 2477 roads. The evidence supporting the Paria River road is overwhelmingly documented across 140 years and indisputably establishes that this road served as a public thoroughfare for more than ten years prior to 1976; and

**WHEREAS**, the extended closure of this road and flood activities will result in a higher maintenance burden for reopening; and

**WHEREAS**, the traveled surface of the road is being destroyed by non-use making on-sight evaluations by the court difficult to accurately obtain; and

**WHEREAS**, over 140 years of road use presented no negative impacts to the area and was clearly one of the least impactful items in the drainage, given the severe floods and other natural occurring activities; and

**WHEREAS**, the Grand Staircase-Escalante National Monument management plan states: "TRAN-8 In the event that Title 5 rights-of-way are issued, or in the event of legal decisions on RS 2477 assertions, maintenance activities will be governed under the terms of those actions"; and

**WHEREAS**, the Grand Staircase-Escalante National Monument Proclamation states: "The establishment of this monument is subject to valid existing rights." This sentence reflects the President's intention to honor rights that existed prior to the establishment of the Monument. Before it was established, the lands within GSENM were subject to various authorizations, some giving "rights" to the holders and some of which could be construed as providing valid, but lesser, interests. Valid existing rights (VERs) are those rights in existence within the boundaries of GSENM when the Monument was established on September 18, 1996."

Kane County established its R.S. 2477 rights with over 100 years of public use under the revised statute 2477 of 1866 which ended with the with the creation of the Federal Lands Policy and Management Act of 1976. Therefore, these rights were clearly established prior to the creation of the GSENM and are therefore valid and existing rights.



**NOW THEREFORE, BE IT RESOLVED BY THE KANE COUNTY BOARD OF COMMISSIONERS, IN AND FOR KANE COUNTY, STATE OF UTAH, AS FOLLOWS:**

Kane County respectfully requests that the road closed signs, physical barriers, and any other physical obstruction to access on the Paria River Road, Kane County Road Number K6200, be removed by the BLM while pending litigation continues.

Kane County urges the BLM / Department of the Interior to move forward with removing any legal restrictions of access of the Paria River Road, Kane County Road Number K6200, and requests that whatever procedures need to be accomplished to achieve this result are taken with haste.

ADOPTED this 8<sup>th</sup> day of May, 2017.

ATTEST:



*Karla Johnson*  
KARLA JOHNSON  
Kane County Clerk

*Dirk Clayson*  
Dirk Clayson, Chair  
Board of Commissioners  
Kane County

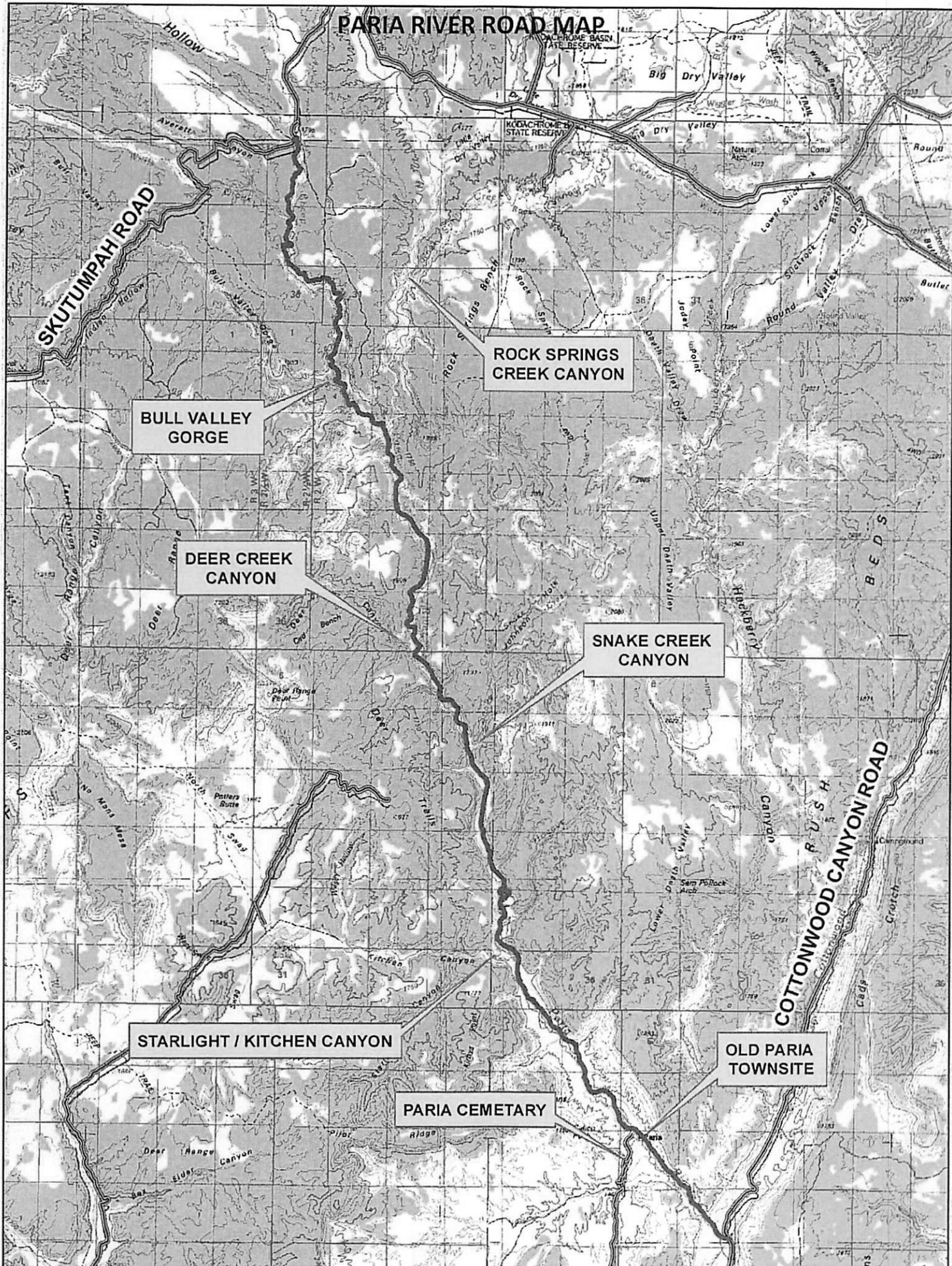
Commissioner Clayson voted Y  
Commissioner Matson voted Y  
Commissioner Smith voted Y

Additional RS2477 Background reference:

R.S. 2477 granted valid and respected right-of-ways to counties by its general wording: "The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted."

Although FLPMA repealed Revised Statute 2477, it did not terminate rights-of-way conveyed under R.S. 2477. Section 701 of FLPMA states that nothing "...shall be construed as terminating any valid lease, permit, patent, right-of-way, or other land use authorization existing on the date of approval of this Act." For a route to be an R.S. 2477 right-of-way, it must have existed before the passage of FLPMA (October 21, 1976).

# PARIA RIVER ROAD MAP



**To:** Rusty Roddy[russell\_roddey@ios.doi.gov]  
**From:** Boulton, Caroline  
**Sent:** 2017-05-03T14:34:38-04:00  
**Importance:** Normal  
**Subject:** Fwd: Dugout Ranch  
**Received:** 2017-05-03T14:35:14-04:00

I called Tom, he's sending an itinerary.

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

**From:** **Tom Cors** <[tcors@tnc.org](mailto:tcors@tnc.org)>  
**Date:** Wed, May 3, 2017 at 12:46 PM  
**Subject:** Re: Dugout Ranch  
**To:** Caroline Boulton <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)>  
**Cc:** Timothy Williams <[timothy\\_williams@ios.doi.gov](mailto:timothy_williams@ios.doi.gov)>, Mark Aagenes <[mark.aagenes@tnc.org](mailto:mark.aagenes@tnc.org)>

Between 2:00-3:45  
919-636-2297

On May 3, 2017, at 12:42 PM, Caroline Boulton <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Tom-

Rusty and I left you a voicemail earlier. When would be a good time this afternoon for us to give you a call?

Caroline

Sent from my iPhone

Tom Cors  
Director, Lands  
US Government Relations  
The Nature Conservancy  
[tcors@tnc.org](mailto:tcors@tnc.org)  
919-636-2297

On May 3, 2017, at 12:37 PM, Tom Cors <[tcors@tnc.org](mailto:tcors@tnc.org)> wrote:

Saw Mr. Zinke this morning and he said we are still on for Tuesday afternoon at Dugout. He also asked if he might be able to spend the night Tuesday at our ranch which would be great.

Tom Cors

Director, Lands  
US Government Relations  
The Nature Conservancy  
[tcors@tnc.org](mailto:tcors@tnc.org)  
919-636-2297

On May 3, 2017, at 6:48 AM, Tom Cors <[tcors@TNC.ORG](mailto:tcors@TNC.ORG)> wrote:

Tim and Caroline,

I hope you both are doing well. I saw this article that Secretary Zinke is set to be in San Juan County on Monday and I'm hoping to hear from you all whether we are going to catch him while he is out there. Last week in DC, I spoke with Secretary Zinke, explained The Nature Conservancy's interests within the monument, and he said he could afford time with us on Tuesday, as he thought he would be in Salt Lake City Monday.

The Nature Conservancy's is the largest private landowner within the monument and we own 5,280 acres in fee and 350,000 acres of grazing allotments.

I've attached the meeting request form that hopefully you both have seen. Give me a ring when you have a chance.

Thanks,

Tom

Tom Cors

Director, Lands

US Government Relations

The Nature Conservancy

[tcors@tnc.org](mailto:tcors@tnc.org)

919-636-2297

SALT LAKE CITY — Interior Secretary Ryan Zinke will fly into Salt Lake City on Sunday and is set to tour spots in the controversial Bears Ears National Monument Monday — on horseback, San Juan County Commissioner Bruce Adams said Tuesday.

Adams said he and the other San Juan County commissioners, Phil Lyman and Rebecca Benally, met with Zinke Tuesday.

"It was amazing. It went incredibly well," he said. "It couldn't have gone better."

Zinke, a Western outdoorsman from Montana who was elected as a GOP congressman for that state, began his first day on the job as new head of the Department of Interior by riding a horse to the office.

Adams said San Juan County officials are rustling up a mount for Zinke so he can see portions of the 1.35 million-acre monument from the ground up.

On Tuesday, Zinke will also visit the Grand Staircase-Escalante National Monument, a sore spot for Utah's elected GOP leaders who complained — and sued — over its designation in 1996 by then-President Bill Clinton.

Garfield County commissioners want the monument rescinded like their counterparts in San Juan County — or the size of the monument greatly reduced.

### **2 comments on this story**

The Utah Legislature has passed and Utah Gov. Gary Herbert signed resolutions against both monuments.

Zinke is visiting Utah as part of a 45-day review directed by an executive order on national monument designations issued by President Donald Trump last week.

The order directs an Interior Department review of all monument designations of 100,000 acres or more since 1996.

The Bears Ears National monument was designated in the final days of President Barack Obama's administration at the urging of the Bears Ears Inter-Tribal Coalition and multiple conservation groups.

*Andrew Harnik, Associated Press*

*FILE— Newly sworn in Interior Secretary Ryan Zinke speaks, Wednesday, March 1, 2017, in the Eisenhower Executive Office Building on the White House complex in Washington.*

<May DugoutTNC Meeting Request.final.docx>

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**Caroline Boulton**

Department of the Interior  
Scheduling & Advance

[Caroline\\_Boulton@ios.doi.gov](mailto:Caroline_Boulton@ios.doi.gov) | [Scheduling@ios.doi.gov](mailto:Scheduling@ios.doi.gov)

**To:** rustyrodgy [REDACTED] (b)(6)  
**From:** Roddy, Russell  
**Sent:** 2017-05-08T02:37:22-04:00  
**Importance:** Normal  
**Subject:** Fwd: How long a drive is it from Monticello to the Ranch?  
**Received:** 2017-05-08T02:37:24-04:00

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

**From:** Tom Cors <[tcors@tnc.org](mailto:tcors@tnc.org)>  
**Date:** Fri, May 5, 2017 at 9:46 PM  
**Subject:** Re: How long a drive is it from Monticello to the Ranch?  
**To:** "Roddy, Russell" <[russell\\_rodgy@ios.doi.gov](mailto:russell_rodgy@ios.doi.gov)>

If you go on the below highlighted blue route that says 38 mins, 33.8 miles, it will actually take 30 minutes.

The 52 minute, 28.4 mile route is very scenic, going in front of Shaw Mountain and will actually take 40 minutes. On Monday you should try this route and on the way back you can drive the 211 to 191 route.

Click this link:

[VIEW IN GOOGLE MAPS](#)

Tom Cors

Director, Lands

US Government Relations

The Nature Conservancy

[tcors@tnc.org](mailto:tcors@tnc.org)

919-636-2297

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**From:** Russell Roddy <[russell\\_roddey@ios.doi.gov](mailto:russell_roddey@ios.doi.gov)>

**Date:** Friday, May 5, 2017 at 9:16 PM

**To:** Tom Cors <[tcors@TNC.ORG](mailto:tcors@TNC.ORG)>

**Subject:** How long a drive is it from Monticello to the Ranch?



**To:** downey.magallanes@gmail.com[downey.magallanes@gmail.com]  
**From:** Downey Magallanes  
**Sent:** 2017-06-13T12:27:04-04:00  
**Importance:** Normal  
**Subject:** Fwd: Travel Briefing Binder June 13  
**Received:** 2017-06-13T12:27:19-04:00  
[ATT00001.htm](#)  
[0613 Pittman-Robertson Grants Round Table Memo.pdf](#)  
[Schedule June 13.pdf](#)  
[ATT00002.htm](#)  
[0613 Advance Memo.pdf](#)  
[ATT00003.htm](#)  
[0613 Dinner with Governor LePage Memo.pdf](#)  
[ATT00004.htm](#)  
[0613 Meeting with Governor Chris Sununu.pdf](#)  
[ATT00005.htm](#)  
[0613 National Congress of American Indians Memo.pdf](#)  
[ATT00006.htm](#)

Sent from my iPhone

Begin forwarded message:

**From:** "Thiele, Aaron" <[aaron\\_thiele@ios.doi.gov](mailto:aaron_thiele@ios.doi.gov)>  
**To:** "Magallanes, Downey" <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>, Scott Hommel <[scott\\_hommel@ios.doi.gov](mailto:scott_hommel@ios.doi.gov)>, Rusty Roddy <[russell\\_rodny@ios.doi.gov](mailto:russell_rodny@ios.doi.gov)>, Laura Rigas <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)>, James Cason <[james\\_cason@ios.doi.gov](mailto:james_cason@ios.doi.gov)>  
**Cc:** "[ryanzinke@yahoo.com](mailto:ryanzinke@yahoo.com)" <[ryanzinke@yahoo.com](mailto:ryanzinke@yahoo.com)>  
**Subject:** **Travel Briefing Binder June 13**

All the attached documents are pdf versions of the contents of the Secretary's travel briefing binder for June 13.

best,  
Aaron



## United States Department of the Interior

Washington, D.C. 20240

### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

**DATE:** June 13, 2017      **TIME:** 7:00pm - 8:30pm  
**FROM:** Tim Williams, Deputy Director of External Affairs  
**SUBJECT:** Dinner with Gov. LePage

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#### I. STATEMENT OF PURPOSE

The Governor would like to share his views on the Katahdin National Monument.

#### II. BACKGROUND

Former President Obama designated Katahdin Woods and Waters National Monument in Northern Main shortly before he left office. President Trump's Executive Order for the Review of Designations under the Antiquities Act called for a review of monuments over 100,000 acres or where designated "without adequate public outreach and coordination with relevant stakeholders". Katahdin Woods is 87,563 and as such the Governor has asked the Secretary to review the monument. The Governor supports rescission of the monument. In the alternative, assuming the land remains in federal ownership, the Governor believes that the land should be managed by the State of Maine. The Governor has submitted a letter in opposition, letters from opposition groups, individuals and industry in opposition the monument. Roxanne Quimby's Foundation donated more than 87,500 acres in the Katahdin region for the monument and the family continues its support.

#### III. DISCUSSION

What impact on the state, recreation and economy would there be if there was a recommendation for?

- No changes
- Modifications to boundaries
- Recision

If the State of Maine were to manage the monument what would that proposal look like?

[You may want to encourage the governor's participation and reiterate an invitation to join the regional team.]



## United States Department of the Interior

Washington, D.C. 20240

### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

#### IV. ATTACHMENTS

##### Letter from the Governor

###### STATE OF MAINE OFFICE OF THE GOVERNOR

Paul R. LePage

GOVERNOR

Dear Mr. Secretary:

It was an honor to meet you and to attend the signing by President Trump of the Executive Order for the Review of Designations under The Antiquities Act.

As you know, the order calls for the review of monuments that are 100,000 acres or larger, as well as those the Secretary of the Interior determines were designated "without adequate public outreach and coordination with relevant stakeholders." Here in Maine, The Katahdin Woods and Waters National Monument is 87,563 acres, so it is not listed as one of the 26 national monuments over 100,000 acres that are slated for review.

However, the Katahdin Woods designation was made in the face of significant opposition. In 2015, three local Communities impacted by Katahdin Woods voted overwhelmingly against designation as a National Park. The wealthy Ouimby family, who owned most of the land that would be used for a National Park, then immediately lobbied Washington, D.C. for the designation of a National Monument instead.

In response, the Maine Legislature in 2016 enacted bipartisan legislation-which submitted-requiring legislative approval for a National Monument designation in Maine. The people who live in the area, as well as their elected representatives in the Legislature, are certainly relevant stakeholders, but their Voices were ignored.

Since the public was not adequately heard, I am Writing to confirm that the Department of Interior will indeed review the designation of The Katahdin Woods and Waters National Monument. Please let me know at your earliest convenience. Thank you.

Sincerely,

Paul R. LePage Governor

##### Secretary's Response Letter to the Governor

The Honorable Paul R. LePage Governor of Maine Augusta, Maine 04333

Dear Governor LePage:

It was a pleasure to see you at the President's signing ceremony here at the Department of the Interior (Department) last week. I also want to thank you for your letter dated April 27, 2017, concerning the



## United States Department of the Interior

Washington, D.C. 20240

### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

Katahdin  
thoughts.

Woods and Waters National Monument (Monument). I appreciate your

President Trump's "Review of Designations under the Antiquities Act" Executive Order (E.O.) directs me to conduct a review of all designations or expansions of designations made under the Antiquities Act since 1996 where the designation or expansion covers more than 100,000 acres. The E.O. also directs me to examine all designations made without adequate public outreach and coordination with relevant stakeholders. As such, the review may extend to monuments smaller than 100,000 acres.

The E.O. makes clear that monuments should only be designated in accordance with the law and with adequate public consultation. Monuments can result in burdensome restrictions that limit traditional multiple-use purposes and public access on Federal lands. It is therefore critical that state, tribal, and local leaders and communities have a meaningful say in designations so that these burdens can be mitigated.

Your letter seeks to have the Department review the Monument in Maine. I invite you to provide the Department with a detailed description of the Monument, the unique values to be protected, and the process used to designate the Monument. In particular we would value your assessment regarding the degree of public support or opposition for the Monument.

I appreciate receiving your views and look forward to continued communication throughout this process. If you have any questions or require additional information, please contact Ms. Downey Magallanes at (202) 208-4105 or [Downey.Magallanes@ios.doi.gov](mailto:Downey.Magallanes@ios.doi.gov).

Sincerely,

Ryan K. Zinke Secretary of the Interior

### **Response from the Governor to the Secretary's Letter**

#### STATE OF MAINE OFFICE OF THE GOVERNOR

Paul R. LePage

GOWERNOR

May 24, 2017

Dear Mr. Secretary,

It was an honor meeting you last month during President Trump's signing of the "Review of Designations under the Antiquities Act" Executive Order. This letter is in response to your May 12 letter requesting my input regarding the process that led to the designation of the Katahdin Woods and Waters National Monument by former President Obama. Many Maine citizens and I are pleased that the Department of the Interior will conduct a formal review of this monument and analyze the significant opposition to the designation.

The Katahdin Woods and Waters National Monument, which is comprised of about 87,500 noncontiguous acres of land just east of Baxter State Park in northern Maine, was a former working forest. The monument allows limited hunting opportunities on the lands east of the East Branch of the



## United States Department of the Interior

Washington, D.C. 20240

### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

Penobscot River. Portions of the monument abut Maine's premier Baxter State Park. This state park is about 200,000 acres and includes Mt. Katahdin, which is over 5,200 feet in elevation.

As you know, the Antiquities Act was intended to be a tool to allow the president to protect areas that have "historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest." The law addresses the size of such protected areas by stating the land must be the "smallest area compatible with the proper care and management of the objects to be protected." I have yet to see evidence the designation of the Katahdin Woods and Waters National Monument by former President Obama was needed to protect any imminent threats to historical structures or objects. I believe the designation of this monument was not in accordance with the intent of the Antiquities Act.

Public opposition to the designation of this monument was quite significant, and it goes back years. The public became very concerned when the owners of the land tried to lobby Congress to make approximately 150,000 acres of land in northern Maine a national park. This troubled many people in Maine who rely on the forest product and outdoor recreational industries about the possibility of strict laws and rules imposed by the federal government if they owned land in this area of the state. In response to this, the 125<sup>th</sup> Maine Legislature passed a bipartisan joint resolution in 2011 opposing the creation of a national park in northern Maine. In 2015, three municipalities located close to the proposed national park held non-binding votes to gauge local support: all three voted overwhelmingly against designation. East Millinocket voted 63% to 37% against, Medway voted 71% to 29% against, and Patten voted 70% to 30% against the national monument. I also made my position to President Obama very clear by writing to him and expressing my opposition to any federal control of this land.

With local, state and congressional delegation support lacking for the designation of a national park, the Quimby family then decided to lobby President Obama to use his unilateral power under the Antiquities Act to declare the area a national monu The opposition to federal control of this land

**United States Department of the Interior  
Official Travel Schedule of the Secretary**

**Connecticut, New Hampshire, Maine, Massachusetts  
June 13 - June 16, 2017**

**Draft: 6/12/2017**



**TRIP SUMMARY**  
**THE TRIP OF THE SECRETARY TO**  
Connecticut, New Hampshire, Maine, Massachusetts  
**June 13 - June 16, 2017**

**Weather:**

Uncasville, CT (Tuesday AM)	High 89°, Low 65°; Partly Cloudy; 80% Chance of PM Thunderstorms
Hooksett, NH (Tuesday PM)	High 88°, Low 55°; Partly Cloudy; 20% Chance of Precipitation
Augusta, ME (Tuesday PM)	High 85°, Low 53°; Cloudy; 40% Chance of AM Precipitation
Bangor, ME (Tuesday PM)	High 84°, Low 52°; Partly Cloudy; 50% Chance of AM Precipitation
Katahdin National Monument	High 91°, Low 67°, Mostly Sunny
Boston, MA	High 68°, Low 62°; Cloudy; 50% Chance of AM Precipitation

**Time Zone:**

New England Eastern Daylight Time

**Advance (Connecticut):**

Security Advance	(b)(6),(b)(7)(C)
Advance	Rusty Roddy

**Cell Phone:**

(b)(6),(b)(7)(C)
(b)(6)

**Advance (New Hampshire):**

Security Advance	(b)(6),(b)(7)(C)
Advance	Rusty Roddy

**Cell Phone:**

(b)(6),(b)(7)(C)
(b)(6)

**Advance (Katahdin National Monument):**

Security Advance	(b)(6),(b)(7)(C)
Advance	Caroline Boulton

**Cell Phone:**

(b)(6),(b)(7)(C)
(b)(6)

**Advance (Freeport, ME):**

Security Advance	(b)(6),(b)(7)(C)
Advance	Caroline Boulton

**Cell Phone:**

(b)(6),(b)(7)(C)
(b)(6)

**Advance (Boston, MA):**

Security Advance	(b)(6),(b)(7)(C)
Advance	Rusty Roddy

**Cell Phone:**

(b)(6),(b)(7)(C)
(b)(6)

**Traveling Staff:**

Agent in Charge	(b)(6),(b)(7)(C)
Acting Deputy Secretary	Jim Cason
Deputy Chief of Staff	Downey Magallanes
Communications Director	Laura Rigas
Press Secretary	Heather Swift
Deputy Director of External Affairs	Tim Williams
Photographer	Tami Heilemann
Personal Aide	Aaron Thiele

**Cell Phone:**

(b)(6),(b)(7)(C)
(b)(6)

**Attire:**

Mohegan Sun, CT (Tuesday):	Business Attire
Hooksett, NH (Tuesday):	Business Casual

**Tuesday, June 13, 2017**

Washington, DC → Mohegan Sun, CT → Hooksett, NH → Bangor, ME

**5:45-6:15am EDT: Depart Private Residence en route Airport**

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

Drive time: ~30 minutes

**7:05am EDT-**

**8:22am EDT:**

**Wheels up Washington, DC (DCA) en route Hartford, CT (Bradley)**

Flight: JetBlue 798

Flight time: 1 hour, 17 minutes

RZ Seat: 17B

AiC: (b)(6),(b)(7)(C)

Staff: Jim Cason

Aaron Thiele

Tami Heilemann

**8:22-8:35am EDT:**

**Wheels down Hartford, CT // Proceed to Vehicles**

Location: Schoepfoester Road  
Windsor Locks, CT 06096

**8:35-9:35am EDT:**

**Depart Hartford, CT en route Mohegan Sun, CT**

Location: 1 Mohegan Sun Boulevard  
Uncasville, CT 06382

Vehicle Manifest:

CT State Vehicle Lead:

Secretary's Vehicle: RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Jim Cason

Tami Heilemann

Staff Vehicle: Aaron Thiele (Driver)

Drive time: ~1 hour, 2 minutes

**9:35-9:40am EDT:**

**Arrive NCAI Conference & Proceed to Green Room**

Met by: Jacqueline Pata, Executive Director, NCAI  
Kevin "Red Eagle" Brown, Chairman, Mohegan Tribe  
Governor Dannel Malloy (Tentative)

Note: Rusty Roddy & Laura Regis will meet upon arrival

**9:40-9:55am EDT:**

**Hold in Green Room for Briefing**

Location: Conka Room

Staff: Jim Cason

Laura Regis

Note: If Governor Dannel Malloy is unable to greet upon arrival, he would  
Like to say hi to RKZ while he is holding

**9:55-10:00am EDT:**

**Depart Green Room for NCAI Conference**

Location: Uncas Ballroom A & B

Escorted by: Robert Holden, Deputy Director, NCAI

**10:00-10:35am EDT:**

**National Congress of American Indians Mid-Year Conference Remarks // Q & A**



**Session with NCAI Members**

Location: Uncas Ballroom A & B  
Participants:  
Attendees: 500 - 600  
Press: Open  
Staff: Jim Cason  
Laura Rigas  
Aaron Thiele  
Tami Heilemann  
Advance: Rusty Roddy  
Staging:: Black pipe & drape; NCAI Logo / NCAI Theme banner; Video screens to either sides of the stage; U.S. / CT / Tribal / NCAI Flags; podium & mic  
Format: RKZ introduced by Brian Cladoosby, Chairman - Swinomish Indian Tribal Community & President - NCAI Executive Board  
Remarks followed by Q&A  
For Q & A session, NCAI members will form lines at microphones  
Plenary session of tribal leaders; podium in center of the stage with board members on both sides; tribal delegates will be sitting in the tables in the front of the room  
Note: Upon arrival to stage & before giving remarks, RKZ should shake hands with all 17 stage participants

**10:35-10:40am EDT: NCAI Gift Presentation to RKZ**  
Note: An Honor Song will be performed

**10:40-10:45am EDT: Depart NCAI Conference en route Photo Op**

**10:45-10:50am EDT: Photo Op with NCAI Youth Commission**  
Location: Foyer  
Note: Group is made up of Leaders in Training Ages 16 - 24  
Note: Group will be preset for photo upon RZ's arrival

**10:50-1:05pm EDT: Depart Mohegan Sun en route Hooksett, NH**

Location:  
Vehicle Manifest:  
CT / NH State Vehicle Lead:  
Secretary's Vehicle: RZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Staff Vehicle: Rusty Roddy  
Laura Rigas  
Staff Vehicle 2: Aaron Thiele  
Tami Heilemann  
Drive time: ~2 hours, 15 minutes

**1:05-1:15pm EDT: Lunch at Subway**  
Location: 3 Commerce Drive, Hooksett, NH 03106  
Note: Lunch to go, eat at hold room at Bass Pro Shop

**1:15-1:20pm EDT: Arrive Bass Pro Shop and Proceed to Bass Pro Shop**  
Location: 2 Commerce Drive, Hooksett, NH 03106  
Note: Pull into rear loading dock  
Met by: Martin MacDonald, Director of Conservation, Bass Pro Shops  
Bob Pope, Store Manager, Bass Pro Shop Hooksett

**1:20-2:25pm EDT: Lunch and Briefing in Hold Room Bass Pro Shop Conference Room**

**2:25-2:30pm EDT: Depart Hold en route Sportsmen's Roundtable**  
Escorted by: Glenn Normandeau, Executive Director, NH Fish and Game Department

**2:30-3:15pm EDT: Sportsmen's Roundtable**  
Location: Bass Pro Shop Warehouse  
Participants: Sarah Holmes, State Director, Office of Senator Jeanne Shaheen  
Mike Ollen, State Director, Office of Senator Maggie Hassan  
Corey Garry, Deputy District Director, Office of Rep. Ann Kuster  
Press: Closed  
Format: - Welcome by Bob Pope  
- MC - Glenn Normandeau invites participants to introduce themselves  
- RZ brief Remarks and opens roundtable for discussion  
Staff: Downey Magallanes  
Tim Williams  
Laura Rigas  
Aaron Thiele  
Tami Heilemann  
Advance: Rusty Roddy  
Note: Group photo opportunity at conclusion of roundtable

**3:15-3:30pm EDT: Meeting with Governor Chris Sununu**  
Location: Bass Pro Shop  
Participants: RZ  
Governor Chris Sununu (R-NH)  
Jayne Millerick, Chief of Staff  
Press: Closed  
Staff: Downey Magallanes  
Tim Williams  
Tami Heilemann  
Advance: Rusty Roddy

**3:30-4:00pm EDT: Pittman-Robertson Grant Announcement & Media Availability**  
Location: Bass Pro Shop in store Aquarium  
Escorted by: Ron Regan, Executive Director, Association of Fish and Wildlife Agencies  
Nick Wiley, President, Association of Fish and Wildlife Agencies  
Participants: Sarah Holmes, State Director, Office of Senator Jeanne Shaheen  
Mike Ollen, State Director, Office of Senator Maggie Hassan  
Corey Garry, Deputy District Director, Office of Rep. Ann Kuster  
Press: Open  
Staff: Downey Magallanes  
Tim Williams  
Laura Rigas  
Aaron Thiele  
Tami Heilemann  
Advance: Rusty Roddy  
Format: Stage with podium/mic w/ DOI seal  
Backdrop; huge fish aquarium, rock walls, trees  
**Program:** - Glenn Normandeau introduces himself and Gov. Chris Sununu  
- Gov. welcomes RZ to NH and introduces RZ

- RZ brief remarks
- RZ invites “A few friends,” two sportsmen who carry grant check onto stage
- RZ signs check
- Nick Wiley gives remarks regarding benefit of grants for outdoor groups
- Everyone exits stage except RZ, state directors, and Bass Pro Shop Leadership
- Press Avail

**4:00-6:45pm EDT: Depart Hooksett, NH en route Augusta, ME**

Location: 192 State Street  
Augusta, ME 04330

Vehicle Manifest:

NH / ME State Vehicle Lead:

Secretary’s Vehicle: RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle: Laura Rigas  
Aaron Thiele (Driver)  
Downey Magallanes  
Tami Heilemann

Drive time: ~2 hours, 30 minutes

**7:00-8:30pm EDT: Dinner with Governor LePage**

Location: The Blaine House  
192 State Street  
Augusta, ME 04330

Participants:

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Aaron Thiele  
Tami Heilemann

Advance: Caroline Boulton

**8:30-9:45pm EDT: Depart Augusta, ME en route Bangor, ME**

Location: Hilton Garden Inn Bangor  
250 Haskell Road  
Bangor, ME 04401

Vehicle Manifest:

ME State Vehicle Lead:

Secretary’s Vehicle: RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle: Caroline Boulton (Driver)  
Downey Magallanes  
Laura Rigas  
Staff Vehicle 2: Heather Swift  
Aaron Thiele (Driver)  
Tami Heilemann

Drive time: ~1 hour, 15 minutes

**9:45pm EDT: RON**



## United States Department of the Interior

Washington, D.C. 20240

### ADVANCE MEMORANDUM FOR THE SECRETARY

**DATE:** Tuesday, June 13, 2017  
**LOCATION:** Washington → Connecticut → New Hampshire → Maine  
**TIME:** 5:45am - 9:45pm EST  
**FROM:** Aaron Thiele

#### I. STATEMENT OF PURPOSE

Fly from Washington, D.C. to Hartford, CT where we will travel to the Mohegan Sun in Uncasville, CT where you will address the National Congress of American Indian's Mid-Year Conference. Then drive to Hooksett, NH where you will announce \$1.13 billion in Pittman-Robertson Grants. Following the grant announcement the Secretary will travel to Augusta, Maine where he will have dinner with Governor LePage. Depart Augusta to RON in Bangor, ME.

#### II. PROGRAM DETAILS

**ATTIRE:** Suit and tie for NCAI, Business casual for grant announcement  
**PRESS:** Open, press avail at multiple times throughout day.

#### III. NOTABLE PARTICIPANTS

NH Gov. Chris Sununu  
ME Gov. Paul LePage  
NCAI President, Brian Cladoosby  
NCAI Executive Committee (Names included in background memo)

#### IV. AGENDA HIGHLIGHTS

**Weather:** High 88F / Low 53F, chance of precipitation

**Time Zone:** Eastern Standard Time

5:45	am	Depart for Airport
8:35	am	Land Hartford, Depart en route to Mohegan Sun
9:35	am	Arrive NCAI, receive briefing in hold room
10:00	am	Remarks at NCAI with Q & A
10:50	am	Depart NCAI en route Hooksett, NH
1:05	pm	Lunch at Subway in Manchester
2:30	pm	Pittman-Robertson Grants Roundtable
3:15	pm	Meeting with Gov. Chris Sununu
3:30	pm	Pittman-Robertson Grant Announcement and Media Avail
4:00	pm	Depart Hooksett en route Augusta, ME
7:00	pm	Dinner with Gov. Paul LePage
8:30	pm	Depart Augusta en route Bangor, ME
9:45	pm	RON Hilton Garden Inn



**United States Department of the Interior**

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**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**DATE:** June 13, 2017      **TIME:** 3:00pm - 3:15pm

**FROM:** Aaron Thiele

**SUBJECT:** Meeting with Governor Chris Sununu

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**I. STATEMENT OF PURPOSE**

This is a quick 15 minute meeting with New Hampshire Governor Chris Sununu regarding the USFWS proposal to acquire land for the Silvio O. Conte National Fish and Wildlife Refuge. The Governor would like to discuss New Hampshire's commitment to sensible land conservation and a request that USFWS not fund the acquisition of land in the Silvio Conte Refuge

**II. PARTICIPANTS**

Governor Chris Sununu  
Jayne Millerick, Chief of Staff

**III. ATTACHMENTS**



**United States Department of the Interior**

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**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**DATE:** June 13, 2017      **TIME:** 10:00am - 10:50am EDT

**FROM:** Aaron Thiele

**SUBJECT:** National Congress of American Indians Mid-Year Conference

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**I. STATEMENT OF PURPOSE**

The Secretary will give remarks at the National Congress of American Indians Mid-year Conference. NCAI is the oldest and largest American Indian and Alaska Native organization serving the broad interests of tribal governments and communities.

As a non-profit organization, NCAI advocates for a bright future for generations to come by taking the lead to gain consensus on a constructive and promising vision for Indian Country. The organization's policy issues and initiatives are driven by the consensus of our diverse membership, which consists of American Indian and Alaska Native tribal governments, tribal citizens, individuals, and Native and non-Native organizations.

**II. BACKGROUND**

NCAI is organized as a representative congress of American Indians and Alaska Natives that serves to develop consensus on national priority issues that impact tribal sovereignty. American Indian and Alaska Native governments pass resolutions to become members of NCAI, selecting official delegates to the NCAI Executive Council, Mid-Year Conference, and Annual Convention. During these events, delegates consider issues of pressing concern in accordance with their governments' policies, goals, and needs. NCAI members vote on and pass resolutions to determine NCAI's position on a broad range of issues.

**III. NCAI's EXECUTIVE COMMITTEE**

**PRESIDENT:** Brian Cladoosby, Chairman, Swinomish Indian Tribal Community

**1ST VICE PRESIDENT:** Fawn Sharp, President, Quinault Nation

**SECRETARY:** Aaron Payment, Chairperson, Sault Ste. Marie Tribe of Chippewa Indians

**TREASURER:** W. Ron Allen, Chairman, Jamestown S'Klallam Tribe

**NCAI AREA VICE PRESIDENTS**

**ALASKA:** Jerry Isaac, CEO, Native Village of Tanacross

**MIDWEST:** Roger Rader, Tribal Council, Pokagon Band of Potawatomi

**PACIFIC:** Jack Potter, Jr., Chairman, Redding Rancheria

**SOUTHERN PLAINS:** Liana Onnen, Chairwoman, Prairie Band Potawatomi Nation

**EASTERN OKLAHOMA:** Joe Byrd, Speaker of the Nation, Cherokee Nation

**NORTHEAST:** Lance Gumbs, Shinnecock Indian Nation



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**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

ROCKY MOUNTAIN: Darrin Old Coyote, Crow Nation

SOUTHWEST: Joe Garcia, Councilman, Ohkay Owingeh Pueblo

GREAT PLAINS: Larry Wright, Chairman, Ponca Tribe of Nebraska

NORTHWEST: Mel Sheldon, Jr., 1st V.P., Tulalip Tribe of Washington

SOUTHEAST: Larry Townsend, Lumbee Tribe

WESTERN: Bruce Ignacio, Councilman, Uintah and Ouray Ute Tribe



**United States Department of the Interior**

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**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**DATE:** June 13, 2017      **TIME:** 2:30pm - 3:30pm

**FROM:** Tim Williams, Deputy Director of External Affairs

**SUBJECT:** Pittman-Robertson Grants Round Table

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**I. STATEMENT OF PURPOSE**

To hear and meet with State Wildlife Directors and Sportsmen. To listen to their successes interactions and challenges with the Department.

**II. BACKGROUND**

Facilitator: Ron Regan is the Executive Director with Association of Fish & Wildlife Agencies. Ron has put together the round table and has invited several State Wildlife Directors to the meeting.

The Association of Fish & Wildlife Agencies represents North America's fish and wildlife agencies to advance sound, science-based management and conservation of fish and wildlife and their habitats in the public interest.

Martin MacDonald is the Director of Conservation for Bass Pro shops and will be hosting the event. Bob Pope is the manager of the local store.

Bass Pro Shops Founded in 1972 by avid young angler Johnny Morris, Bass Pro Shops is a leading national retailer of outdoor gear and apparel, with 100 stores and Tracker Marine Centers across North America. Johnny started the business with eight-square-feet of space in the back of his father's liquor store in Springfield, Mo., the company's sole location for the first 13 years of business.

Johnny's passion for the outdoors and his feel for the products and shopping experiences desired by outdoor enthusiasts helped transform the industry. Bass Pro Shops locations are more than just stores — they are true destination experiences that draw more than 120 million visitors annually. Each location is heavily customized to reflect the character of the region. In addition to giant aquariums teeming with live fish and extensive wildlife mounts and dioramas, many locations feature unique restaurants and ocean-themed bowling alleys.





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### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

### III. DISCUSSION

DOI will announce \$1.1 billion to states this year from excise taxes on firearms, ammunition, fishing tackle and some motor boat engines. This is the bulk of the funding that states use for their state wildlife agencies (along with hunting license fees). Money also goes towards hunter education, archery programs in schools and other education programs. The states love this, hunters love this (because they benefit directly from the taxes they pay), conservation community loves this (funds that benefit game species also benefit non-game species), and industry is mostly on board. One item to flag: Small mom-and-pop ammunition and fishing tackle manufacturers don't like it because it's an additional tax and their margins are very fine.

### PROGRAM BACKGROUND

- The Wildlife Restoration program (enacted in 1937) and the Sport Fish Restoration Program (enacted in 1950) provide grants to State fish and wildlife agencies for conservation, recreation, and education projects.
- The programs have a long record of success in restoring wildlife (such as deer, elk, and turkey) and fish (such as striped bass, lake trout, and walleye) to benefit hunting and sport fishing.
- The programs are funded by Federal excise taxes on firearms, ammunition, archery gear, and fishing tackle. A portion of the Federal gasoline tax is also dedicated to the Sport Fish Restoration program.
- The U.S. Fish and Wildlife Service (FWS) receives the funds from the Federal tax collecting agencies and disburses the funds to State agencies through grants.
- To date, the Wildlife Restoration program has provided \$10.7 billion, and the Sport Fish Restoration program has provided \$9 billion in grants to State agencies. States provide matching funds for 25% of the cost of each project.
- The programs are often referred to by the Congressional sponsors of the legislation: Wildlife Restoration is the "Pittman-Robertson" or P-R program, and Sport Fish Restoration is the "Dingell-Johnson" or D-J program. Sport Fish Restoration may also be called "Wallop-Breaux" in recognition of major changes made by Congress in 1984 amendments.
- The Federal laws that enacted the programs also protect revenues from State hunting and fishing licenses. In order to receive grants, a State must legally dedicate license revenues to operating the State fish and wildlife agency. License funds may not be diverted to other uses.
- The Wildlife Restoration program also funds Hunter Education projects to promote safe, responsible hunting.
- The Sport Fish Restoration program also funds projects for Boating Access and Aquatic Resource Education to provide access to public waters and to promote awareness and responsible use of aquatic resources.



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- For 2017 FWS has made available (“apportioned”) \$780 million from the Wildlife Restoration program and \$349.4 million from the Sport Fish Restoration program.
- The amount of funds for each State are calculated according to the law, using the area of the State and the number of hunting and fishing license holders. The laws set maximums and minimums that a State may receive, and set a specific percentage for each territory.
- The 50 States and 6 Territories eligible to receive grants have been formally notified of the amounts available to each of them in 2017.
- States and Territories are in the process of submitting their 2017 grant applications for eligible activities and once approved they will begin spending against those grants.

#### 2017 Allocations:

State	Wildlife Restoration	Sport Fish Restoration	Total by State
ALABAMA	\$19,083,685	\$6,116,273	\$25,199,958
ALASKA	\$32,969,429	\$17,472,142	\$50,441,571
AMERICAN SAMOA	\$1,299,808	\$1,164,810	\$2,464,618
ARIZONA	\$21,858,466	\$7,222,346	\$29,080,812
ARKANSAS	\$13,272,093	\$5,307,066	\$18,579,159
CALIFORNIA	\$25,602,136	\$16,639,859	\$42,241,995
COLORADO	\$19,418,582	\$8,904,070	\$28,322,652
CONNECTICUT	\$5,702,335	\$3,494,429	\$9,196,764
DELAWARE	\$4,652,531	\$3,494,429	\$8,146,960
DISTRICT OF COLUMBIA	\$0	\$1,164,810	\$1,164,810
FLORIDA	\$13,978,911	\$12,061,750	\$26,040,661
GEORGIA	\$22,240,949	\$7,739,368	\$29,980,317
GUAM	\$1,299,808	\$1,164,810	\$2,464,618
HAWAII	\$4,652,531	\$3,494,429	\$8,146,960



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IDAHO	\$15,029,712	\$6,306,913	\$21,336,625
ILLINOIS	\$16,115,520	\$6,638,177	\$22,753,697
INDIANA	\$13,302,902	\$4,618,560	\$17,921,462
IOWA	\$11,333,962	\$4,409,755	\$15,743,717
KANSAS	\$14,334,290	\$4,986,561	\$19,320,851
KENTUCKY	\$13,914,162	\$5,279,458	\$19,193,620
LOUISIANA	\$15,525,062	\$6,782,536	\$22,307,598
MAINE	\$7,964,547	\$3,494,429	\$11,458,976
MARYLAND	\$7,545,171	\$3,494,429	\$11,039,600
MASSACHUSETTS	\$7,664,947	\$3,494,429	\$11,159,376
MICHIGAN	\$24,198,482	\$10,655,795	\$34,854,277
MINNESOTA	\$22,971,924	\$12,435,934	\$35,407,858
MISSISSIPPI	\$11,956,397	\$3,977,456	\$15,933,853
MISSOURI	\$20,756,674	\$7,830,320	\$28,586,994
MONTANA	\$20,611,646	\$8,487,572	\$29,099,218
N. MARIANA ISLANDS	\$1,299,808	\$1,164,810	\$2,464,618
NEBRASKA	\$12,495,645	\$4,417,418	\$16,913,063
NEVADA	\$13,697,843	\$5,015,139	\$18,712,982
NEW HAMPSHIRE	\$4,652,531	\$3,494,429	\$8,146,960
NEW JERSEY	\$7,664,947	\$3,494,429	\$11,159,376
NEW MEXICO	\$15,467,517	\$6,107,387	\$21,574,904
NEW YORK	\$20,341,226	\$7,789,942	\$28,131,168
NORTH CAROLINA	\$20,734,869	\$10,254,475	\$30,989,344
NORTH DAKOTA	\$11,170,517	\$4,109,507	\$15,280,024
OHIO	\$16,188,100	\$7,026,463	\$23,214,563
OKLAHOMA	\$17,845,424	\$7,132,510	\$24,977,934



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OREGON	\$17,345,633	\$7,859,652	\$25,205,285
PENNSYLVANIA	\$27,913,408	\$8,465,762	\$36,379,170
PUERTO RICO	\$3,397,357	\$3,494,429	\$6,891,786
RHODE ISLAND	\$4,652,531	\$3,494,429	\$8,146,960
SOUTH CAROLINA	\$10,497,258	\$4,982,441	\$15,479,699
SOUTH DAKOTA	\$13,394,017	\$4,446,667	\$17,840,684
TENNESSEE	\$22,484,134	\$7,521,206	\$30,005,340
TEXAS	\$35,981,845	\$17,472,142	\$53,453,987
UTAH	\$14,206,094	\$6,381,191	\$20,587,285
VERMONT	\$4,652,531	\$3,494,429	\$8,146,960
TENNESSEE	\$22,484,134	\$7,521,206	\$30,005,340
TEXAS	\$35,981,845	\$17,472,142	\$53,453,987
UTAH	\$14,206,094	\$6,381,191	\$20,587,285
VERMONT	\$4,652,531	\$3,494,429	\$8,146,960
VIRGIN ISLANDS	\$1,299,808	\$1,164,810	\$2,464,618
VIRGINIA	\$13,854,774	\$5,114,271	\$18,969,045
WASHINGTON	\$14,726,685	\$7,117,637	\$21,844,322
WEST VIRGINIA	\$8,126,275	\$3,494,429	\$11,620,704
WISCONSIN	\$23,095,485	\$11,363,809	\$34,459,294
WYOMING	\$13,588,772	\$5,236,112	\$18,824,884
TOTAL	\$780,031,696	\$349,442,840	\$1,129,474,536

**IV. ATTACHMENTS**

Hooksett, NH Bass Pro Shop meeting with Sec. Zinke  
Attendees List 6/13/2017



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Paul Debow	Pres. NH Trappers Assoc.
Roland Turgeon	Pres. Androscoggin Valley F&G Assoc.
Kim Proulx	NH F&G Dept. Becoming an Outdoor Woman Coordinator
Allison Keating	NH F&G Dept. Assist. Federal Aid Coordinator, NH Turkey Federation
Mark Beauchesne	NH F&G Dept. Marketer / Event coordinator - Manager
Roscoe Blaisdell	NH Antler and Skull Trophy Club
Richard Simmons	Sportsman, Professional Fisheries Biologist, Normandeau Assoc., Inc.
William Carney	Sportsman, Outdoor Writer
Jim Morse	Pres. NH Wildlife Federation, Gun & Archery Shop Owner
Richard Olsen	Pres. Londonderry Fish & Game Club
Peter St. James	Sportsman, Radio Personality
Tom Caron	Pres. NH Guides Assoc., Owner Tall Timbers Lodge
Ted Tichy	Chair, NH F&G Commission, Forester
Krista Belanger	Sportswoman, Pointers F&G Club
Greg Belanger	Pres. Pointers F&G Club
Matt Dibona	National Wild Turkey Federation Regional Biologist
Fred Bird	National Wild Turkey Federation Regional Director
Steve White	Chair, NH Wildlife Heritage Foundation
Joe Judd	Quaker Boy Rep & Bass Pro Shops Pro Staff
Burr Tupper	Pres. International Federation of Fly Fishers
Ron Sowa	Pres. Trout Unlimited Merrimac Valley Chapter
Dean Vanier	Northwood's Common Scents owner, Ten Point, PSE & Whitetails
Unlimited Pro	
Alex Cote	Director, NH Quality Deer Management Assoc.
John Wimsatt	Sportsman, NH Fish & Game Major (ret.)
Steve Matulewicz	Ex. Director for Global Defense, Sig Sauer
Jessie Tichko	Becoming an Outdoor Woman Volunteer
Hope Eagleson	NH Guide, Bass Pro Shops Pro Staff
Bob Boilard	Defensive Strategies, Londonderry Fish & Game Club Director
Gregg Ritz	Professional Adventure Hunter
Wes Reed	Rise & Shine Retrievers
Gene Chandler	Sportsman, Deputy Speaker, NH House (if available pending Committee of conf.)

#### State Leaders

Nick Wiley, Florida (President of AFWA)

Glenn Normandeau, New Hampshire (Chair of the AFWA Board)

Cathy Sparks, Rhode Island

Jack Buckley, Massachusetts

Judy Camuso, Maine

Alvin Taylor, South Carolina



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### **INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

Larry Voyles, Arizona

Ron Regan, AFWA

Bass Pro

Martin MacDonald

Bob Pope

## **Conserving New Hampshire's Wildlife Legacy – Funding Wildlife Research & Connecting People with Nature**

Pittman-Robertson Wildlife Restoration grants administered by the U.S. Fish and Wildlife Service have provided a sustained funding source to New Hampshire Fish and Game Department for research, monitoring and management of many species of wild birds and mammals. The biological needs and habitat requirements for species such as black bear, white-tailed deer, wild turkey and moose have been researched and management programs implemented to ensure the sustainability of these species that are important to the people of New Hampshire. These funds are also important in the management of migratory ducks and geese, secretive species like river otter, bobcat and fisher. All these species populations have grown since the inception of the Wildlife Restoration Act decades ago. Some of these species provide opportunity for the public to harvest them for food statewide, with tens of thousands of people participating annually. New Hampshire Fish and Game Department expends more than \$840,000 in these Federal funds annually on this important work. Since its inception in 1937 the Wildlife Restoration Act has provided more than \$53.43 million in federal funds to New Hampshire Fish and Game to achieve its conservation mission. These projects embody the outstanding conservation programs that state fish and wildlife agencies bring to communities by conserving and managing important wildlife species, providing habitat for fish and wildlife, providing places for the public to connect with nature while participating in fish and wildlife oriented activities like hunting and angling. This work is supporting local communities whose economies benefit from these activities.

### **Aquatic Resources Education Programs in New Hampshire**

The New Hampshire Fish and Game Department uses Dingell-Johnson Sport Fish Restoration grant funds administered by the U.S. Fish and Wildlife Service to fund their aquatic resources education program. In 2016 the New Hampshire Fish and Game Department delivered 60 Lets Go Fishing courses (Ice Fishing, Fly Tying, Kayak Fishing, Fly Fishing and Basic Fishing) to Schools, Parks and Recreation Departments, Scout Groups, 4H and Becoming an Outdoors-Woman program with nearly 2000 participants in total. In 2013, bass fishing became an official high school sport in New Hampshire and is supported by the New Hampshire Fish and Game Department, along with New Hampshire B.A.S.S. Nation, New Hampshire Bass Federation and Bass Pro Shops. The Dingell-Johnson Sport Fish Restoration program has



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provided funding to educate children in New Hampshire schools about fishing and aquatic resources, and to teach families to fish and enjoy the outdoors. As residents take up angling and boating they help fund the future of fishing in the United States.

## **Establishment and Management of Public Water Access Sites in New Hampshire**

The New Hampshire Fish and Game Department uses Dingell-Johnson Sport Fish Restoration Grant funds administered by the U.S. Fish and Wildlife Service to create and operate 143 public boating and fishing water access facilities located on coastal waters and freshwater rivers, lakes and ponds. These access sites provide opportunities for the public to safely fish, boat and enjoy New Hampshire's waterways. In 2012, the New Hampshire Fish and Game Department used \$755,000 in Sport Fish Restoration funds and \$433,750 in state funds to purchase Downing's Landing, an existing private boat access facility on Lake Winnepesaukee in Alton, NH. This acquisition created the first state-owned and controlled public boat ramp with on-site parking on New Hampshire's largest and arguably most popular lake. The public who use this facility enjoy free access to premier fishing for landlocked salmon, lake trout, rainbow trout, largemouth bass and smallmouth bass, and local businesses experience economic gains from increased tourism and spending by anglers and boaters.

## **Expansion of State Wildlife Management Areas in New Hampshire**

During the last five years, New Hampshire Fish and Game Department has used \$1,827,100 in Pittman-Robertson Wildlife Restoration funds administered by the U.S. Fish and Wildlife Service and \$883,200 in state funds to protect approximately 3,400 acres of land that provides new opportunities and access for hunting, fishing, outdoor recreation, and wildlife habitat protection. A specific example is the addition of a 97 acre parcel along the Upper Ammonoosuc River that provides public river access and is good habitat for the American woodcock. This location has been a favorite hunting spot for woodcock and white-tailed deer and, as with all Wildlife Management Areas held by the New Hampshire Department of Fish and Game, is open to public access for hunting, fishing, trapping, wildlife viewing, and other compatible uses. Many of these acquisitions have expanded public access in the southern portion of the state that previously contained only 25% of the state's protected lands, and where the density of hunters, anglers, and wildlife watchers is greatest. For example, the state expanded the Ellis Hatch and McDaniel's Marsh Wildlife Management Areas by 400 acres and 65 acres, respectively. In total, New Hampshire has 90 Wildlife Management Areas providing approximately 53,000 acres of public land. These projects embody the vision of the Pittman-Robertson Wildlife Restoration



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Program by conserving wildlife populations and providing places for the public to hunt, fish, and connect with nature.



**To:** Timothy Nigborowicz[timothy\_nigborowicz@ios.doi.gov]

**From:** Bullock, Wesley

**Sent:** 2017-07-26T11:12:07-04:00

**Importance:** Normal

**Subject:** Print Color Please

**Received:** 2017-07-26T11:12:18-04:00

[Copy of OMDP FactSheet\\_Final.docx](#)

[Copy of OMDP Grazing FactSheet\\_Final.docx](#)

[Copy of OMDP TopIssuesFactSheet\\_Final \(1\).docx](#)

[Copy of OMDP Potrillo Mountains.pdf](#)

[Copy of OMDP SierrdelasUvas\\_Robledo \(1\).pdf](#)

[Copy of OMDP NOI Map 2017\\_final \(1\).pdf](#)

[Organ Mountains-Desert Peaks National Monument.docx](#)

[Copy of OMDP Organ Dona Ana Mountains.pdf](#)

2 copies each please

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**Wesley L. Bullock**

**Department of the Interior**

Advance Representative to the Secretary

[Wesley\\_Bullock@ios.doi.gov](mailto:Wesley_Bullock@ios.doi.gov)

(202) 208-4894



United States Department of the Interior  
Washington, D.C. 20240  
**NT MEMORANDUM FOR THE SECRETARY**

**TO:** Secretary Zinke

**FROM:** Amy Lueders, BLM NM State Director      **LOCATION:** Las Cruces, NM

**EVENT DATE:** July 26, 2017      **TIME:** All Day

---

**Name of Host Group/Organization or Requestor:**

**I. PURPOSE**

The purpose of this memo is to provide general information on the BLM's Organ Mountains-Desert Peaks National Monument.

**II. KEY PARTICIPANTS**

*Stakeholder Positions:*

Supporters of the OMDP designation include:

- *Former United States Senator Jeff Bingaman (D-NM) and current United States Senators Tom Udall (D-NM) and Martin Heinrich (D-NM). The senators introduced legislation to protect portions of the area as Wilderness, a National Conservation Area or a National Monument in years past.*
- *The City of Las Cruces*
- *The Town of Mesilla*
- *The City of El Paso*
- *Dona Ana County*
- *The Friends of the Organ Mountains-Desert Peaks*
- *Sportsmen's organizations*
- *Green Chamber of Commerce*
- *GBA Strategies poll in 2014 showed 72% public support for OMDP designation*
- *Native American Tribes*
- *Paleozoic Trackways Foundation*
- *Environmental organizations*

Opposition to the OMDP designation include:

- *The Dona Ana Soil and Water Conservation District*
- *Elephant Butte Irrigation District*
- *GBA Strategies poll in 2014 showed 12% public opposition for OMDP designation*
- *Individual ranchers*
- *Congressman Steve Pearce introduced legislation recommending the boundary of the OMDP to be approximately 60,000. He is currently supporting a 60,000 acre boundary.*
- *A variety of recreational uses, livestock grazing, hunting and natural and cultural resource management has continued within the OMDP since designation. The OMDP has no production of coal, oil, gas, and renewable minerals. It is unlikely any production of coal, oil and gas, and renewables would have occurred if OMDP had not been designated. There have not been any nomination of leases for coal, oil, or gas in at least 10 years in*

Dona Ana County nor are there any leases within OMDP.

- There are relics of historic mining within OMDP but no active mining has occurred in the past two decades. Currently, there are no mining claims within the OMDP. The last mining within OMDP was associated with the sale of common variety minerals (sand, rock and gravel) through an established Common Use Area (a larger area where permits are issued to multiple users). The last sale in this area occurred in 2008 (six-years prior to monument designation) due to a lack of interest prior to designation.
- The Picacho Peak Pit, a gravel aggregate facility located on state lands southwest of the Robledo Mountains, is the only active operation outside the OMDP boundary. There has been no change in activities as a result of the monument designation.
- Recreation use and visitation has increased since the designation of OMDP resulting in economic benefits for the surrounding community of Las Cruces. The total economic output from monument visitation in 2016 was \$24,359,990. The visitation numbers indicate that visitation more than doubled post designation of the OMDP.
- There are 38 allotments wholly or partially contained within OMDP. These allotments include 86,271 permitted Animal Unit Months (AUMs). Livestock grazing has not changed as a result of the OMDP designation.
- OMDP has four separate units: Organ Mountains, the Dona Ana Mountains, the Robledo and Las Uvas Mountains, and the Petrillo Mountains. The Organ Mountains has the most developed recreation sites including Recreation Fee areas, but also has many opportunities for dispersed recreational use. The other three units have more undeveloped, backcountry dispersed recreation, except in the Dona Ana Mountains where there is a very popular mountain bike, equestrian and hiking trail system.
- Near the south end of the Organ Mountains there is a complex of rock shelters dating to the Middle Archaic Period through the Formative Period (400 to 1450 CE). At one of these rock shelters the excavators found corn that was, for a time, the earliest corn in the United States (approximately 4000 years old).
- There are eight Wilderness Study Areas (WSA), a National Natural Landmark, four Areas of Critical Environmental Concern, three National Recreation Trails and a trail under study for National Historic Trail designation within the OMDP boundary.
- Since designation, the *Organ Mountains-Desert Peaks Conservation Act, S.441* was introduced into the Senate on 2/17/2017. This bill:
  - designates approx 100 acres of BLM land into the Robledo Mountains Wilderness;
  - releases from further review for designation as wilderness public land in Dona Ana Co;
  - withdraws the Potrillo Mountains Complex from the Potrillo Mountains Wilderness;
  - closes a specified route from public access, making it available only for administrative and law enforcement uses, including border security;

- states any land or interest that is within specified state trust land acquired by the United States shall become part of the monument; and
- states Interior shall convey to the state of New Mexico specified BLM land in exchange for specified parcels of state trust land within the monument.

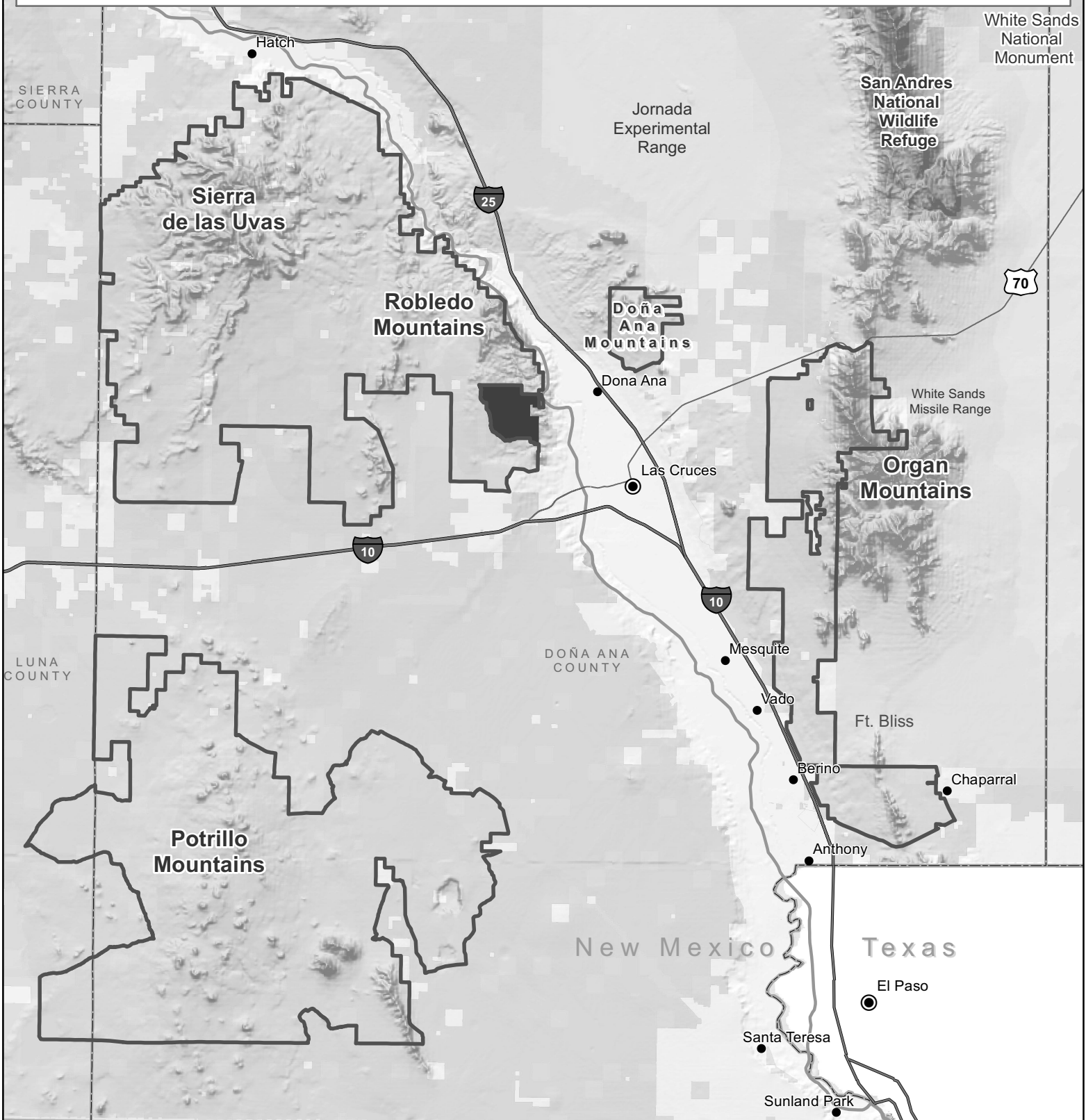
#### **IV. BACKGROUND**

The OMDP (496,330 acres) was established by Presidential Proclamation on May 21, 2014. OMDP has not yet initiated a Resource Management Plan (RMP). The 1993 Mimbres RMP will be followed in the interim.

#### **V. ATTACHMENTS**

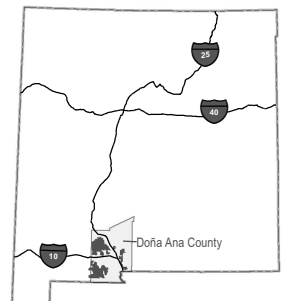
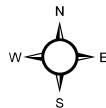
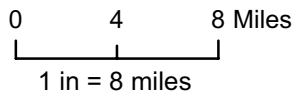
Attach a list of additional items that the Secretary should review before the meeting including bios/background information on the participant's or any policy papers as mentioned in **Section I**. Include only the items that are necessary for a successful meeting outcome, not general supplemental material.

# Organ Mountains - Desert Peaks National Monument



- |   |                         |                       |
|---|-------------------------|-----------------------|
| OMDP National Monument                  | BLM                     | National Park Service |
| Prehistoric Trackways National Monument | Bureau of Reclamation   | Private               |
|   | Dept. of Agriculture    | State                 |
|   | Dept. of Defense        | State Park            |
|   | Fish & Wildlife Service |                       |

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Date: 5/16/2017



Monument location in New Mexico

Projection: UTM, Zone 13  
Datum: NAD 1983



# Southern New Mexico Top Issues

## Fact Sheet - BLM Las Cruces District, New Mexico

The purpose of this fact sheet is to provide general information on District planning, rights-of-way and transmission projects, as well as other District issues.

### PLANNING

#### **Organ Mountains-Desert Peaks (OMDP) RMP/EIS**

- Established in 2014 to protect significant prehistoric, historic, geological and biological resources of scientific interest in Organ Mountains, Desert Peaks, Potrillo and Dona Ana Mountains
- Contains 496,330 acres managed by BLM
- Portions of Monument were analyzed in the ongoing Tri-County RMP
- Public Scoping is scheduled for Fall 2017, with a Draft Monument Plan anticipated in spring of 2019

#### **Tri-County RMP/Environmental Impact Statement (EIS)**

- Initial Draft RMP/EIS was published in April 2013 covering Sierra, Dona Ana and Otero Counties
- Initial Draft RMP/EIS did not propose decisions related to fluid minerals
- BLM initiated a Supplemental Draft EIS in December 2013 to develop allocations and management actions for fluid minerals and to re-evaluate potential lands with wilderness characteristics
- Planning area includes 9.3 million acres of which 2.8 million surface and 3.98 million subsurface acres are managed by BLM
- Major issues include recreation, lands and realty and special designations
- BLM expects to release Supplemental EIS in early 2018

### TRANSMISSION/RIGHTS-OF-WAY PROJECTS

#### **Afton Solar Energy Zone (SEZ)**

- SEZ was established through the Solar Programmatic EIS (PEIS) in July 2013
- SEZ consists of 30,000 acres of land in southern NM designated for solar energy development
- Through Solar PEIS, BLM committed to develop a regional mitigation strategy for all SEZ's to identify potential impacts and identify appropriate mitigation measures to address impacts
- Stakeholder input and comments have been considered to identify residual impacts from solar development, and which will warrant regional compensatory mitigation
- BLM is working to identify and evaluate several potential mitigation sites and actions to mitigate impacts to vegetation, visual resources and special designations
- Next BLM/stakeholder meeting slated for August 2017 to receive candidate mitigation site location and action recommendations
- Rancher concerns for the SEZ is the loss of grazing use
- There are no current applications for development within the SEZ

### **El Paso Electric Talavera Substation**

- BLM is preparing an environmental assessment (EA) on rights-of-way (ROW) applications by El Paso Electric to add an additional permanent substation to electrical grid and maintain existing distribution lines
- ROWs are on BLM-managed lands and support the growing need for energy in Las Cruces and surrounding communities.
- EA will analyze alternatives for locating the permanent substation and line maintenance, including El Paso Electric's proposed site, which is adjacent to an existing temporary substation
- EA alternatives are based on public feedback of initial scoping period in March 2017
- Public scoping comments are due by August 17, 2017
- Residents of the Talavera community strongly oppose any of the alternatives siting the expanded substation in its current location or any of the proposed sites near the community

### **Copper Flat Copper Mine Draft EIS**

- Mining Plan of Operation proposes reestablishment of the Copper Flat Copper Mine, a poly-metallic mine and processing facility near Hillsboro, New Mexico
- Proposed MPO is based on the 1982 mining operation of the Quintana Mineral Corporation, including upgrades based on current engineering designs and regulations
- Proposed MPO consists of 2,190 acres, including 963 acres of private land and 1,227 acres of BLM-managed public lands
- Key issues identified from the DEIS public scoping focused on water, biological resources, traffic and socio-economic concerns
- Public scoping period was open for 120 days – from November 2015 to April 2016, producing 350 submissions containing 1,600 comments
- BLM is working with third-party contractor to review public comments received from the Draft EIS, which was issued in November 2015
- If any of the public comments received identify potential impacts, alternatives or mitigation measures not addressed in the DEIS, BLM will determine whether a Supplemental DEIS is required

### **OTHER DISTRICT ISSUES**

#### **Emergency Flood Control**

- Previous flood events have caused residential flooding due to natural re-routing of hydrologic flows
- BLM recently issued two ROWs in Otero County for emergency flood control structures within the Laborite and Cottonwood arroyos
- ROWs support Otero County's efforts to re-route hydrologic flows in the main channel

#### **Livestock Grazing**

- Ranchers within the OMDP are concerned about allotment management; maintenance of existing range improvements and the process for constructing new improvements; increased recreation use in the Monument; and devaluation of private land
- Grazing will continue on the OMDP, consistent with the protection of the OMDP Resources, Objects, and Values
- All or parts of 38 allotments are within the OMDP
- BLM works with the ranchers to have existing range improvements maintained
- BLM will consider application for new range improvements on as case by case basis

- The BLM will provide advance notice to grazing permittees for large events or commercial activities. Recreational impacts to ranch activities are considered by the Natural Resource Specialist through the National Environmental Policy Act (NEPA) and Special Recreation Permit (SRP) processes
- Public outreach efforts by the BLM will continue to highlight land stewardship and respect for range improvements and livestock operations

### **Border Security**

- BLM works effectively with the U.S. Customs and Border Patrol (CBP) on a variety of projects, including: the Tactical Infrastructure Maintenance and Repair Project that would authorize a ROW for about 50 miles of roads for use and maintenance. The BLM plans to issue a Finding of No Significant Impact, Decision Record and ROW next month
- The Joint Task Force North - Marine Division, in concert with CBP, conducts approved missions twice annually along the border in the District. Sensors are installed for illegal drug trafficking. The missions run 60 days, deploying 800 sensors
- Proposed 20 miles of fence replacement west of Santa Teresa Port of Entry. The fence is all located within the 60-foot Roosevelt Reservation (CBP controlled area). There is an existing border road that parallels the existing fence. BLM/CBP does have some existing biological and cultural data for the area. However, CBP plans to re-survey the entire stretch to include a buffer north of the 60-foot Roosevelt Reservation
- There is unrestricted access within OMDP or other special designations by law enforcement in pursuit of drug and human trafficking. Daily CBP operations allow access to existing roads and trails on public lands
- The number of drug and human smuggling apprehensions depend on the seasonal smuggling activities and law enforcement patrols. Data indicates there is no significant change in the number of apprehensions or their locations, based on the 2014 designation of the OMDP



# Organ Mountains-Desert Peaks National Monument

## Fact Sheet - BLM Las Cruces District, New Mexico

The purpose of this fact sheet is to provide general information on the BLM's Organ Mountains-Desert Peaks National Monument (OMDP).

### Key Points:

- The OMDP (496,529 acres) was established by Presidential Proclamation on May 21, 2014. OMDP has not yet initiated a Resource Management Plan (RMP). The 1993 Mimbres RMP will be followed in the interim.
- OMDP contains four separate units: the Organ Mountains, the Doña Ana Mountains, the Robledo and Las Uvas Mountains, and the Potrillo Mountains
  - The Organ Mountains has the most developed recreation sites, including Recreation Fee areas, but also has many opportunities for dispersed recreational use
  - The other three units have more undeveloped, backcountry dispersed recreation, except in the Doña Ana Mountains where there is a very popular mountain bike, equestrian and hiking trail system
  - Includes eight Wilderness Study Areas (WSA), a National Natural Landmark, four Areas of Critical Environmental Concern, three National Recreation Trails and a trail under study for National Historic Trail designation
- OMDP provides a variety of recreational uses, livestock grazing, hunting, and natural and cultural resources
  - Energy/Mining
    - No production of coal, oil, gas, and renewable minerals and unlikely to have future production
    - No nominations for leases of coal, or oil and gas in at least 10 years in Doña Ana County
    - Contains relics of historic mining, but no active mining has occurred in the past two decades
    - Last mining within OMDP was associated with the sale of common variety minerals – sand and gravel
  - Grazing
    - Includes 38 allotments, with 86,271 permitted Animal Unit Months, wholly or partially contained within OMDP
    - No change in livestock grazing as result of OMDP designation.
    - Grazing management within OMDP will remain the same in accordance with current grazing regulations
  - Cultural
    - Organ Mountains include rock shelters dating to the Middle Archaic Period through the Formative Period (400 to 1450 CE)
  - Visitation
    - Recorded visitation to the three BLM day-use areas in the Monument was 67,378 in FY13-14, 84,197 in FY14-15, and 170,451 in FY15-16

- Increased recreation use and visitation since OMDP designation, resulting in economic benefits for surrounding communities
- Economic output from OMDP visitation in 2016 was \$24,359,990

#### Opportunities and Challenges:

##### ➤ Supporters of the designation:

- *Former United States Senator Jeff Bingaman (D-NM) and current United States Senators Tom Udall (D\_NM) and Martin Heinrich (D-NM). The senators introduced legislation to protect portions of the area as Wilderness, a National Conservation Area or a National Monument in years past.*
- *New Mexico Representatives Ben Ray Lujan and Michelle Lujan Grisham*
- *The City of Las Cruces*
- *The Town of Mesilla*
- *The City of El Paso*
- *City of Anthony*
- *Doña Ana County*
- *The Friends of the Organ Mountains-Desert Peaks*
- *Sportsmen's organizations*
- *Las Cruces Green Chamber of Commerce*
- *Paleozoic Trackways Foundation*
- *Environmental organizations*

##### ➤ Opposition to the designation:

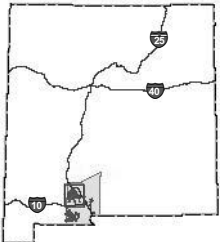
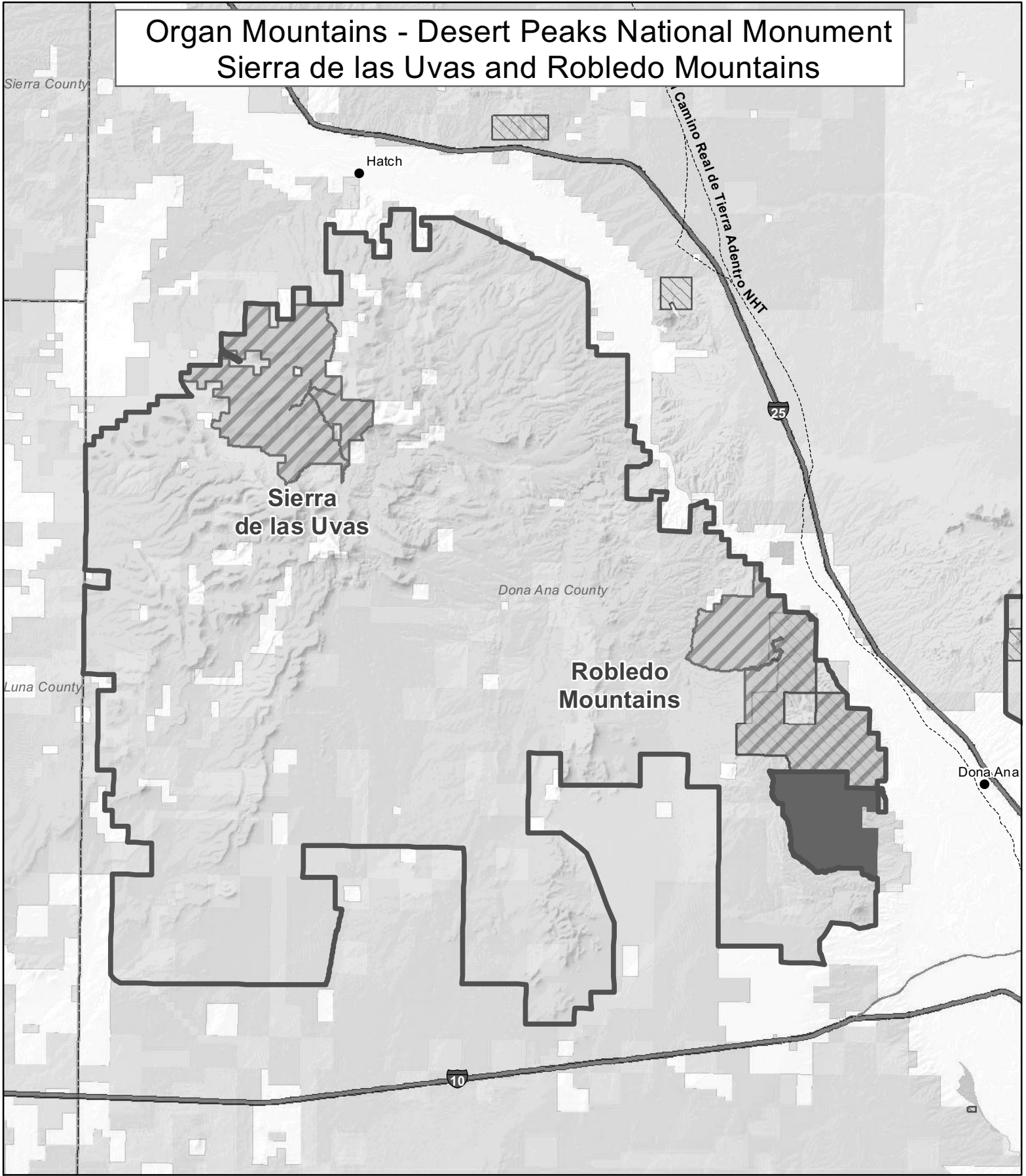
- *The Doña Ana Soil and Water Conservation District*
- *Elephant Butte Irrigation District*
- *Individual ranchers*
- *Congressman Steve Pearce introduced legislation recommending the boundary of the OMDP to be approximately 60,000. He is currently supporting a 60,000 acre boundary.*

##### ➤ *Some Native American tribes publicly supported the Monument designation including Fort Sill Apache, Ysleta del Sur Pueblo, and the Hopi Tribe. Others, including Mescalero and Tribes belonging to the All Pueblo Council of Governors, were silent in their position.*

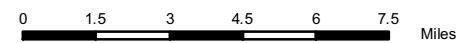
##### ➤ *Gerstein Bocian Agne Strategies poll in 2014 showed 72% public support and 12% public opposition to the OMDP designation*

ATTACHMENT – OMDP Map

# Organ Mountains - Desert Peaks National Monument Sierra de las Uvas and Robledo Mountains



- OMDP National Monument
- Prehistoric Trackways National Monument
- National Historic Trails
- Wilderness Study Areas
- Areas of Critical Environmental Concern (ACEC)
- BLM
- Bureau of Reclamation
- Dept. of Agriculture
- Private
- State
- State Park



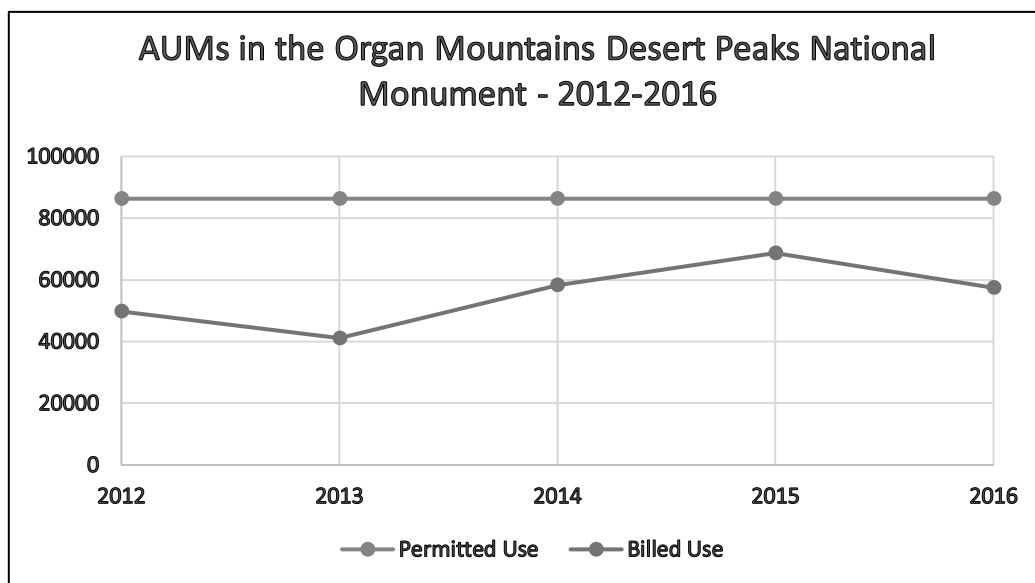
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# Organ Mountains Desert Peaks National Monument

## Grazing Fact Sheet, BLM Las Cruces District Office, New Mexico

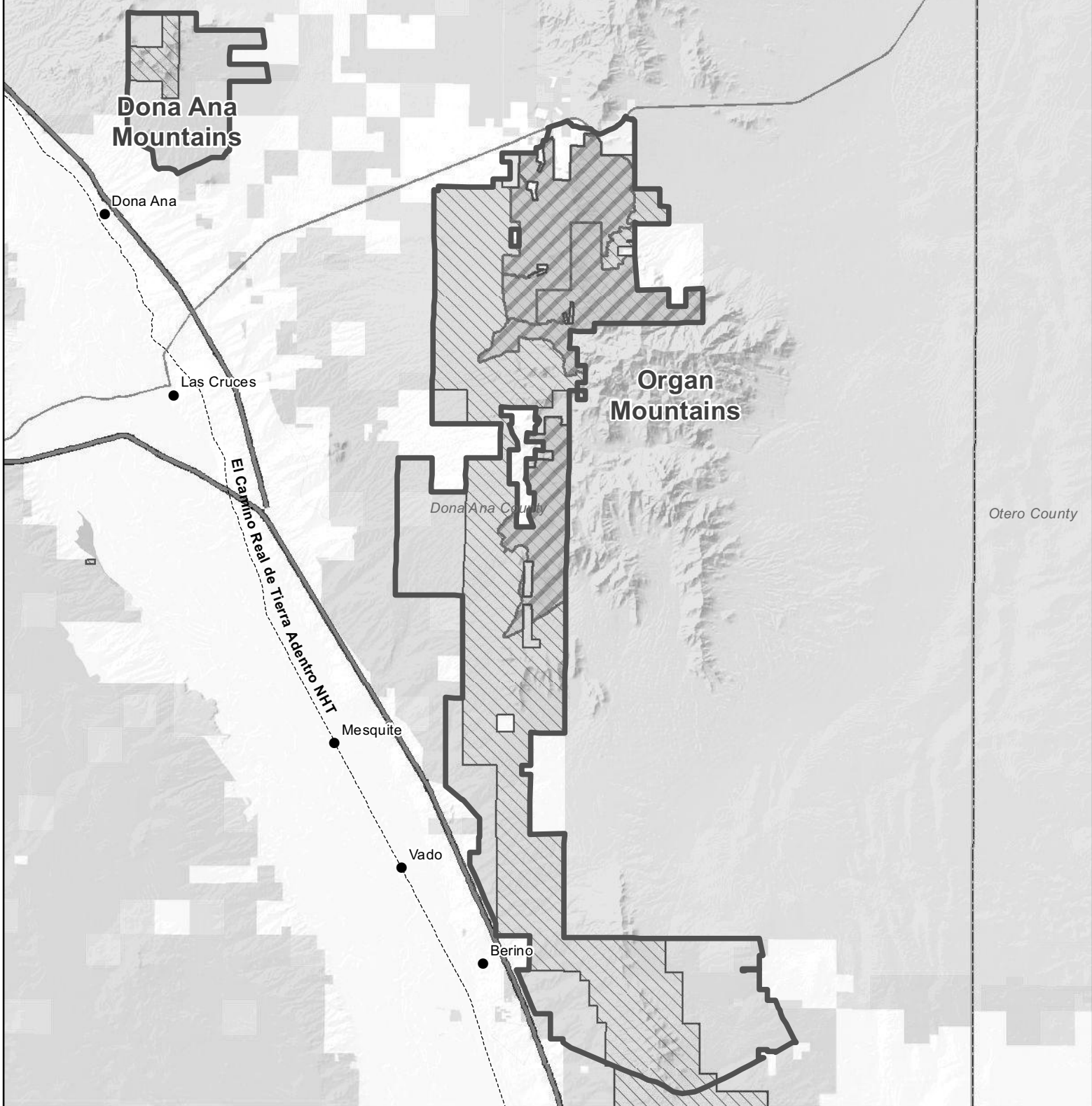
- There are 37 allotments wholly or partially contained within Organ Mountains-Desert Peaks National Monument (OMDP). These allotments include 86,271 permitted Animal Unit Months (AUMs). Designation of the OMDP in 2014 has not changed the number of permitted AUMs. AUMs permitted and billed use (which generally reflects actual use) in the last five years are as follows:



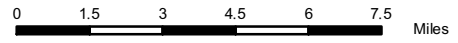
- From 2012-2016, the average billed use within OMDP boundary has been 55,089 AUM's, which is about 36% below the permitted use. This difference is because of the rancher's decision to not stock to full capacity. Ranchers do this for a variety of reasons including environmental conditions and economic outlook.
- The BLM works in partnerships under the Restore New Mexico program with ranchers, Natural Resource Conservation Service and others to implement vegetation treatments and other projects to ensure that range conditions are made better and that rangeland health standards continue to be met. Several projects have been completed since Monument designation on two allotments within the OMDP including the spraying of mesquite to promote growth of native grasses, the placement of water storage tanks, repairs to pipelines, and replacement of water troughs.
- BLM monitors allotments annually and all allotments in the Monument have been meeting rangeland health standards.

# Organ Mountains - Desert Peaks National Monument

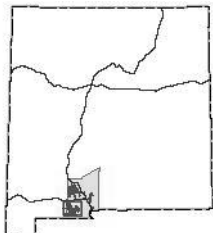
## Organ Mountains and Dona Ana Mountains



Produced by the BLM New Mexico State Office GIS Team  
 Santa Fe, New Mexico

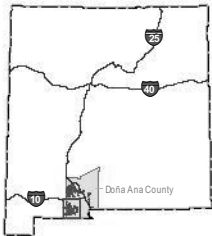
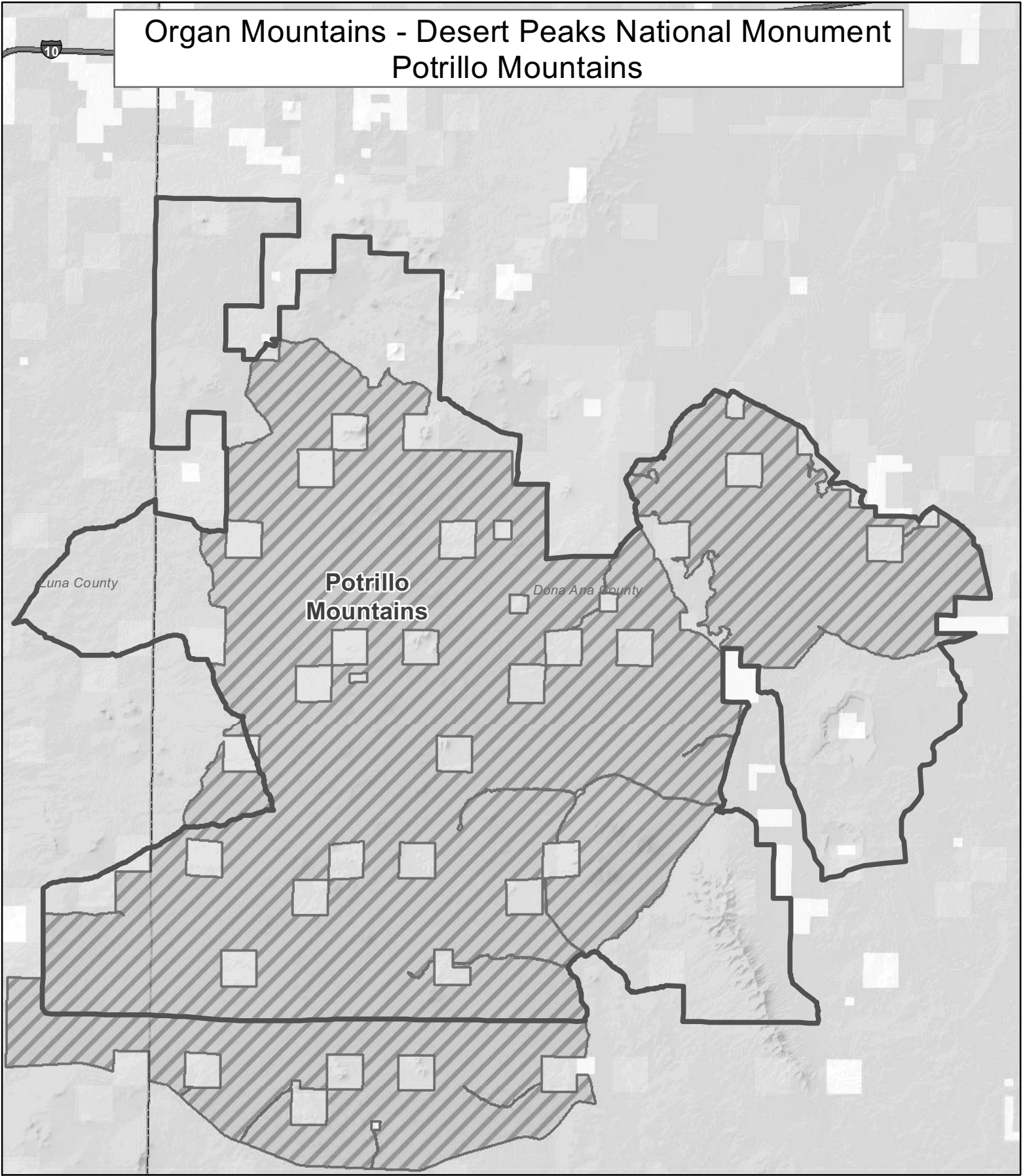


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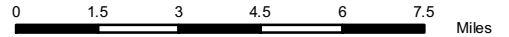
- |                          |  |                           |            |
|--------------------------|--|---------------------------|------------|
| OMDP National Monument   | Wilderness Study Areas                         | Bureau of Land Management | Private    |
| National Historic Trails | Areas of Critical Environmental Concern (ACEC) | Bureau of Reclamation     | State      |
|                          |  | Dept. of Agriculture      | State Park |
|                          |  | Dept. of Defense          |            |

# Organ Mountains - Desert Peaks National Monument Potrillo Mountains



Produced by the BLM New Mexico State Office GIS Team  
Santa Fe, New Mexico

-  OMDP National Monument
-  Wilderness Study Areas
-  BLM
-  Private
-  State



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**To:** Bauserman, Christine[christine\_bauserman@ios.doi.gov]  
**Cc:** Maureen Foster[maureen\_foster@ios.doi.gov]  
**From:** Johnson, Virginia  
**Sent:** 2017-05-03T14:07:35-04:00  
**Importance:** Normal  
**Subject:** Re: Utah Briefing Request Recap  
**Received:** 2017-05-03T14:07:42-04:00

Thank you!

On Wed, May 3, 2017 at 1:22 PM, Bauserman, Christine <[christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)> wrote:

Hello there.

Here is a recap list of the briefings for NPS that you have received:

**This list is very close hold please do not share or send out in its entirety to anyone.**

DUE: May 4th at 3:00 pm.

**Sunday, May 7**

1:00 PM - 2:00 PM: Meeting with State Historic Preservation Office and Utah Department of Heritage and Arts  
*The meeting will be to discuss cultural and historic objects at Bears Ears and Grand Staircase but also need background on general SHPO Utah activities.*

2:00 PM - 2:30 PM: Meeting with Legislative Leadership and Utah AG, Sean Reyes  
*Any hot button Utah state issues.*

6:00 PM - 9:00 PM Dinner and Roundtable with federal and legislative representatives, the Utah Office of Outdoor Recreation and the below industry representatives:

- Gary Heward, CEO, Liberty Mountain
- Bill Harmon, Goal Zero
- Joshua Bradley, Amer Sports
- Nazz Kurth, Petzl
- Amanda Covington, Vista Outdoors
- Ashley Kornblat, Western Spirit
- Don Peay, Utah Sportsmen for Fish and Wildlife

*Need background on recreation viewpoints/and recreation activities in Utah especially as they relate to monuments.*

--

Christine Bauserman  
U.S. Department of the Interior

Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

--

Virginia H. Johnson  
Special Assistant to the Secretary  
U.S. Department of the Interior  
Telephone: (202) 208-4943



**To:** jharding@utah.gov[jharding@utah.gov]  
**From:** Laura Rigas  
**Sent:** 2017-05-08T10:11:51-04:00  
**Importance:** Normal  
**Subject:** Sent Sunday  
**Received:** 2017-05-08T10:11:59-04:00

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

## **BACKGROUND FOR INTERIOR SECRETARY RYAN ZINKE'S VISIT TO UTAH**

**SUNDAY, MAY 7, 2017: SALT LAKE CITY**

Today, U.S. Department of the Interior Secretary Ryan Zinke arrived in Salt Lake City to begin a four-day listening tour regarding the review of Bears Ears National Monument and Grand Staircase Escalante National Monument, both of which are being reviewed by the Secretary under the April 27, 2017, Executive Order. On Friday, the Secretary announced the formal public comment process for monument review will begin on May 12.

The Secretary's mission in Utah is to hear from local communities and stakeholders and to learn more about the Bears Ears National Monument and the Grand Staircase Escalante Monument. Today's meetings represented diverse opinions and positions on the monument designations and the Secretary was eager to hear from all parties represented.

The Secretary began the day with a meeting with Governor Gary Herbert and Utah's two U.S. Senators, Orrin Hatch and Mike Lee. The Secretary then had three meetings with (1) the State Historic Preservation Office and Utah Department of Heritage, (2) the Legislative Leadership and State Attorney General, and (3) the Utah School and Institutional Trust Lands Administration.

The Secretary then met with the Bears Ears Inter-Tribal Coalition which included members of leadership from the Hopi Tribe, Utah Navajo Chapter of Olijato, Navajo Nation Council, Ute Indian Tribe, and Zuni Tribe.

While Secretary Zinke has met with a number of representatives from the tribes that make up the Inter-Tribal Coalition, today was the first meeting with the entire coalition. The delegates talked on a government-to-government level and discussed a number of issues relating to the management of public lands, the specific monuments under review, and sovereignty. The Secretary maintained his commitment to working with the Tribes and local communities during the review.

The Secretary held open media availability at the Salt Lake City office of the Bureau of Land Management following the meeting with the Inter-Tribal Coalition to recap the day.

#### LOOK AHEAD

On Monday, Secretary Zinke, Governor Herbert and members of Utah's Congressional Delegation will travel to Bears Ears National Monument to do a morning aerial tour of the south part of the monument and an afternoon hiking tour of the House of Fire site at the monument. The Secretary and other officials will be available for credentialed media at 2:30PM between the aerial tour and the hike. Please email [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov) for details.

###

**To:** Douglas Domenech[doug\_domenech@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]  
**From:** Bauserman, Christine  
**Sent:** 2017-05-08T09:30:54-04:00  
**Importance:** Normal  
**Subject:** copy of secretary's travel schedule  
**Received:** 2017-05-08T09:31:57-04:00  
[CopyofTrip5.6MontanaUtahMontana.pdf](#)

--

Christine Bauserman  
U.S. Department of the Interior  
Special Assistant to Secretary  
email: [christine\\_bauserman@ios.doi.gov](mailto:christine_bauserman@ios.doi.gov)  
phone: 202-706-9330

**United States Department of the Interior  
Official Travel Schedule of the Secretary**

**Montana, Utah, California, Montana  
May 5, 2017 - May 13, 2017**

**Draft: 5/8/2017**



**TRIP SUMMARY**  
**THE TRIP OF THE SECRETARY TO**  
**Montana, Utah, California, Montana**  
**May 5, 2017 - May 13, 2017**

**Weather:**

Havre, MT	High 87°, Low 51°; Sunny; 0% Chance of Precipitation (Saturday)
Salt Lake City, UT	High 77°, Low 53°; Mostly Sunny; 20% Chance of Precipitation (Sunday) High 70°, Low 51°; Partly Cloudy; 20% Chance of Precipitation (Monday)
Bears Ears National Monument (Blanding, UT)	High 72°, Low 47°; Mostly Sunny; 0% Chance of Precipitation (Monday)
Grand Staircase-Escalante National Monument (Kanab, UT)	High 68°, Low 38°; Cloudy; 40% Chance of PM Showers (Tuesday) High 61°, Low 40°; Cloudy; 40% Chance of AM Showers (Wednesday)
Coronado, CA	High 70°, Low 59°; Mostly Sunny; 10% Chance of Precipitation (Thursday)
Billings, MT	High 76°, Low 50°; Mostly Sunny; 0% Chance of Precipitation (Friday) High 72°, Low 49°; Cloudy; 40% Chance of PM Showers (Saturday)

**Time Zone:**

Montana	Mountain Daylight Time (MDT)
Utah	Mountain Daylight Time (PDT)
California	Pacific Daylight Time (PDT)

**Advance (Havre):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Wadi Yakhour	(b)(6)	

**Advance (Salt Lake City):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Rusty Roddy	(b)(6)	

**Advance (Bears Ears National Monument):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance (Monday)	Wadi Yakhour		
Advance (Tuesday)	Rusty Roddy	(b)(6)	

**Advance (Grand Staircase):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	Wadi Yakhour		(b)(6)	

**Advance (Coronado):**

Security Advance	(b)(6),(b)(7)(C)	(b)(6),(b)(7)(C)	<b><u>Cell Phone:</u></b>
Advance	None		

**Advance (Billings):**

**Cell Phone:**

Security Advance  
Advance

(b)(6), (b)(7)(C)  
Rusty Roddy

(b)(6), (b)(7)(C)  
(b)(6)

**Traveling Staff:**

Agent in Charge (5/5-5/7)  
Agent in Charge (5/8-5/10)  
Agent in Charge (5/11-5/13)  
Acting Deputy Chief of Staff  
Director of Communications  
Press Secretary  
Photographer

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6)

**MSU Security Contact:**

Brian Simonson  
[brian.simonson@msun.edu](mailto:brian.simonson@msun.edu)  
(406) 265-3525

**Utah Governor's Security Contact:**

(b)(6), (b)(7)(C)

**Attire:**

Havre, MT:  
Salt Lake City, UT:  
Bears Ears National Monument:  
Grand Staircase-Escalante  
National Monument:  
Coronado, CA:  
Billings, MT:

Business Attire  
Business Casual / Blazer & No Tie  
Casual Park Attire  
  
Casual Park Attire  
Business Attire  
Casual Park Attire

**Friday, May 5, 2017**

Washington, DC → Great Falls, MT

**3:00-4:30pm EDT: Depart Department of the Interior en route Baltimore-Washington International Airport**

Car: RZ

**5:27pm EDT-  
7:15pm CDT:**

**Wheels up Washington, DC (DCA) en route Minneapolis, MN (MSP)**

Flight: Delta 1361  
Flight time: 2 hours, 48 minutes  
RZ Seat: 19B  
AiC: (b)(6),(b)(7)(C)

Staff: None

*NOTE: TIME ZONE CHANGE EDT to CDT (-1 hours)*

**7:15-8:30pm CDT: Layover in Minneapolis, MN // 1 hour, 15 minute layover**

**8:30pm CDT-  
10:11pm MDT:**

**Wheels up Minneapolis, MN (MSP) en route Great Falls, MT (GTF)**

Flight: Delta 4625  
Flight time: 2 hours, 41 minutes  
RZ Seat: 4A  
AiC: (b)(6),(b)(7)(C)

Staff: None

*NOTE: TIME ZONE CHANGE CDT to MDT (-1 hours)*

**10:11-10:25pm MDT: Wheels down Great Falls International Airport (~15 minutes to vehicle)**

Location: 2800 Terminal Drive  
Great Falls, MT 59404

**10:25-10:35pm MDT: Depart Airport en route RON**

Location: Hampton Inn Great Falls  
2301 14th Street SW  
Great Falls, MT 59404

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**10:35pm MDT: RON**

**Saturday, May 6, 2017**

Great Falls, MT → Havre, MT → Great Falls, MT

**7:20-9:15am MDT: Depart RON en route Havre, MT**

Location: Montana State University-Northern  
Cowan Drive  
Havre, MT 59501

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Drive Time: ~1 hour, 55 minutes without traffic

**9:15-9:45am MDT: Arrive at Montana State University-Northern // Meet with the Platform Party // Platform Party Photo**

Location: Cowan Hall  
Conference Room # 202

Met by: Chancellor Greg Kegel at entrance to Cowan Hall

Participants: Tom Welch, Professor of Agricultural Technology & Faculty Marshal  
Dr. Darlene Sellers, Professor of Education  
Dr. Larry Strizich, Dean, College of Technical Sciences  
Dr. Carol Reifschneider, Interim Dean, College of Education, Arts & Sciences and Nursing  
Dr. William Rugg, Provost / Vice Chancellor for Academic Affairs  
Paul Tuss, Chairman of the Montana University System Board of Regents  
Brian Simonson, Vice Chancellor for Finance and Administration  
Pastor Tanner Howard of the First Lutheran Church

Staff: None

Advance: Wadi Yakhour

**9:45-10:00am MDT: Walk to Southwest Corner of Cowan Hall and Proceed to Gymnasium**

Location: Cowan Hall

Note: Platform Party will be ushered by Faculty Marshal Tom Welch

**10:00-12:00pm MDT: Montana State University-Northern Spring Commencement**

Location: Montana State University-Northern Armory Gymnasium

Participants:

Staff: None

Advance: Wadi Yakhour

Format: 10:00 Procession enters gym, led by Chancellor Kegel  
Approach stage from the left and remain standing  
Chancellor Kegel announces presentation of colors & National Anthem  
Invocation by Pastor Howard  
Introduction of platform party by Chancellor Kegel  
Student Senate President remarks  
Chancellor Kegel remarks  
Provost Rugg remarks  
Chancellor Kegel introduces RZ  
**RZ gives 10 minute remarks**  
Provost Rugg & Chancellor Kegel present degree candidates  
Pastor Howard gives the Benediction  
Retiring of the Colors  
Recessional March, led by Chancellor Kegel

**12:00-12:30pm MDT: Walk to Donaldson Hall**

Location: Montana State University-Northern Armory Gymnasium

Participants:

Staff: None

Advance: Wadi Yakhour



Format: Many students and faculty will be congregating outside of the Gymnasium, if the Secretary would like to visit with them on his way to the luncheon.

**12:30-1:30pm MDT:**

**Commencement Luncheon**

Location: Donaldson Hall  
Participants: Jacob Bachmeier, State Representative  
Nate St. Pierre, President, Stone Child College  
Paul Tuss, Chairman, Board of Regents  
Mike Lang, State Senator, & wife Lorna  
G. Bruce Meyers, Former State Representative, & son, Dominic

Meyers

Jim O'Hara, State Representative, & wife, Vicki  
Bill Rugg, Provost, & wife, Denise  
Brian Simonson, CFO, & wife, Sherri  
Carol Reifschneider, Interim Dean  
Christian Oberquell, Athletic Director, & wife Melissa  
Jonathan WindyBoy, State Senator  
Larry Strizich, Dean  
Rachel Dean, Chief of Staff  
Steve Wise, Dean of Students, & wife, Becky  
Tracey Jette, Senior Director of Student Success, & husband, Joe  
Greg Kegel, Chancellor  
Jim Bennett, Foundation Director, & wife, Lindsey

Staff: None  
Advance: Wadi Yakhour  
Format: Informal luncheon

**1:30-3:25pm MDT:**

**Depart Havre, MT en route Great Falls, MT**

Location: Hampton Inn Great Falls  
2301 14th Street SW  
Great Falls, MT 59404

Vehicle Manifest:

Secretary's Vehicle:

RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Drive Time: ~1 hour, 55 minutes without traffic

**4:25pm-9:00pm MDT: OPEN**

**9:00pm MDT: RON**

**Sunday, May 7, 2017**

Great Falls, MT → Salt Lake City, UT

**5:20-5:30am MDT:**

**Depart RON en route Great Falls International Airport**

Location: 2800 Terminal Drive  
Great Falls, MT 59404

Vehicle Manifest:  
Secretary's Vehicle: RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Staff Vehicle:  
Wadi Yakhour  
Drive Time: ~6 minutes without traffic

**6:20am MDT-  
7:51am MDT:**

**Wheels up Great Falls, MT (GTF) en route Salt Lake City, UT (SLC)**  
Flight: Delta 4787  
Flight time: 1 hours, 31 minutes  
RZ Seat: 8A  
AiC: (b)(6),(b)(7)(C)  
Staff: None

**7:51-8:15am MDT:**

**Wheels down Salt Lake City International Airport & Depart en route RON**  
Location: 776 North Terminal Drive  
Salt Lake City, UT 84122  
Vehicle Manifest:  
State Police Lead:  
Secretary's Vehicle: RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)

**8:35-10:45am MDT:**

**Arrive RON for Private Time**  
Location: Hampton Inn Salt Lake City-Downtown  
425 South 300 West  
Salt Lake City, UT 84101

**10:45-10:50am MDT:**

**Depart RON for Brunch Briefing**  
Location: Denny's  
250 W 500 S  
Salt Lake City, UT 84101  
Vehicle Manifest:  
State Police Lead:  
Secretary's Vehicle:

RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

**10:50-11:45am MDT:**

**Brunch Briefing**  
Participants: RKZ  
Downey Magallanes  
Laura Rigas

**11:45-12:00pm MDT:**

**Depart en route Utah State Capitol Building**  
Location: West Portico / Governor's Private Garage  
Utah State Capitol, Suite 200  
Salt Lake City, Utah 84114-2220

Vehicle Manifest:  
State Police Lead:  
Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Downey Magallanes  
Laura Rigas

**12:00-1:00pm MDT: Arrive Utah State Capitol Building and Proceed to Private Meeting with Governor Gary Herbert, Senator Orrin Hatch, and Senator Mike Lee**

Met Upon Arrival by:

Location: Governor Gary Herbert  
Justin Harding, Chief of Staff - Governor Herbert  
Formal Office of the Governor - Suite 200  
Participants: Secretary Ryan Zinke  
Senator Orrin Hatch  
Senator Mike Lee  
Governor Gary R. Herbert  
Matt Sandgren, Chief of Staff, Senator Hatch  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Rob Axson, Office of Senator Lee  
Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer  
Press: Closed  
Advance: Rusty Roddy  
Note: RKZ to exchange Challenge coins with Governor Herbert during meeting  
Note: This is Governor Herbert's 70th Birthday

**1:00-2:00pm MDT: Meeting with State Historic Preservation Office & Utah Department of Heritage and Arts**

Location: Governor's Conference Room  
Participants: Secretary Ryan Zinke  
Governor Gary R. Herbert  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Jill Remington Love, Executive Director, Utah Department of Heritage and Arts  
Kevin Fayles, Utah State Historic Preservation Office  
Arie LeeFlang, Utah State Historic Preservation Office  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch

Ryan Wilcox, Northern Utah Director, Office of Senator Lee  
Devin Wisner, Chief of Staff, Office of Rep. Bishop  
Wade Garrett, District Director, Office of Rep. Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Cody Stewart

Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer

Press: Closed

Advance: Rusty Roddy

**2:00-2:30pm MDT: Meeting with Legislative Leadership & Utah Attorney General Sean Reyes**

Location: Governor's Conference Room

Participants: Secretary Ryan Zinke  
AG Sean Reyes  
President Wayne Niederhauser  
Speaker Greg Hughes  
Rep. Mike Noel  
Rep. Keven Stratton  
Ric Cantrell, Chief of Staff, Utah State Senate  
Greg Hartley, Chief of Staff, Utah State House  
Missy Larsen, Chief of Staff, Utah Attorney General's Office

Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer

Press: Closed

Advance: Rusty Roddy

**2:30-2:45pm MDT: Break**

Location: Office of the Lt. Governor - Suite 205

**2:45-3:15pm MDT: Meeting with Utah School and Institutional Trust Lands Administration (SITLA)**

Location: Governor's Conference Room

Participants: Secretary Ryan Zinke  
John Andrews, Associate Director & Chief Legal Counsel, SITLA  
Alan Freemeyer, SITLA D.C. Representative  
Tom Bachtel, Vice Chair, SITLA Board of Trustees

Staff: Downey Magallanes  
Laura Rigas  
BLM Photographer

Press: Closed

Advance: Rusty Roddy

**3:15-3:30pm MDT: Board Vehicles & Depart State Capitol Building en route BLM Utah State Office**

Location: 440 West 200 South  
Gateway South Parking Garage  
Level 3 Parking - Row B  
Salt Lake City, UT

Met by: Ed Roberson, BLM Utah State Director

Vehicle Manifest:

State Police Lead:

(b)(6),(b)(7)(C)

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

Rusty Roddy

Downey Magallanes

Laura Rigas

Drive Time: ~10 minutes without traffic

**3:30-4:30pm MDT:**

**Meeting with Bears Ears Inter-Tribal Coalition**

Location: Bureau of Land Management Utah State Office  
440 West 200 South - Suite 500  
Salt Lake City, UT 84101

Participants: Secretary Ryan Zinke  
President Russell Begaye, Navajo Nation  
Chairman Harold Cuthair, Ute Mountain Ute  
Staffer, Navajo Nation Office of the Speaker  
Ethel Branch, Navajo Nation Attorney General  
Davis Filfred, Navajo Nation Council (Window Rock, AZ)  
Shaun Chappoose, Chairman, Ute Indian Tribe (Fort Duchesne, UT)  
Carleton Bowekaty, Councilman, Zuni Tribe (Zuni, NM)  
Charles Wilkinson, Legal Advisor, University of Colorado  
Leland Begaye, Legal Advisor, Ute Mountain Ute  
Ed Roberson, BLM State Director  
Don Hoffheins, BLM, Monticello Field Manager  
Mike Richardson, BLM, Acting Communications Director  
Nora Rasure, USFS, Regional Forester  
Mark Pentecost, USFS Forest Supervisor, Manti La-Sal National Forest

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
BLM Photographer

Press: Closed

Format: Welcome and Introductions facilitated by Ed Roberson, BLM Utah  
State Director  
RKZ Brief Remarks (5 minutes)  
Tribal Comments led by Carleton Bowekaty, Co-Chair of the Bears  
Ears Inter-Tribal Coalition. During this time, each Tribe will  
have the opportunity to discuss their ancestral affiliation to  
the Bears Ears region and its cultural significance (45 minutes)

Advance: Rusty Roddy

**4:30-5:00pm MDT:**

**Daily Media Availability**

Location: Bureau of Land Management Utah State Office  
440 West 200 South  
Salt Lake City, UT 84101

Participants: RKZ  
Senator Orrin Hatch

Staff: Laura Rigas  
Heather Swift

Press: Open  
Format: Heather Swift gives press a recap of the days activities.  
Senator Hatch & RKZ enter. Senator Hatch remarks followed by  
RKZ remarks  
Advance: Rusty Roddy

**5:00-5:15pm MDT:**

**Depart en route Utah State Capitol Building**  
Location: Utah State Capitol, Office of the Governor  
Salt Lake City, Utah 84114-2220

Vehicle Manifest:

State Police Lead: (b)(6),(b)(7)(C)  
Secretary's Vehicle:

RKZ  
(b)(6),(b)(7)(C)  
Rusty Roddy  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**5:15-5:45pm MDT:**

**Personal Time**

Location: Office of the Lt. Governor - Suite 205  
Note: Photo op with Governor on Governor's Balcony

**5:45-6:00pm MDT:**

**Meeting with Don Peay**

Location: Office of the Lt. Governor - Suite 205  
Participants: RKZ  
Don Peay, President of Sportsmen for Fish & Wildlife (Also former  
Chair of Utahns for Trump)

**6:00-9:00pm MDT:**

**Utah Office of Outdoor Recreation Dinner**

Location: Hall of Governors  
Utah State Capitol Building  
Attendees: 80  
Participants: RKZ (Seated with Governor Herbert & Utah Congressional  
Delegation  
Governor Gary R. Herbert (last hour)  
Senator Orrin Hatch  
Senator Mike Lee  
Rep. Rob Bishop  
Rep. Jason Chaffetz  
Rep. Chris Stewart  
Utah Attorney General Sean Reyes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Mike Mower Deputy Chief of Staff, Office of Governor Herbert  
Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert  
Jacey Skinner, General Counsel, Office of Governor Herbert  
Cody Stewart, Director of Federal Affairs, Office of Governor Herbert  
Kristen Cox, Executive Director and Senior Advisor, Office of  
Governor Herbert  
Kathleen Clarke, Director of Utah Public Lands Policy Coordinating  
Office

Mike Styler, Executive Director, Utah Department of Natural Resources  
Val Hale, Executive Director, Governor's Office of Economic Development  
Tom Adams, Director, Office of Outdoor Recreation  
Vicki Varela - Director of Utah Office of Tourism and Branding  
Aimee Edwards - Communication Director, Governor's Office of Economic Development  
Matt Sandgren, Chief of Staff, Office of Senator Hatch  
John Tanner, Legislative Director, Office of Senator Hatch  
Ed Cox, Legislative Assistant, Office of Senator Hatch  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Devin Wiser, Chief of Staff, Office of Rep. Rob Bishop  
Peter Jenks, District Director, Office of Rep. Rob Bishop  
Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Gary Webster, District Director, Office of Rep. Chris Stewart  
Laurel Price, District Director, Office of Rep. Mia Love  
Speaker Greg Hughes  
Rep. Brad Wilson  
Rep. Frances Gibson  
Rep. John Knotwell  
Rep. Keven Stratton  
Rep. Kay Christofferson  
President Wayne Niederhauser  
Senator Stuart Adams  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Senate Leadership - TBD  
Rep. Brian King, House Minority Leadership  
Rep. Joel Briscoe, House Minority Leadership  
Senator Gene Davis, Senate Minority Leadership  
Senator Karen Mayne, Senate Minority Leadership  
Greg Hartley, Chief of Staff, Utah State House of Representatives  
Ric Cantrell, Chief of Staff, Utah State Senate  
Missy Larsen, Chief of Staff, Utah Attorney General's Office  
Gary Heward, CEO, Liberty Mountain  
Bill Harmon, Goal Zero  
Joshua Bradley, Amer Sports  
Nazz Kurth, Petzl  
Amanda Covington, Vista Outdoors  
Ashley Kornblat, Western Spirit  
Don Peay, Utah Sportsmen for Fish and Wildlife

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
BLM Photographer

Press: Closed

Format: 6:00-6:30pm: Mix & Mingle  
6:30-7:00pm: Welcome by Justin Harding, Governor Herbert COS  
Blessing by Senator Orrin Hatch  
Buffet style dinner  
7:00-7:40pm: Outdoor Industry Roundtable  
7:40-7:50pm: RZK remarks  
7:50-8:00pm: Governor Gary Herbert remarks  
8:00-9:00pm: Mix & mingle

Advance: Rusty Roddy

Note: By Invitation Only

**9:00-9:10pm MDT:**

**Depart Capitol en route RON**

Location: Hampton Inn Salt Lake City-Downtown  
425 South 300 West  
Salt Lake City, UT 84101

Vehicle Manifest:

State Police Lead: (b)(6),(b)(7)(C)

Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**9:10pm MDT:**

**RON**

**Monday, May 8, 2017**

Salt Lake City, UT → Blanding, UT

**7:15-7:30am MDT:**

**Depart RON en route State Capitol Building**

Location: West Portico / Governor's Private Garage  
Utah State Capitol  
Salt Lake City, Utah 84114-2220

Vehicle Manifest:

State Police Lead:  
(b)(6),(b)(7)(C)

Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
Downey Magallanes  
Laura Rigas

Drive Time: ~10 minutes without traffic

**7:30-8:30am MDT:**

**Breakfast Meeting with Utah Federal Delegation**

Location: Governor's Conference Room

Participants: RZ



Governor Herbert  
 Senator Orrin Hatch  
 Senator Mike Lee  
 Rep. Rob Bishop  
 Rep. Jason Chaffetz  
 Rep. Chris Stewart  
 Rep. Mia Love  
 Justin Harding, Chief of Staff, Governor Herbert  
 Mike Mower, Deputy Chief of Staff, Governor Herbert  
 Paul Edwards, Deputy Chief of Staff, Governor Herbert  
 Jacey Skinner, General Counsel, Governor Herbert  
 Cody Stewart, Director of Federal Affairs, Governor Herbert  
 Ed Cox, Office of Senator Orrin Hatch  
 Matt Whitlock, Communications Director, Office of Senator Hatch  
 Alyson Bell, Chief of Staff, Office of Senator Mike Lee  
 Matt Sandgren, Chief of Staff, Office of Senator Orrin Hatch  
 Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
 Devin Wisner, Chief of Staff, Office of Rep. Rob Bishop  
 Peter Jenks, District Director, Office of Rep. Rob Bishop  
 Clay White, Legislative Director, Office of Rep. Jason Chaffetz  
 Wade Garrett, District Director, Office of Rep. Jason Chaffetz  
 Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
 Gary Webster, Chief of Staff, Office of Rep. Chris Stewart  
 Laurel Price, District Director, Office of Rep. Mia Love  
 Staff: Downey Magallanes  
 Laura Rigas  
 Press: Closed  
 Format: Continental breakfast / Utah delegation roundtable  
 Advance: Rusty Roddy  
 Note: This will be the last event participation by Senator Hatch & Senator Lee

**8:30-9:00am MDT: Board Vehicle & Depart State Capitol Building en route Division of Aeronautics // Board Planes**

Location: 135 North 2400 West  
 Salt Lake City, UT 84116

Vehicle Manifest:  
 State Police Lead: (b)(6),(b)(7)(C)  
 Secretary's Vehicle:  
 RKZ  
 (b)(6),(b)(7)(C)  
 Downey Magallanes  
 Laura Rigas

Drive Time: ~15 minutes without traffic

**9:00-10:30am MDT: Wheels Up Salt Lake City, UT en route Blanding, UT (KBDG)**

Participants: RZ  
 Flight: B200 Turboprop 8 passenger plane  
 Flight time: 1 hour, 15 minutes  
 Vehicle Manifest:

Secretary's Plane:

RKZ  
Governor Gary Herbert  
Justin Harding  
Governor's Security Detail  
Downey Magallanes  
(b)(6),(b)(7)(C)  
Rep. Rob Bishop  
Laura Rigas

Plane # 2:

Ryan Wilcox  
Ed Cox  
Wade Garrett  
Devin Wisner  
Brian Steed  
John Tanner

Note: There will be a flyover of Grand Staircase Escalante National Monument en route

**10:30-11:00pm MDT: Wheels Down Blanding, UT // Proceed to Helicopters**

Location: 212 Freedom Way  
Blanding, UT 84511

**11:00am-1:30pm MDT: Wheels Up for Black Hawk Helicopter Tour (South Portion of Monument)**

Vehicle Manifest:

Secretary's Helicopter:

RZ  
Governor Gary R. Herbert  
Rep. Rob Bishop  
Utah State Senate President Wayne Niederhauser  
(b)(6),(b)(7)(C)  
Governor's Security Detail  
Downey Magallanes  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Commissioner Rebecca Benally  
Bruce Adams, San Juan County Commissioner (Narrator)

Helicopter # 2:

Speaker Greg Hughes  
Senator David Hinkins  
Rep. Mike Noel  
Phil Lyman, San Juan County Commissioner (Narrator)  
John Tanner, Legislative Director, Office of Senator Hatch  
Devin Wisner, Chief of Staff, Office of Rep. Bishop  
Brian Steed, Chief of Staff, Office of Rep. Chris Stewart  
Laura Rigas  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Wade Garrett, Rep Chaffetz District Director

**1:30-2:30pm MDT: Depart en route Bears Ears National Monument Media Availability and Hike**

Vehicle Manifest:

State Police Lead: (b)(6),(b)(7)(C)

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

Downey Magallanes

Laura Rigas

Advance: Wadi Yakhour

Note: Box lunches will be provided for vehicles

Note: There is no cell service in the area of Bears Ears National Monument

**2:30-3:00pm MDT: Daily Media Availability**

Location: Bears Ears National Monument  
House on Fire Ruins  
South Fork of Mule Canyon (Trailhead for hike to House on Fire Ruins)

Participants: RKZ

Staff: Laura Rigas  
Heather Swift

Press: Open

Advance: Wadi Yakhour

**3:00-5:00pm MDT: Hiking Tour of Bears Ears National Monument**

Participants: RKZ  
Governor Gary Herbert  
Rep. Rob Bishop  
(b)(6),(b)(7)(C)  
Governor's Security Detail  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Commissioner Rebecca Benally  
Rep. Mike Noel  
Bruce Adams, San Juan County Commissioner  
Phil Lyman, San Juan County Commissioner  
John Tanner, Legislative Director, Office of Senator Hatch  
Devin Wisner, Chief of Staff, Office of Rep. Bishop  
Ryan Wilcox, Northern Utah Director, Office of Senator Mike Lee  
Clay White, Legislative Director, Office of Rep. Chaffetz (TBD)/Wade  
Garrett, District Director  
Ed Roberson, Utah State Director, BLM

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

Press:

Advance: Wadi Yakhour

Note: This is the last event with Governor Herbert who will be flying back to Salt Lake City

**5:00-6:00pm MST: Board Vehicles & Depart Bears Ears National Monument en route Blanding, UT**

Location: Edge of Cedar Mesa Museum  
600 W 400 N  
Blanding, UT 84511

Vehicle Manifest:  
State Police Lead: (b)(6),(b)(7)(C)  
Secretary's Vehicle:

RKZ  
(b)(6),(b)(7)(C)

Staff Vehicle:  
Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~45 minutes without traffic

**6:00-7:00pm MDT:**

**Meeting with Friends of Cedar Mesa**

Location: Edge of Cedar Mesa Museum  
Met by: Fred Hayes and Chris Hanson  
Participants: RZ

Edwin Roberson, State Director, BLM-Utah  
Lance Porter, District Manager, BLM Canyon Country District  
Don Hoffheins, Field Manager, BLM Monticello Field Office  
Mike Richardson, Acting Communications Director BLM-Utah  
Tyler Ashcroft, Bears Ears Project Manager BLM-Utah  
Josh Ewing, Executive Director, Friends of Cedar Mesa  
Amanda Podmore, Assistant Director, Friends of Cedar Mesa  
Vaughn Hadenfeldt, Board of Directors, Friends of Cedar Mesa  
Steve Simpson, Board of Directors, Friends of Cedar Mesa  
Fred Hayes, Director, Utah Division of State Parks and Recreation  
Darin Bird, Deputy Director, Utah Department of Natural Resources  
Chris Hanson, Museum Director, Edge of Cedars State Park  
Johnathan Till, Curator, Edge of Cedars State Park

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann

Press: Closed

Advance: Wadi Yakhour

Note: This is a state government building in a state park

Format: 6:00-6:10: Welcome and introductions

6:10-6:25: Abbreviated tour of museum and regional artifacts

6:25-6:30: Introduction to Friends of Cedar Mesa in Museum Library

**6:30-6:35: RZ gives brief remarks**

6:35-7:00: Information Sharing from Friends of Cedar Mesa

**6:30-7:15pm MDT:**

**Depart Edge of Cedar Mesa Museum en route Blanding Arts and Events Center**

Location: Blanding Arts and Events Center  
715 W 200 S  
Blanding, UT 84511

Vehicle Manifest:  
Secretary's Vehicle:  
RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~5 minutes without traffic

**7:30-8:30pm MDT:  
Commission**

**Dinner at Blanding Arts and Events Center Hosted by San Juan County**

Participants: RZ  
Rep. Rob Bishop  
Commissioner Bruce Adams, San Juan County  
100 Attendees  
Staff: Downey Magallanes  
Laura Rigas  
Tami Heilemann  
Press: Closed  
Advance: Wadi Yakhour

**8:30-9:00pm MDT:**

**Depart Blanding, UT en route RON**

Location: Inn at the Canyons  
533 N. Main Street  
Monticello, UT 84535

Vehicle Manifest:

State Police Lead: (b)(6), (b)(7)(C)

Secretary's Vehicle: RKZ

(b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~30 minutes without traffic

**9:00pm MDT:**

**RON**

**Tuesday, May 9, 2017**

Bears Ears National Monument → Kanab, UT

**7:30-8:15am MDT:**

**Breakfast**

**8:15-9:00am MDT:**

**Board Vehicles & Depart RON en route The Nature Conservancy's Dugout Ranch**

Location: Travel west & north past Shay Mountain

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Staff Vehicle:

Rusty Roddy  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~45 minutes without traffic

**9:00-9:05am MDT:**

**Arrive The Nature Conservancy's Dugout Ranch**

Location: Canyonlands Research Center  
Met by: Dave Livermore, Utah State Director, TNC  
Heidi Redd, Owner, Indian Creek Cattle Company  
Participants: RKZ  
Ed Roberson, Utah State Director, BLM  
Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann  
Press:  
Advance: Rusty Roddy

**9:05-9:15am MDT:**

**Welcome & Overview of Canyonlands Research Center**

Location: Canyonlands Research Center Parking Lot  
Participants: Dave Livermore, Utah State Director, TNC  
Heidi Redd, Owner, Indian Creek Cattle Company  
Sue Bellagamba, Canyonlands Regional Director, TNC  
Kristen Redd, Field Station Manager, TNC  
Matt Redd, Canyonlands Project Manager, TNC  
Mark Aagenes, Director of Government Relations, Montana TNC  
Tom Cors, Lands Director, US Government Relations, TNC

**9:15-9:20am MDT:**

**Walk to Heidi Redd's Home**

**9:20-10:05am MDT:**

**Discussion of Conservation in Indian Creek & Bear's Ears National Monument**

Location: Redd Home Back Deck  
Note: Light refreshments will be served

**10:05-10:20am MDT:**

**Walking Tour to Petroglyphs**

Note: Includes log crossing over Indian Creek

**10:20-10:35am MDT:**

**Arrive Petroglyphs for Discussion & Photo Op**

**10:35-10:55am MDT:**

**Depart Petroglyphs en route Vehicles at Canyonlands Research Center**

**10:55-11:00am MDT:**

**Board Vehicles & Depart Dugout Ranch en route Bears Ears National Monument**

**11:00am-1:30pm MDT: Travel to Bears Ears National Monument**

Location:  
Vehicle Manifest:  
Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle:

Rusty Roddy  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Note: Box lunches en route provided by San Juan County Commissioners  
Note: There is no cell service in the area of Bears Ears National Monument

**1:30-2:00pm MDT:**

**Daily Media Availability**

Location: Trailhead at Bears Ears National Monument  
Participants:  
Staff: Laura Rigas  
Heather Swift  
Press: Open  
Advance: Rusty Roddy

**2:00-6:00pm MDT:**

**Tour Monument via Horseback to Predetermined Sites**

Location:  
Participants: RKZ  
(b)(6),(b)(7)(C), Secretary Zinke Security Detail  
Ed Cox, Office of Senator Hatch  
Ryan Wilcox, Office of Senator Lee  
Justin Harding, Office of Governor Herbert  
Bruce Adams, San Juan County Commission  
Phil Lyman, San Juan County Commission  
Rebecca Benally, San Juan County Commission  
Rep. Mike Noel  
Senator David Hinkins  
4 Cowboy Support Riders  
Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Tami Heilemann  
Press: Amy Joi O'Donoghue, Environmental Reporter from the "Deseret News" out of Salt Lake City will be on ride  
Advance: Rusty Roddy  
Note: Box lunches will be provided by the San Juan County Commission

**6:30-7:15pm MDT:**

**Depart Bears Ears National Monument en route Blanding, UT**

Location:  
Vehicle Manifest:  
Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)

Staff Vehicle:  
Rusty Roddy  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~45 minutes without traffic

**7:15-7:30pm MDT: Arrive Blanding Municipal Airport // Board Planes**

**7:30-8:30pm MDT: Wheels Up Blanding, UT (KBDG) en route Kanab, UT (KKNB)**

Participants: **RZ**  
Flight: B200 Turboprop 8 passenger plane  
Flight time: 1 hour  
Vehicle Manifest:  
Secretary's Plane:  
RZ  
Downey Magallanes  
Laura Rigas  
(b)(6),(b)(7)(C)  
Justin Harding  
Rep. Mike Noel  
Brian Steed - TBD  
Rep. Chris Stewart  
Plane No. 2:  
Cody Stewart  
Ryan Wilcox  
Ed Cox  
Tami Heilemann  
TBD Zinke Staff (If Needed)  
TBD Zinke Staff (If Needed)

**8:30-8:35pm MDT: Wheels Down Kanab Municipal Airport // Proceed to Vehicles**

Location: 2378 US-89A  
Kanab, UT 84741

**8:35-8:45pm MDT: Depart Kanab Municipal Airport en route RON**

Location: Comfort Suites Kanab  
150 West Center Street  
Kanab, UT 84741

Vehicle Manifest:  
Secretary's Vehicle:  
RKZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C) / (b)(6),(b)(7)(C)

Staff Vehicle:  
Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~5 minutes without traffic

**8:45pm RON**

**Wednesday, May 10, 2017**

Kanab, UT → Grand Staircase-Escalante National Monument → Salt Lake City, UT

**7:50-8:00am MDT: Depart RON en route Kane County Water Conservancy District**

Location: 190 W Center Street # 200



Kanab, UT 84741

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Downey Magallanes

Laura Rigas

Tami Heilemann

Drive Time: ~5 minutes without traffic

**8:00-9:30am MDT: Breakfast Meeting with Kane and Garfield County Commissioners and Area Legislators**

Location: Kane County Water Conservancy District

Participants: RZ

BLM Staff

Rep. Chris Stewart

Rep. Mike Noel

Brian Steed, Chief of Staff, Office of Chris Stewart

Gary Webster, District Director, Office of Chris Stewart

Justin Harding, Chief of Staff, Office of Governor Herbert

Jacey Skinner, General Counsel, Office of Governor Herbert

Paul Edwards, Deputy Chief of Staff, Office of Governor Herbert

Adam Stewart, Natural Resources Committee, Office of Rep. Bishop

Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch

Ed Cox, Legislative Assistant, Office Senator Hatch

Dirk Clayson, Kane County Commissioner

Jim Matson, Kane County Commissioner

Lamont Smith, Kane County Commissioner

Leland Pollock, Garfield County Commissioner

David Tebbs, Garfield County Commissioner

Jerry Taylor, Garfield County Commissioner

Press: Closed

Staff: Downey Magallanes

Heather Swift

Laura Rigas

Tami Heilemann

Advance: Wadi Yakhour

Note: Breakfast provided by the Kane County Commission

**9:30-10:30am MDT: Depart Breakfast en route Big Water, UT**

Location:

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour  
Downey Magallanes  
Laura Rigas  
Tami Heilemann

Drive Time: ~1 hour without traffic

**10:30-12:30pm MDT: Driving Tour of Portions of Grand Staircase-Escalante National Monument**

Location:

Participants: RZ  
BLM Staff  
Rep. Chris Stewart  
Rep. Mike Noel  
Senator David Hinkins  
Brian Steed, Chief of Staff, Office of Chris Stewart  
Gary Webster, District Director, Office of Chris Stewart  
Justin Harding, Chief of Staff, Office of Governor Herbert  
Ron Dean, Central and Eastern Utah Director, Office of Senator Orrin Hatch  
Ed Cox, Legislative Assistant, Office Senator Hatch  
Dirk Clayson, Kane County Commissioner  
Jim Matson, Kane County Commissioner  
Lamont Smith, Kane County Commissioner  
Leland Pollock, Garfield County Commissioner  
David Tebbs, Garfield County Commissioner  
Jerry Taylor, Garfield County Commissioner  
Ed Roberson, Utah State Director, BLM

Staff: Downey Magallanes  
Laura Rigas  
Tami Heilemann

Press:

Advance: Wadi Yakhour

Note: Three Kane County Commissioners & Downey will join RKZ in his vehicle for first hour of tour & Three Garfield County Commissioners & Downey will join RKZ in his vehicle for the second hour of the tour

**12:30-1:30pm MDT: Lunch and Walking Tour**

Location: Top of Kaiparowits Plateau

Participants:

Staff: Downey Magallanes  
Laura Rigas  
Tami Heilemann

Advance: Wadi Yakhour

Note: Lunch provided by the Kane County Commission

**1:30-3:30pm MDT: State Helicopter Tour of Grand Staircase-Escalante National Monument**

Location:

Helicopter Manifest: RZ  
Downey Magallanes

(b)(6), (b)(7)(C)

Justin Harding, Chief of Staff, Office of Governor Herbert

**4:00-5:30pm MDT: Depart Grand Staircase-Escalante National Monument en route Paria Townsite**

Location:

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Downey Magallanes

Laura Rigas

Tami Heilemann

Drive Time: ~xx hour without traffic

**5:30-6:00pm MDT: Daily Media Availability**

Location: Paria Townsite

Participants:

Staff: Laura Rigas

Heather Swift

Advance: Wadi Yakhour

**6:00-6:45pm MDT: Depart Paria Townsite en route Kanab, UT**

Location:

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Downey Magallanes

Laura Rigas

Tami Heilemann

Drive Time: ~xx hour without traffic

**7:00-8:00pm MDT: Wheels Up Kanab, UT (KKNB) en route Salt Lake City, UT (SLC)**

Participants: **RZ**

Flight: B200 Turboprop 8 passenger plane

Flight time: 1 hour

Vehicle Manifest:

Secretary's Plane:

RZ

Laura Rigas

(b)(6), (b)(7)(C)

Justin Harding

Rep. Chris Stewart

Brian Steed - TBD

Ed Cox

Plane No. 2:

Ryan Wilcox

Heather Swift

Wadi Yakhour

Rep. Mike Noel

**8:00-8:15pm MDT: Wheels Down Salt Lake City, UT // Proceed to Vehicles**

Location:

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) / (b)(6),(b)(7)(C)

Staff Vehicle:

Wadi Yakhour

Downey Magallanes

Laura Rigas

Tami Heilemann

Drive Time: ~xx hour without traffic

**8:15-x:xxpm MDT: Dinner TBD**

**x:xx-x:xxpm MDT: Depart Dinner en route RON**

Location: Holiday Inn Express & Suites Salt Lake City-Airport East  
200 North 2100 West  
Salt Lake City, UT 84116

Vehicle Manifest:

Secretary's Vehicle:

Staff Vehicle:

Drive Time: ~xx minutes without traffic

**x:xxpm MDT: RON**

**Thursday, May 11, 2017**

Salt Lake City, UT → San Diego, CA

**TBD-TBDam MDT: Depart RON en route Salt Lake City International Airport**

Location:

Vehicle Manifest:

Secretary's Vehicle:

Staff Vehicle:

Drive Time: ~xx hour without traffic

**TBDam MDT-**

**TBDpm PDT:**

**Wheels up Salt Lake City, UT (SLC) en route San Diego, CA (SAN)**

Flight:

Flight time:

RZ Seat:

AiC:

Staff:

*NOTE: TIME ZONE CHANGE MDT to PDT (-1 hours)*

**TBD-TBDpm PDT:**

**Wheels Down San Diego International Airport**

Location: 3225 North Harbor Drive  
San Diego, CA 92101

**TBD-TBDpm PDT:**      **Depart San Diego International Airport en route RON**  
Location:  
Vehicle Manifest:  
Drive Time:      ~xx minutes without traffic

**7:30-9:00pm PDT:**      **Keynote Remarks at the RNC Spring Meeting Dinner**  
Location:      Crown Room  
Main Victorian Building  
Hotel del Coronado  
1500 Orange Avenue  
Coronado, CA 92118  
Note:      8:15 remarks

**9:00pm PDT:**      **RON**

**Friday, May 12, 2017**  
San Diego, CA → Billings, MT

**TBD-TBDam MDT:**      **Depart RON en route San Diego Airport**  
Location:  
Vehicle Manifest:  
Secretary's Vehicle:  
Staff Vehicle:  
Drive Time:      ~xx hour without traffic

**6:15am PDT-**  
**9:15pm MDT:**      **Wheels up San Diego, CA (SAN) en route Salt Lake City, UT (SLC)**  
Flight:      Delta 2872  
Flight time:  
RZ Seat:  
AiC:  
Staff:  
*NOTE:      TIME ZONE CHANGE PDT to MDT (+1 hours)*

**9:15-11:00am MDT:**      **Layover in Salt Lake City, UT // 1 hour, 45 minute layover**

**11:00am MDT-**  
**12:29pm MDT:**      **Wheels up Salt Lake City, UT (SLC) en route Billings, MT (BIL)**  
Flight:  
Flight time:  
RZ Seat:  
AiC:  
Staff:

**12:29-1:15pm MDT:**      **Wheels down Billings, MT // Eat Snack at Airport // Proceed to Vehicles**  
Location:  
Note:      VPOTUS lands at 1:00pm MDT

**1:15-2:45pm MDT:**      **Depart Billings, MT en route Hardin, MT**  
Location:  
Vehicle Manifest:  
Secretary's Vehicle:

Staff Vehicle:

Drive Time: ~xx hour without traffic

- 2:45-2:50pm MDT: Arrive at Westmoreland Coal Company**  
Location:  
Participants:  
Staff:  
Advance:
- 2:50-3:45pm MDT: Tour of Westmoreland Coal Company Property on Horseback**  
Location:  
Participants:  
Staff:  
Advance:
- 3:45-4:00pm MDT: Conclude Tour // Proceed to Roundtable Discussion**
- 4:00-4:30pm MDT: Roundtable with Tribal Leaders & Absaloka Mine Energy Producers**  
Location:  
Participants:  
Staff:  
Advance:
- 4:30-4:35pm MDT: Conclude Roundtable // Proceed to Vehicles**
- 4:35-6:00pm MDT: Depart Hardin, MT en route Billings, MT**  
Location:  
Vehicle Manifest:  
Secretary's Vehicle:  
Staff Vehicle:  
Drive Time: ~xx hour without traffic
- 6:00-7:00pm MDT: Rally for Greg Gianforte, Candidate for MT-AL**  
Location: MetraPark Arena  
308 6th Avenue North  
Billings, MT 59101  
Participants:  
Staff: None  
Advance: None  
Format: RZ remarks at 6:18PM  
VPOTUS remarks at 6:35PM

**To:** Katharine MacGregor[katharine\_macgregor@ios.doi.gov]  
**Cc:** jcmoran@blm.gov[jcmoran@blm.gov]  
**From:** John Ruhs  
**Sent:** 2017-07-06T18:45:05-04:00  
**Importance:** Normal  
**Subject:** Fwd: Map  
**Received:** 2017-07-06T18:54:19-04:00  
[ATT00001.htm](#)  
[CSNM Expansion 070617 \(1\).pdf](#)

FYI- please let me know if it does not meet your need.

John F. Ruhs  
Deputy Director, Acting  
Bureau of Land Management  
O - 202-208-3801  
C - 307-214-5271  
Sent from my iPhone

Begin forwarded message:

**From:** "Mali, Peter" <[pmali@blm.gov](mailto:pmali@blm.gov)>  
**To:** John Ruhs <[jruhs@blm.gov](mailto:jruhs@blm.gov)>  
**Cc:** Nikki Moore <[nmoore@blm.gov](mailto:nmoore@blm.gov)>, "McAlear, Christopher" <[cmcalear@blm.gov](mailto:cmcalear@blm.gov)>  
**Subject:** Re: Map

John:

Attached please find a revised version of the map of Cascade-Siskiyou National Monument. WO-400 and BLM-OR did a great job producing this map, which I believe is what Kate is looking for. Please send to Kate at your convenience (or let me know if for whatever reason you'd like me to do so).

Peter

Peter Mali  
Acting Chief of Staff  
Bureau of Land Management  
Office: (202) 208-4586  
Mobile: (202) 503-7460

On Wed, Jul 5, 2017 at 3:14 PM, John Ruhs <[jruhs@blm.gov](mailto:jruhs@blm.gov)> wrote:

Peter,

Could you work with Nicki to get a map to Jill Moran for Kate that shows the O&C lands

in the Cascade Siskyou NM? We need to show the O&C in the original designation and in the expansion.

Thanks.

John

John F. Ruhs  
Deputy Director, Acting  
Bureau of Land Management  
O - 202-208-3801  
C - 307-214-5271  
Sent from my iPhone

Begin forwarded message:

**From:** "MacGregor, Katharine"  
<[katharine\\_macgregor@ios.doi.gov](mailto:katharine_macgregor@ios.doi.gov)>  
**Date:** July 5, 2017 at 2:55:56 PM EDT  
**To:** John Ruhs <[jruhs@blm.gov](mailto:jruhs@blm.gov)>, Jill Moran <[jcmoran@blm.gov](mailto:jcmoran@blm.gov)>  
**Subject:** Map

Do we have a map of O&C with the national monument?

--

Kate MacGregor  
1849 C ST NW  
Room 6625  
Washington DC 20240

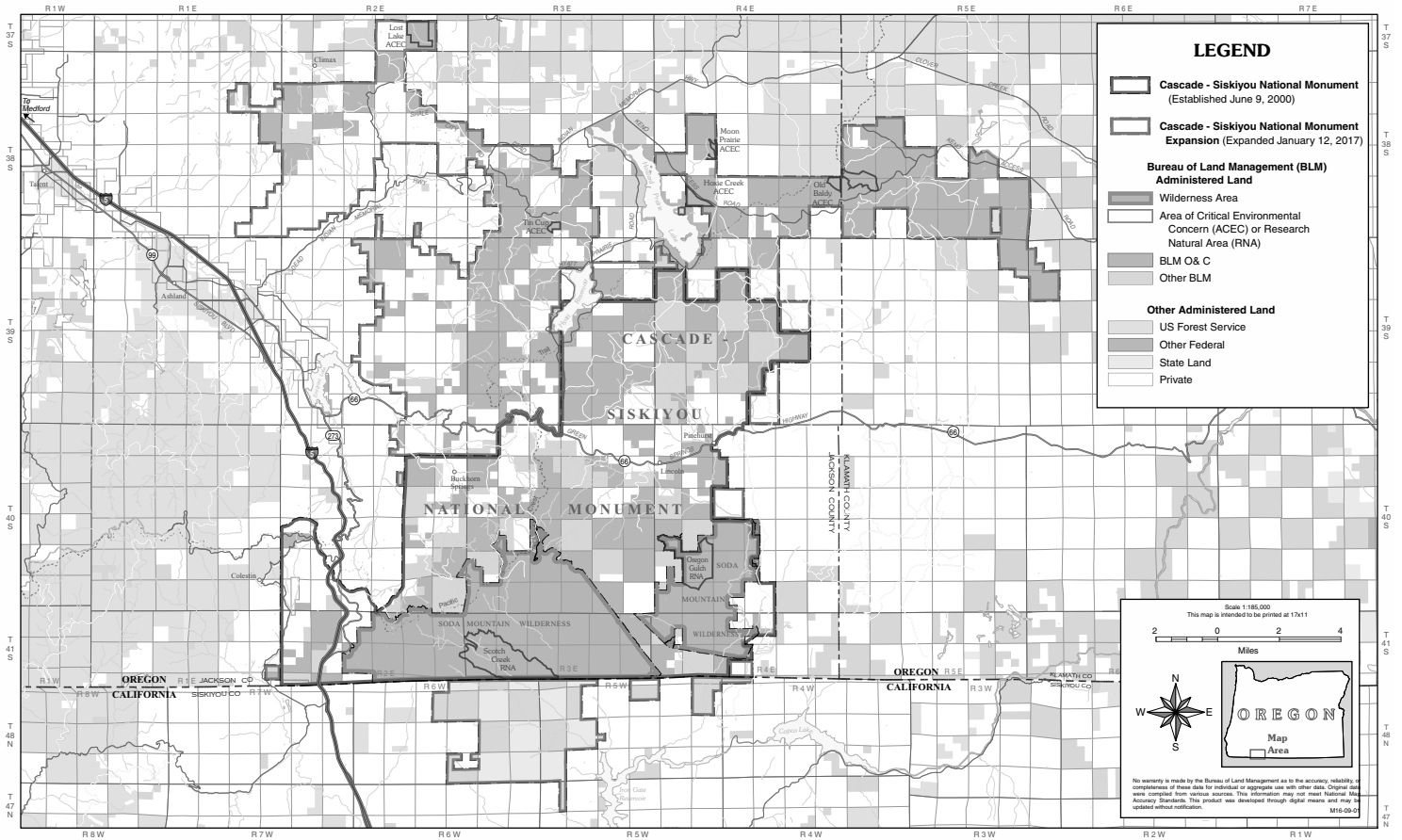
202-208-3671 (Direct)





# CASCADE-SISKIYOU NATIONAL MONUMENT EXPANSION

July 6, 2017



### LEGEND

- Cascade - Siskiyou National Monument (Established June 9, 2000)
- Cascade - Siskiyou National Monument Expansion (Expanded January 12, 2017)
- Bureau of Land Management (BLM) Administered Land**
  - Wilderness Area
  - Area of Critical Environmental Concern (ACEC) or Research Natural Area (RNA)
  - BLM O & C
  - Other BLM
- Other Administered Land**
  - US Forest Service
  - Other Federal
  - State Land
  - Private

Scale 1:185,000  
This map is intended to be printed at 17x11

Miles

OREGON  
Map Area

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification. M16-09-02



**To:** Williams Timothy[timothy\_williams@ios.doi.gov]  
**From:** Caroline Boulton  
**Sent:** 2017-06-05T15:26:02-04:00  
**Importance:** Normal  
**Subject:** POCs in Maine  
**Received:** 2017-06-05T15:26:10-04:00  
[ATT00001.txt](#)  
[Secretary Zinke Visit to Katahdin Woods and Waters.docx](#)

Sent from my iPhone

## Secretary Zinke Visit to Katahdin Woods and Waters

14 and 15 June 2017

Approximately 8 in the immediate party – Secretary; 5 staff; 2 security

Press Corps – number unknown

13 June

Party arrives in the Bangor area from New Hampshire and spends the night.

14 June

**8 AM** - Leave Bangor and drive to Medway, Maine. Exit 244 on I-95 – turn left and cross over the Interstate and then there is a gas station with a Park and Ride parking area on the right.

Meet press, Lucas St. Clair, Elliottsville Plantation, and Tim Hudson, Katahdin Woods and Waters National Monument, at the Park and Ride. Arrive by 9:30 AM.

**9:45 AM** - Utilize no more than two vehicles and leave the Park and Ride around 9:45 AM. The vehicles need to have lunches, water and snacks in them.

Drive on Highway 11 – known as the Grindstone, but also a State Scenic Byway, for 20 miles.

**10:30 AM** - Access the Swift Brook to go into the Katahdin Woods and Waters National Monument. Stops on the way to the Katahdin Loop Road.

**11:30 AM** - Enter the 17 mile Katahdin Loop Road, with stops.

**Noon to 12:45 PM** - Lunch at the scenic viewpoint at Milepost 6.

**12:45 PM** - Continue on Katahdin Loop Road with options for a stop to climb Barnard Mountain or to go to Orin Falls on the Wassataquoik Stream. Multiple stops

**3:00 PM** - Finish the loop road and drive to Lunksoos

**4:00 PM** – Arrive Lunksoos area and canoe on the East Branch of the Penobscot River

**5:30 PM** - Press leave after the canoe trip.

**6:00 PM** - Rest of the party stays at Lunksoos Camps for the night. Dinner will be at Lunksoos. Suggest that it be catered – Twin Pines is an option to do this. Accommodations are cabins with sleeping bags. There is a shower house and vault toilets.

**Evening** - Continue discussions after dinner around the campfire.

15 June - Day to be arranged by the Secretary's Office

**7:00 AM** - Coffee, tea and leave Lunksoos for breakfast and the day's meetings.

**8:00 AM** - In the Millinocket area for breakfast meetings with press and groups. Venues like this are limited. One venue that is often utilized is at Twin Pines, a full service lodge, which is about 8 miles from Millinocket. It takes a short hour to get there from Lunksoos camps. They could also cater at Lunksoos the night before.

We understand that the Secretary wants to meet with specific groups, the Chamber of Commerce, legislators, towns, and business folks in the area as well as on snowmobiling and sportsmen. The entire monument is in Penobscot County, as are most of the towns. Sherman is in Aroostook County.

The following may be helpful in the planning:

**Katahdin Chamber of Commerce** – represents the towns around the monument – the office is in Millinocket - 207-723-4433. They would probably be the best contact to talk with local businesses. The president of the Chamber is Gail Fanjoy.

**Twin Pines (New England Outdoor Center)** – 207 723-5438. Owner is Matt Polstein.

Towns

**Patten Town office – 207 528-2215**

**East Millinocket Town Office – 207 746-9531**

**Medway Town Office – 207 746-3551**

**Millinocket Town Office – 207 723-7007**

These are the most active towns – to get all of the towns in the area, you would need to include Mt. Chase, Sherman, and Stacyville.

Legislators for adjacent towns

**Stephen Stanley (State Representative) – East Millinocket, Millinocket, Medway, Patten**

**Michael Carpenter (State Senator) – Mt. Chase, Patten, Sherman, Stacyville**

**James Dill (State Senator) – East Millinocket, Millinocket, Medway**

**Chris Johansen (State Representative) – Mt. Chase, Sherman, Stacyville**

Snowmobile Clubs that groom Monument Roads and are familiar with the local issues

**Twin Pines – Matt Polstein (b)(6)**

**Bowlin/Matagamon/Shin Pond – Terri Hill – 207 528-2900**

**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Rusty Roddy[russell\_roddey@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]  
**Cc:** ryanzinke [REDACTED] (b)(6)  
**From:** Thiele, Aaron  
**Sent:** 2017-06-12T23:47:21-04:00  
**Importance:** Normal  
**Subject:** Travel Briefing Binder June 13  
**Received:** 2017-06-12T23:47:24-04:00  
[0613 Pittman-Robertson Grants Round Table Memo.pdf](#)  
[Schedule June 13.pdf](#)  
[0613 Advance Memo.pdf](#)  
[0613 Dinner with Governor LePage Memo.pdf](#)  
[0613 Meeting with Governor Chris Sununu.pdf](#)  
[0613 National Congress of American Indians Memo.pdf](#)

All the attached documents are pdf versions of the contents of the Secretary's travel briefing binder for June 13.

best,  
Aaron



**United States Department of the Interior**

Washington, D.C. 20240

**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**DATE:** June 13, 2017      **TIME:** 2:30pm - 3:30pm

**FROM:** Tim Williams, Deputy Director of External Affairs

**SUBJECT:** Pittman-Robertson Grants Round Table

---

**I. STATEMENT OF PURPOSE**

To hear and meet with State Wildlife Directors and Sportsmen. To listen to their successes interactions and challenges with the Department.

**II. BACKGROUND**

Facilitator: Ron Regan is the Executive Director with Association of Fish & Wildlife Agencies. Ron has put together the round table and has invited several State Wildlife Directors to the meeting.

The Association of Fish & Wildlife Agencies represents North America's fish and wildlife agencies to advance sound, science-based management and conservation of fish and wildlife and their habitats in the public interest.

Martin MacDonald is the Director of Conservation for Bass Pro shops and will be hosting the event. Bob Pope is the manager of the local store.

Bass Pro Shops Founded in 1972 by avid young angler Johnny Morris, Bass Pro Shops is a leading national retailer of outdoor gear and apparel, with 100 stores and Tracker Marine Centers across North America. Johnny started the business with eight-square-feet of space in the back of his father's liquor store in Springfield, Mo., the company's sole location for the first 13 years of business.

Johnny's passion for the outdoors and his feel for the products and shopping experiences desired by outdoor enthusiasts helped transform the industry. Bass Pro Shops locations are more than just stores — they are true destination experiences that draw more than 120 million visitors annually. Each location is heavily customized to reflect the character of the region. In addition to giant aquariums teeming with live fish and extensive wildlife mounts and dioramas, many locations feature unique restaurants and ocean-themed bowling alleys.





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### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

### III. DISCUSSION

DOI will announce \$1.1 billion to states this year from excise taxes on firearms, ammunition, fishing tackle and some motor boat engines. This is the bulk of the funding that states use for their state wildlife agencies (along with hunting license fees). Money also goes towards hunter education, archery programs in schools and other education programs. The states love this, hunters love this (because they benefit directly from the taxes they pay), conservation community loves this (funds that benefit game species also benefit non-game species), and industry is mostly on board. One item to flag: Small mom-and pop ammunition and fishing tackle manufacturers don't like it because it's an additional tax and their margins are very fine.

### PROGRAM BACKGROUND

- The Wildlife Restoration program (enacted in 1937) and the Sport Fish Restoration Program (enacted in 1950) provide grants to State fish and wildlife agencies for conservation, recreation, and education projects.
- The programs have a long record of success in restoring wildlife (such as deer, elk, and turkey) and fish (such as striped bass, lake trout, and walleye) to benefit hunting and sport fishing.
- The programs are funded by Federal excise taxes on firearms, ammunition, archery gear, and fishing tackle. A portion of the Federal gasoline tax is also dedicated to the Sport Fish Restoration program.
- The U.S. Fish and Wildlife Service (FWS) receives the funds from the Federal tax collecting agencies and disburses the funds to State agencies through grants.
- To date, the Wildlife Restoration program has provided \$10.7 billion, and the Sport Fish Restoration program has provided \$9 billion in grants to State agencies. States provide matching funds for 25% of the cost of each project.
- The programs are often referred to by the Congressional sponsors of the legislation: Wildlife Restoration is the “Pittman-Robertson” or P-R program, and Sport Fish Restoration is the “Dingell-Johnson” or D-J program. Sport Fish Restoration may also be called “Wallop-Breaux” in recognition of major changes made by Congress in 1984 amendments.
- The Federal laws that enacted the programs also protect revenues from State hunting and fishing licenses. In order to receive grants, a State must legally dedicate license revenues to operating the State fish and wildlife agency. License funds may not be diverted to other uses.
- The Wildlife Restoration program also funds Hunter Education projects to promote safe, responsible hunting.
- The Sport Fish Restoration program also funds projects for Boating Access and Aquatic Resource Education to provide access to public waters and to promote awareness and responsible use of aquatic resources.



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- For 2017 FWS has made available (“apportioned”) \$780 million from the Wildlife Restoration program and \$349.4 million from the Sport Fish Restoration program.
- The amount of funds for each State are calculated according to the law, using the area of the State and the number of hunting and fishing license holders. The laws set maximums and minimums that a State may receive, and set a specific percentage for each territory.
- The 50 States and 6 Territories eligible to receive grants have been formally notified of the amounts available to each of them in 2017.
- States and Territories are in the process of submitting their 2017 grant applications for eligible activities and once approved they will begin spending against those grants.

#### 2017 Allocations:

State	Wildlife Restoration	Sport Fish Restoration	Total by State
ALABAMA	\$19,083,685	\$6,116,273	\$25,199,958
ALASKA	\$32,969,429	\$17,472,142	\$50,441,571
AMERICAN SAMOA	\$1,299,808	\$1,164,810	\$2,464,618
ARIZONA	\$21,858,466	\$7,222,346	\$29,080,812
ARKANSAS	\$13,272,093	\$5,307,066	\$18,579,159
CALIFORNIA	\$25,602,136	\$16,639,859	\$42,241,995
COLORADO	\$19,418,582	\$8,904,070	\$28,322,652
CONNECTICUT	\$5,702,335	\$3,494,429	\$9,196,764
DELAWARE	\$4,652,531	\$3,494,429	\$8,146,960
DISTRICT OF COLUMBIA	\$0	\$1,164,810	\$1,164,810
FLORIDA	\$13,978,911	\$12,061,750	\$26,040,661
GEORGIA	\$22,240,949	\$7,739,368	\$29,980,317
GUAM	\$1,299,808	\$1,164,810	\$2,464,618
HAWAII	\$4,652,531	\$3,494,429	\$8,146,960



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IDAHO	\$15,029,712	\$6,306,913	\$21,336,625
ILLINOIS	\$16,115,520	\$6,638,177	\$22,753,697
INDIANA	\$13,302,902	\$4,618,560	\$17,921,462
IOWA	\$11,333,962	\$4,409,755	\$15,743,717
KANSAS	\$14,334,290	\$4,986,561	\$19,320,851
KENTUCKY	\$13,914,162	\$5,279,458	\$19,193,620
LOUISIANA	\$15,525,062	\$6,782,536	\$22,307,598
MAINE	\$7,964,547	\$3,494,429	\$11,458,976
MARYLAND	\$7,545,171	\$3,494,429	\$11,039,600
MASSACHUSETTS	\$7,664,947	\$3,494,429	\$11,159,376
MICHIGAN	\$24,198,482	\$10,655,795	\$34,854,277
MINNESOTA	\$22,971,924	\$12,435,934	\$35,407,858
MISSISSIPPI	\$11,956,397	\$3,977,456	\$15,933,853
MISSOURI	\$20,756,674	\$7,830,320	\$28,586,994
MONTANA	\$20,611,646	\$8,487,572	\$29,099,218
N. MARIANA ISLANDS	\$1,299,808	\$1,164,810	\$2,464,618
NEBRASKA	\$12,495,645	\$4,417,418	\$16,913,063
NEVADA	\$13,697,843	\$5,015,139	\$18,712,982
NEW HAMPSHIRE	\$4,652,531	\$3,494,429	\$8,146,960
NEW JERSEY	\$7,664,947	\$3,494,429	\$11,159,376
NEW MEXICO	\$15,467,517	\$6,107,387	\$21,574,904
NEW YORK	\$20,341,226	\$7,789,942	\$28,131,168
NORTH CAROLINA	\$20,734,869	\$10,254,475	\$30,989,344
NORTH DAKOTA	\$11,170,517	\$4,109,507	\$15,280,024
OHIO	\$16,188,100	\$7,026,463	\$23,214,563
OKLAHOMA	\$17,845,424	\$7,132,510	\$24,977,934



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OREGON	\$17,345,633	\$7,859,652	\$25,205,285
PENNSYLVANIA	\$27,913,408	\$8,465,762	\$36,379,170
PUERTO RICO	\$3,397,357	\$3,494,429	\$6,891,786
RHODE ISLAND	\$4,652,531	\$3,494,429	\$8,146,960
SOUTH CAROLINA	\$10,497,258	\$4,982,441	\$15,479,699
SOUTH DAKOTA	\$13,394,017	\$4,446,667	\$17,840,684
TENNESSEE	\$22,484,134	\$7,521,206	\$30,005,340
TEXAS	\$35,981,845	\$17,472,142	\$53,453,987
UTAH	\$14,206,094	\$6,381,191	\$20,587,285
VERMONT	\$4,652,531	\$3,494,429	\$8,146,960
TENNESSEE	\$22,484,134	\$7,521,206	\$30,005,340
TEXAS	\$35,981,845	\$17,472,142	\$53,453,987
UTAH	\$14,206,094	\$6,381,191	\$20,587,285
VERMONT	\$4,652,531	\$3,494,429	\$8,146,960
VIRGIN ISLANDS	\$1,299,808	\$1,164,810	\$2,464,618
VIRGINIA	\$13,854,774	\$5,114,271	\$18,969,045
WASHINGTON	\$14,726,685	\$7,117,637	\$21,844,322
WEST VIRGINIA	\$8,126,275	\$3,494,429	\$11,620,704
WISCONSIN	\$23,095,485	\$11,363,809	\$34,459,294
WYOMING	\$13,588,772	\$5,236,112	\$18,824,884
TOTAL	\$780,031,696	\$349,442,840	\$1,129,474,536

**IV. ATTACHMENTS**

Hooksett, NH Bass Pro Shop meeting with Sec. Zinke  
Attendees List 6/13/2017



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Paul Debow	Pres. NH Trappers Assoc.
Roland Turgeon	Pres. Androscoggin Valley F&G Assoc.
Kim Proulx	NH F&G Dept. Becoming an Outdoor Woman Coordinator
Allison Keating	NH F&G Dept. Assist. Federal Aid Coordinator, NH Turkey Federation
Mark Beauchesne	NH F&G Dept. Marketer / Event coordinator - Manager
Roscoe Blaisdell	NH Antler and Skull Trophy Club
Richard Simmons	Sportsman, Professional Fisheries Biologist, Normandeau Assoc., Inc.
William Carney	Sportsman, Outdoor Writer
Jim Morse	Pres. NH Wildlife Federation, Gun & Archery Shop Owner
Richard Olsen	Pres. Londonderry Fish & Game Club
Peter St. James	Sportsman, Radio Personality
Tom Caron	Pres. NH Guides Assoc., Owner Tall Timbers Lodge
Ted Tichy	Chair, NH F&G Commission, Forester
Krista Belanger	Sportswoman, Pointers F&G Club
Greg Belanger	Pres. Pointers F&G Club
Matt Dibona	National Wild Turkey Federation Regional Biologist
Fred Bird	National Wild Turkey Federation Regional Director
Steve White	Chair, NH Wildlife Heritage Foundation
Joe Judd	Quaker Boy Rep & Bass Pro Shops Pro Staff
Burr Tupper	Pres. International Federation of Fly Fishers
Ron Sowa	Pres. Trout Unlimited Merrimac Valley Chapter
Dean Vanier	Northwood's Common Scents owner, Ten Point, PSE & Whitetails
Unlimited Pro	
Alex Cote	Director, NH Quality Deer Management Assoc.
John Wimsatt	Sportsman, NH Fish & Game Major (ret.)
Steve Matulewicz	Ex. Director for Global Defense, Sig Sauer
Jessie Tichko	Becoming an Outdoor Woman Volunteer
Hope Eagleson	NH Guide, Bass Pro Shops Pro Staff
Bob Boilard	Defensive Strategies, Londonderry Fish & Game Club Director
Gregg Ritz	Professional Adventure Hunter
Wes Reed	Rise & Shine Retrievers
Gene Chandler	Sportsman, Deputy Speaker, NH House (if available pending Committee of conf.)

#### State Leaders

Nick Wiley, Florida (President of AFWA)

Glenn Normandeau, New Hampshire (Chair of the AFWA Board)

Cathy Sparks, Rhode Island

Jack Buckley, Massachusetts

Judy Camuso, Maine

Alvin Taylor, South Carolina



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Larry Voyles, Arizona

Ron Regan, AFWA

Bass Pro

Martin MacDonald

Bob Pope

## **Conserving New Hampshire's Wildlife Legacy – Funding Wildlife Research & Connecting People with Nature**

Pittman-Robertson Wildlife Restoration grants administered by the U.S. Fish and Wildlife Service have provided a sustained funding source to New Hampshire Fish and Game Department for research, monitoring and management of many species of wild birds and mammals. The biological needs and habitat requirements for species such as black bear, white-tailed deer, wild turkey and moose have been researched and management programs implemented to ensure the sustainability of these species that are important to the people of New Hampshire. These funds are also important in the management of migratory ducks and geese, secretive species like river otter, bobcat and fisher. All these species populations have grown since the inception of the Wildlife Restoration Act decades ago. Some of these species provide opportunity for the public to harvest them for food statewide, with tens of thousands of people participating annually. New Hampshire Fish and Game Department expends more than \$840,000 in these Federal funds annually on this important work. Since its inception in 1937 the Wildlife Restoration Act has provided more than \$53.43 million in federal funds to New Hampshire Fish and Game to achieve its conservation mission. These projects embody the outstanding conservation programs that state fish and wildlife agencies bring to communities by conserving and managing important wildlife species, providing habitat for fish and wildlife, providing places for the public to connect with nature while participating in fish and wildlife oriented activities like hunting and angling. This work is supporting local communities whose economies benefit from these activities.

### **Aquatic Resources Education Programs in New Hampshire**

The New Hampshire Fish and Game Department uses Dingell-Johnson Sport Fish Restoration grant funds administered by the U.S. Fish and Wildlife Service to fund their aquatic resources education program. In 2016 the New Hampshire Fish and Game Department delivered 60 Lets Go Fishing courses (Ice Fishing, Fly Tying, Kayak Fishing, Fly Fishing and Basic Fishing) to Schools, Parks and Recreation Departments, Scout Groups, 4H and Becoming an Outdoors-Woman program with nearly 2000 participants in total. In 2013, bass fishing became an official high school sport in New Hampshire and is supported by the New Hampshire Fish and Game Department, along with New Hampshire B.A.S.S. Nation, New Hampshire Bass Federation and Bass Pro Shops. The Dingell-Johnson Sport Fish Restoration program has



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provided funding to educate children in New Hampshire schools about fishing and aquatic resources, and to teach families to fish and enjoy the outdoors. As residents take up angling and boating they help fund the future of fishing in the United States.

## **Establishment and Management of Public Water Access Sites in New Hampshire**

The New Hampshire Fish and Game Department uses Dingell-Johnson Sport Fish Restoration Grant funds administered by the U.S. Fish and Wildlife Service to create and operate 143 public boating and fishing water access facilities located on coastal waters and freshwater rivers, lakes and ponds. These access sites provide opportunities for the public to safely fish, boat and enjoy New Hampshire's waterways. In 2012, the New Hampshire Fish and Game Department used \$755,000 in Sport Fish Restoration funds and \$433,750 in state funds to purchase Downing's Landing, an existing private boat access facility on Lake Winnepesaukee in Alton, NH. This acquisition created the first state-owned and controlled public boat ramp with on-site parking on New Hampshire's largest and arguably most popular lake. The public who use this facility enjoy free access to premier fishing for landlocked salmon, lake trout, rainbow trout, largemouth bass and smallmouth bass, and local businesses experience economic gains from increased tourism and spending by anglers and boaters.

## **Expansion of State Wildlife Management Areas in New Hampshire**

During the last five years, New Hampshire Fish and Game Department has used \$1,827,100 in Pittman-Robertson Wildlife Restoration funds administered by the U.S. Fish and Wildlife Service and \$883,200 in state funds to protect approximately 3,400 acres of land that provides new opportunities and access for hunting, fishing, outdoor recreation, and wildlife habitat protection. A specific example is the addition of a 97 acre parcel along the Upper Ammonoosuc River that provides public river access and is good habitat for the American woodcock. This location has been a favorite hunting spot for woodcock and white-tailed deer and, as with all Wildlife Management Areas held by the New Hampshire Department of Fish and Game, is open to public access for hunting, fishing, trapping, wildlife viewing, and other compatible uses. Many of these acquisitions have expanded public access in the southern portion of the state that previously contained only 25% of the state's protected lands, and where the density of hunters, anglers, and wildlife watchers is greatest. For example, the state expanded the Ellis Hatch and McDaniel's Marsh Wildlife Management Areas by 400 acres and 65 acres, respectively. In total, New Hampshire has 90 Wildlife Management Areas providing approximately 53,000 acres of public land. These projects embody the vision of the Pittman-Robertson Wildlife Restoration



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Program by conserving wildlife populations and providing places for the public to hunt, fish, and connect with nature.





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**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**DATE:** June 13, 2017      **TIME:** 10:00am - 10:50am EDT

**FROM:** Aaron Thiele

**SUBJECT:** National Congress of American Indians Mid-Year Conference

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**I. STATEMENT OF PURPOSE**

The Secretary will give remarks at the National Congress of American Indians Mid-year Conference. NCAI is the oldest and largest American Indian and Alaska Native organization serving the broad interests of tribal governments and communities.

As a non-profit organization, NCAI advocates for a bright future for generations to come by taking the lead to gain consensus on a constructive and promising vision for Indian Country. The organization's policy issues and initiatives are driven by the consensus of our diverse membership, which consists of American Indian and Alaska Native tribal governments, tribal citizens, individuals, and Native and non-Native organizations.

**II. BACKGROUND**

NCAI is organized as a representative congress of American Indians and Alaska Natives that serves to develop consensus on national priority issues that impact tribal sovereignty. American Indian and Alaska Native governments pass resolutions to become members of NCAI, selecting official delegates to the NCAI Executive Council, Mid-Year Conference, and Annual Convention. During these events, delegates consider issues of pressing concern in accordance with their governments' policies, goals, and needs. NCAI members vote on and pass resolutions to determine NCAI's position on a broad range of issues.

**III. NCAI's EXECUTIVE COMMITTEE**

**PRESIDENT:** Brian Cladoosby, Chairman, Swinomish Indian Tribal Community

**1ST VICE PRESIDENT:** Fawn Sharp, President, Quinault Nation

**SECRETARY:** Aaron Payment, Chairperson, Sault Ste. Marie Tribe of Chippewa Indians

**TREASURER:** W. Ron Allen, Chairman, Jamestown S'Klallam Tribe

**NCAI AREA VICE PRESIDENTS**

**ALASKA:** Jerry Isaac, CEO, Native Village of Tanacross

**MIDWEST:** Roger Rader, Tribal Council, Pokagon Band of Potawatomi

**PACIFIC:** Jack Potter, Jr., Chairman, Redding Rancheria

**SOUTHERN PLAINS:** Liana Onnen, Chairwoman, Prairie Band Potawatomi Nation

**EASTERN OKLAHOMA:** Joe Byrd, Speaker of the Nation, Cherokee Nation

**NORTHEAST:** Lance Gumbs, Shinnecock Indian Nation



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ROCKY MOUNTAIN: Darrin Old Coyote, Crow Nation

SOUTHWEST: Joe Garcia, Councilman, Ohkay Owingeh Pueblo

GREAT PLAINS: Larry Wright, Chairman, Ponca Tribe of Nebraska

NORTHWEST: Mel Sheldon, Jr., 1st V.P., Tulalip Tribe of Washington

SOUTHEAST: Larry Townsend, Lumbee Tribe

WESTERN: Bruce Ignacio, Councilman, Uintah and Ouray Ute Tribe



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### ADVANCE MEMORANDUM FOR THE SECRETARY

**DATE:** Tuesday, June 13, 2017  
**LOCATION:** Washington → Connecticut → New Hampshire → Maine  
**TIME:** 5:45am - 9:45pm EST  
**FROM:** Aaron Thiele

#### I. STATEMENT OF PURPOSE

Fly from Washington, D.C. to Hartford, CT where we will travel to the Mohegan Sun in Uncasville, CT where you will address the National Congress of American Indian's Mid-Year Conference. Then drive to Hooksett, NH where you will announce \$1.13 billion in Pittman-Robertson Grants. Following the grant announcement the Secretary will travel to Augusta, Maine where he will have dinner with Governor LePage. Depart Augusta to RON in Bangor, ME.

#### II. PROGRAM DETAILS

ATTIRE: Suit and tie for NCAI, Business casual for grant announcement  
PRESS: Open, press avail at multiple times throughout day.

#### III. NOTABLE PARTICIPANTS

NH Gov. Chris Sununu  
ME Gov. Paul LePage  
NCAI President, Brian Cladoosby  
NCAI Executive Committee (Names included in background memo)

#### IV. AGENDA HIGHLIGHTS

**Weather:** High 88F / Low 53F, chance of precipitation

**Time Zone:** Eastern Standard Time

5:45	am	Depart for Airport
8:35	am	Land Hartford, Depart en route to Mohegan Sun
9:35	am	Arrive NCAI, receive briefing in hold room
10:00	am	Remarks at NCAI with Q & A
10:50	am	Depart NCAI en route Hooksett, NH
1:05	pm	Lunch at Subway in Manchester
2:30	pm	Pittman-Robertson Grants Roundtable
3:15	pm	Meeting with Gov. Chris Sununu
3:30	pm	Pittman-Robertson Grant Announcement and Media Avail
4:00	pm	Depart Hooksett en route Augusta, ME
7:00	pm	Dinner with Gov. Paul LePage
8:30	pm	Depart Augusta en route Bangor, ME
9:45	pm	RON Hilton Garden Inn

**United States Department of the Interior  
Official Travel Schedule of the Secretary**

**Connecticut, New Hampshire, Maine, Massachusetts  
June 13 - June 16, 2017**

**Draft: 6/12/2017**



**TRIP SUMMARY**  
**THE TRIP OF THE SECRETARY TO**  
Connecticut, New Hampshire, Maine, Massachusetts  
**June 13 - June 16, 2017**

**Weather:**

Uncasville, CT (Tuesday AM)	High 89°, Low 65°; Partly Cloudy; 80% Chance of PM Thunderstorms
Hooksett, NH (Tuesday PM)	High 88°, Low 55°; Partly Cloudy; 20% Chance of Precipitation
Augusta, ME (Tuesday PM)	High 85°, Low 53°; Cloudy; 40% Chance of AM Precipitation
Bangor, ME (Tuesday PM)	High 84°, Low 52°; Partly Cloudy; 50% Chance of AM Precipitation
Katahdin National Monument	High 91°, Low 67°, Mostly Sunny
Boston, MA	High 68°, Low 62°; Cloudy; 50% Chance of AM Precipitation

**Time Zone:**

New England Eastern Daylight Time

**Advance (Connecticut):**

Security Advance (b)(6), (b)(7)(C)  
Advance Rusty Roddy

**Cell Phone:**

(b)(6), (b)(7)(C)  
(b)(6)

**Advance (New Hampshire):**

Security Advance (b)(6), (b)(7)(C)  
Advance Rusty Roddy

**Cell Phone:**

(b)(6), (b)(7)(C)  
(b)(6)

**Advance (Katahdin National Monument):**

Security Advance (b)(6), (b)(7)(C)  
Advance Caroline Boulton

**Cell Phone:**

(b)(6), (b)(7)(C)  
(b)(6)

**Advance (Freeport, ME):**

Security Advance (b)(6), (b)(7)(C)  
Advance Caroline Boulton

**Cell Phone:**

(b)(6), (b)(7)(C)  
(b)(6)

**Advance (Boston, MA):**

Security Advance (b)(6), (b)(7)(C)  
Advance Rusty Roddy

**Cell Phone:**

(b)(6), (b)(7)(C)  
(b)(6)

**Traveling Staff:**

Agent in Charge	(b)(6), (b)(7)(C)
Acting Deputy Secretary	Jim Cason
Deputy Chief of Staff	Downey Magallanes
Communications Director	Laura Rigas
Press Secretary	Heather Swift
Deputy Director of External Affairs	Tim Williams
Photographer	Tami Heilemann
Personal Aide	Aaron Thiele

**Cell Phone:**

(b)(6), (b)(7)(C)  
(b)(6)

**Attire:**

Mohegan Sun, CT (Tuesday):	Business Attire
Hooksett, NH (Tuesday):	Business Casual

**Tuesday, June 13, 2017**

Washington, DC → Mohegan Sun, CT → Hooksett, NH → Bangor, ME

**5:45-6:15am EDT: Depart Private Residence en route Airport**

Vehicle Manifest:

Secretary's Vehicle:

RKZ

(b)(6),(b)(7)(C)

Drive time: ~30 minutes

**7:05am EDT-**

**8:22am EDT:**

**Wheels up Washington, DC (DCA) en route Hartford, CT (Bradley)**

Flight: JetBlue 798

Flight time: 1 hour, 17 minutes

RZ Seat: 17B

AiC: (b)(6),(b)(7)(C)

Staff: Jim Cason

Aaron Thiele

Tami Heilemann

**8:22-8:35am EDT:**

**Wheels down Hartford, CT // Proceed to Vehicles**

Location: Schoephoester Road

Windsor Locks, CT 06096

**8:35-9:35am EDT:**

**Depart Hartford, CT en route Mohegan Sun, CT**

Location: 1 Mohegan Sun Boulevard

Uncasville, CT 06382

Vehicle Manifest:

CT State Vehicle Lead:

Secretary's Vehicle: RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Jim Cason

Tami Heilemann

Staff Vehicle: Aaron Thiele (Driver)

Drive time: ~1 hour, 2 minutes

**9:35-9:40am EDT:**

**Arrive NCAI Conference & Proceed to Green Room**

Met by: Jacqueline Pata, Executive Director, NCAI

Kevin "Red Eagle" Brown, Chairman, Mohegan Tribe

Governor Dannel Malloy (Tentative)

Note: Rusty Roddy & Laura Regis will meet upon arrival

**9:40-9:55am EDT:**

**Hold in Green Room for Briefing**

Location: Conka Room

Staff: Jim Cason

Laura Regis

Note: If Governor Dannel Malloy is unable to greet upon arrival, he would like to say hi to RKZ while he is holding

**9:55-10:00am EDT:**

**Depart Green Room for NCAI Conference**

Location: Uncas Ballroom A & B

Escorted by: Robert Holden, Deputy Director, NCAI

**10:00-10:35am EDT:**

**National Congress of American Indians Mid-Year Conference Remarks // Q & A**

**Session with NCAI Members**

Location: Uncas Ballroom A & B  
Participants:  
Attendees: 500 - 600  
Press: Open  
Staff: Jim Cason  
Laura Rigas  
Aaron Thiele  
Tami Heilemann  
Advance: Rusty Roddy  
Staging:: Black pipe & drape; NCAI Logo / NCAI Theme banner; Video screens to either sides of the stage; U.S. / CT / Tribal / NCAI Flags; podium & mic  
Format: RKZ introduced by Brian Cladoosby, Chairman - Swinomish Indian Tribal Community & President - NCAI Executive Board  
Remarks followed by Q&A  
For Q & A session, NCAI members will form lines at microphones  
Plenary session of tribal leaders; podium in center of the stage with board members on both sides; tribal delegates will be sitting in the tables in the front of the room  
Note: Upon arrival to stage & before giving remarks, RKZ should shake hands with all 17 stage participants

**10:35-10:40am EDT: NCAI Gift Presentation to RKZ**  
Note: An Honor Song will be performed

**10:40-10:45am EDT: Depart NCAI Conference en route Photo Op**

**10:45-10:50am EDT: Photo Op with NCAI Youth Commission**  
Location: Foyer  
Note: Group is made up of Leaders in Training Ages 16 - 24  
Note: Group will be preset for photo upon RZ's arrival

**10:50-1:05pm EDT: Depart Mohegan Sun en route Hooksett, NH**

Location:  
Vehicle Manifest:  
CT / NH State Vehicle Lead:  
Secretary's Vehicle: RZ  
(b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)  
Staff Vehicle: Rusty Roddy  
Laura Rigas  
Staff Vehicle 2: Aaron Thiele  
Tami Heilemann  
Drive time: ~2 hours, 15 minutes

**1:05-1:15pm EDT: Lunch at Subway**  
Location: 3 Commerce Drive, Hooksett, NH 03106  
Note: Lunch to go, eat at hold room at Bass Pro Shop

**1:15-1:20pm EDT: Arrive Bass Pro Shop and Proceed to Bass Pro Shop**  
Location: 2 Commerce Drive, Hooksett, NH 03106  
Note: Pull into rear loading dock  
Met by: Martin MacDonald, Director of Conservation, Bass Pro Shops  
Bob Pope, Store Manager, Bass Pro Shop Hooksett

- 1:20-2:25pm EDT: Lunch and Briefing in Hold Room Bass Pro Shop Conference Room**
- 2:25-2:30pm EDT: Depart Hold en route Sportsmen's Roundtable**  
Escorted by: Glenn Normandeau, Executive Director, NH Fish and Game Department
- 2:30-3:15pm EDT: Sportsmen's Roundtable**  
Location: Bass Pro Shop Warehouse  
Participants: Sarah Holmes, State Director, Office of Senator Jeanne Shaheen  
Mike Ollen, State Director, Office of Senator Maggie Hassan  
Corey Garry, Deputy District Director, Office of Rep. Ann Kuster  
Press: Closed  
Format: - Welcome by Bob Pope  
- MC - Glenn Normandeau invites participants to introduce themselves  
- RZ brief Remarks and opens roundtable for discussion  
Staff: Downey Magallanes  
Tim Williams  
Laura Rigas  
Aaron Thiele  
Tami Heilemann  
Advance: Rusty Roddy  
Note: Group photo opportunity at conclusion of roundtable
- 3:15-3:30pm EDT: Meeting with Governor Chris Sununu**  
Location: Bass Pro Shop  
Participants: RZ  
Governor Chris Sununu (R-NH)  
Jayne Millerick, Chief of Staff  
Press: Closed  
Staff: Downey Magallanes  
Tim Williams  
Tami Heilemann  
Advance: Rusty Roddy
- 3:30-4:00pm EDT: Pittman-Robertson Grant Announcement & Media Availability**  
Location: Bass Pro Shop in store Aquarium  
Escorted by: Ron Regan, Executive Director, Association of Fish and Wildlife Agencies  
Nick Wiley, President, Association of Fish and Wildlife Agencies  
Participants: Sarah Holmes, State Director, Office of Senator Jeanne Shaheen  
Mike Ollen, State Director, Office of Senator Maggie Hassan  
Corey Garry, Deputy District Director, Office of Rep. Ann Kuster  
Press: Open  
Staff: Downey Magallanes  
Tim Williams  
Laura Rigas  
Aaron Thiele  
Tami Heilemann  
Advance: Rusty Roddy  
Format: Stage with podium/mic w/ DOI seal  
Backdrop; huge fish aquarium, rock walls, trees  
**Program:** - Glenn Normandeau introduces himself and Gov. Chris Sununu  
- Gov. welcomes RZ to NH and introduces RZ



- RZ brief remarks
- RZ invites “A few friends,” two sportsmen who carry grant check onto stage
- RZ signs check
- Nick Wiley gives remarks regarding benefit of grants for outdoor groups
- Everyone exits stage except RZ, state directors, and Bass Pro Shop Leadership
- Press Avail

**4:00-6:45pm EDT: Depart Hooksett, NH en route Augusta, ME**

Location: 192 State Street  
Augusta, ME 04330

Vehicle Manifest:

NH / ME State Vehicle Lead:

Secretary’s Vehicle: RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle: Laura Rigas  
Aaron Thiele (Driver)  
Downey Magallanes  
Tami Heilemann

Drive time: ~2 hours, 30 minutes

**7:00-8:30pm EDT: Dinner with Governor LePage**

Location: The Blaine House  
192 State Street  
Augusta, ME 04330

Participants:

Staff: Downey Magallanes  
Laura Rigas  
Heather Swift  
Aaron Thiele  
Tami Heilemann

Advance: Caroline Boulton

**8:30-9:45pm EDT: Depart Augusta, ME en route Bangor, ME**

Location: Hilton Garden Inn Bangor  
250 Haskell Road  
Bangor, ME 04401

Vehicle Manifest:

ME State Vehicle Lead:

Secretary’s Vehicle: RZ

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Staff Vehicle: Caroline Boulton (Driver)  
Downey Magallanes  
Laura Rigas  
Staff Vehicle 2: Heather Swift  
Aaron Thiele (Driver)  
Tami Heilemann

Drive time: ~1 hour, 15 minutes

**9:45pm EDT: RON**



## United States Department of the Interior

Washington, D.C. 20240

### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

**DATE:** June 13, 2017      **TIME:** 7:00pm - 8:30pm  
**FROM:** Tim Williams, Deputy Director of External Affairs  
**SUBJECT:** Dinner with Gov. LePage

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#### I. STATEMENT OF PURPOSE

The Governor would like to share his views on the Katahdin National Monument.

#### II. BACKGROUND

Former President Obama designated Katahdin Woods and Waters National Monument in Northern Maine shortly before he left office. President Trump's Executive Order for the Review of Designations under the Antiquities Act called for a review of monuments over 100,000 acres or where designated "without adequate public outreach and coordination with relevant stakeholders". Katahdin Woods is 87,563 and as such the Governor has asked the Secretary to review the monument. The Governor supports rescission of the monument. In the alternative, assuming the land remains in federal ownership, the Governor believes that the land should be managed by the State of Maine. The Governor has submitted a letter in opposition, letters from opposition groups, individuals and industry in opposition the monument. Roxanne Quimby's Foundation donated more than 87,500 acres in the Katahdin region for the monument and the family continues its support.

#### III. DISCUSSION

What impact on the state, recreation and economy would there be if there was a recommendation for?

- No changes
- Modifications to boundaries
- Recision

If the State of Maine were to manage the monument what would that proposal look like?

[You may want to encourage the governor's participation and reiterate an invitation to join the regional team.]



## United States Department of the Interior

Washington, D.C. 20240

### INFORMATIONAL MEMORANDUM FOR THE SECRETARY

#### IV. ATTACHMENTS

##### Letter from the Governor

###### STATE OF MAINE OFFICE OF THE GOVERNOR

Paul R. LePage

GOVERNOR

Dear Mr. Secretary:

It was an honor to meet you and to attend the signing by President Trump of the Executive Order for the Review of Designations under The Antiquities Act.

As you know, the order calls for the review of monuments that are 100,000 acres or larger, as well as those the Secretary of the Interior determines were designated "without adequate public outreach and coordination with relevant stakeholders." Here in Maine, The Katahdin Woods and Waters National Monument is 87,563 acres, so it is not listed as one of the 26 national monuments over 100,000 acres that are slated for review.

However, the Katahdin Woods designation was made in the face of significant opposition. In 2015, three local Communities impacted by Katahdin Woods voted overwhelmingly against designation as a National Park. The wealthy Ouimby family, who owned most of the land that would be used for a National Park, then immediately lobbied Washington, D.C. for the designation of a National Monument instead.

In response, the Maine Legislature in 2016 enacted bipartisan legislation-which submitted-requiring legislative approval for a National Monument designation in Maine. The people who live in the area, as well as their elected representatives in the Legislature, are certainly relevant stakeholders, but their Voices were ignored.

Since the public was not adequately heard, I am Writing to confirm that the Department of Interior will indeed review the designation of The Katahdin Woods and Waters National Monument. Please let me know at your earliest convenience. Thank you.

Sincerely,

Paul R. LePage Governor

##### Secretary's Response Letter to the Governor

The Honorable Paul R. LePage Governor of Maine Augusta, Maine 04333

Dear Governor LePage:

It was a pleasure to see you at the President's signing ceremony here at the Department of the Interior (Department) last week. I also want to thank you for your letter dated April 27, 2017, concerning the



## United States Department of the Interior

Washington, D.C. 20240

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Katahdin  
thoughts.

Woods and Waters National Monument (Monument). I appreciate your

President Trump's "Review of Designations under the Antiquities Act" Executive Order (E.O.) directs me to conduct a review of all designations or expansions of designations made under the Antiquities Act since 1996 where the designation or expansion covers more than 100,000 acres. The E.O. also directs me to examine all designations made without adequate public outreach and coordination with relevant stakeholders. As such, the review may extend to monuments smaller than 100,000 acres.

The E.O. makes clear that monuments should only be designated in accordance with the law and with adequate public consultation. Monuments can result in burdensome restrictions that limit traditional multiple-use purposes and public access on Federal lands. It is therefore critical that state, tribal, and local leaders and communities have a meaningful say in designations so that these burdens can be mitigated.

Your letter seeks to have the Department review the Monument in Maine. I invite you to provide the Department with a detailed description of the Monument, the unique values to be protected, and the process used to designate the Monument. In particular we would value your assessment regarding the degree of public support or opposition for the Monument.

I appreciate receiving your views and look forward to continued communication throughout this process. If you have any questions or require additional information, please contact Ms. Downey Magallanes at (202) 208-4105 or [Downey.Magallanes@ios.doi.gov](mailto:Downey.Magallanes@ios.doi.gov).

Sincerely,

Ryan K. Zinke Secretary of the Interior

### **Response from the Governor to the Secretary's Letter**

#### STATE OF MAINE OFFICE OF THE GOVERNOR

Paul R. LePage

GOVERNOR

May 24, 2017

Dear Mr. Secretary,

It was an honor meeting you last month during President Trump's signing of the "Review of Designations under the Antiquities Act" Executive Order. This letter is in response to your May 12 letter requesting my input regarding the process that led to the designation of the Katahdin Woods and Waters National Monument by former President Obama. Many Maine citizens and I are pleased that the Department of the Interior will conduct a formal review of this monument and analyze the significant opposition to the designation.

The Katahdin Woods and Waters National Monument, which is comprised of about 87,500 noncontiguous acres of land just east of Baxter State Park in northern Maine, was a former working forest. The monument allows limited hunting opportunities on the lands east of the East Branch of the



## United States Department of the Interior

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Penobscot River. Portions of the monument abut Maine's premier Baxter State Park. This state park is about 200,000 acres and includes Mt. Katahdin, which is over 5,200 feet in elevation.

As you know, the Antiquities Act was intended to be a tool to allow the president to protect areas that have "historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest." The law addresses the size of such protected areas by stating the land must be the "smallest area compatible with the proper care and management of the objects to be protected." I have yet to see evidence the designation of the Katahdin Woods and Waters National Monument by former President Obama was needed to protect any imminent threats to historical structures or objects. I believe the designation of this monument was not in accordance with the intent of the Antiquities Act.

Public opposition to the designation of this monument was quite significant, and it goes back years. The public became very concerned when the owners of the land tried to lobby Congress to make approximately 150,000 acres of land in northern Maine a national park. This troubled many people in Maine who rely on the forest product and outdoor recreational industries about the possibility of strict laws and rules imposed by the federal government if they owned land in this area of the state. In response to this, the 125<sup>th</sup> Maine Legislature passed a bipartisan joint resolution in 2011 opposing the creation of a national park in northern Maine. In 2015, three municipalities located close to the proposed national park held non-binding votes to gauge local support: all three voted overwhelmingly against designation. East Millinocket voted 63% to 37% against, Medway voted 71% to 29% against, and Patten voted 70% to 30% against the national monument. I also made my position to President Obama very clear by writing to him and expressing my opposition to any federal control of this land.

With local, state and congressional delegation support lacking for the designation of a national park, the Quimby family then decided to lobby President Obama to use his unilateral power under the Antiquities Act to declare the area a national monu The opposition to federal control of this land



**United States Department of the Interior**

Washington, D.C. 20240

**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**DATE:** June 13, 2017      **TIME:** 3:00pm - 3:15pm

**FROM:** Aaron Thiele

**SUBJECT:** Meeting with Governor Chris Sununu

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**I. STATEMENT OF PURPOSE**

This is a quick 15 minute meeting with New Hampshire Governor Chris Sununu regarding the USFWS proposal to acquire land for the Silvio O. Conte National Fish and Wildlife Refuge. The Governor would like to discuss New Hampshire's commitment to sensible land conservation and a request that USFWS not fund the acquisition of land in the Silvio Conte Refuge

**II. PARTICIPANTS**

Governor Chris Sununu  
Jayne Millerick, Chief of Staff

**III. ATTACHMENTS**

**To:** Timothy Williams[timothy\_williams@ios.doi.gov]  
**From:** Funes, Jason  
**Sent:** 2017-07-28T09:07:17-04:00  
**Importance:** Normal  
**Subject:** Fwd: Follow Up Press Release: Zinke Secretarial Order 6/8/17  
**Received:** 2017-07-28T09:08:01-04:00  
[Bears Ears Comment 2.pdf](#)  
[MonumentComment 2.pdf](#)  
[SageGrouse-Final.pdf](#)

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

**From:** Landon Stevens <[landon.stevens@strata.org](mailto:landon.stevens@strata.org)>  
**Date:** Wed, Jul 26, 2017 at 1:52 PM  
**Subject:** Re: Follow Up Press Release: Zinke Secretarial Order 6/8/17  
**To:** "Funes, Jason" <[jason\\_funes@ios.doi.gov](mailto:jason_funes@ios.doi.gov)>

Jason,

Looking forward to the call in a few minutes, as a reference I have attached the two Public Interest comments we submitted. One on Bears Ears and one on the monuments generally since 1996. I have also included a draft of our sage grouse study. This hasn't been publicly released yet, so please don't share it. But it should be out next week.

On Tue, Jul 25, 2017 at 10:24 AM, Landon Stevens <[landon.stevens@strata.org](mailto:landon.stevens@strata.org)> wrote:

Jason,

Thanks again for reaching out. I am free for a call tomorrow from 1pm - 3pm, Thursday from 3pm - 5pm or Friday pretty much anytime noon - 4pm (These are all in EST). Let me know if you have some time in those slots and we can set up for a call. Thanks.

On Mon, Jul 24, 2017 at 2:10 PM, Funes, Jason <[jason\\_funes@ios.doi.gov](mailto:jason_funes@ios.doi.gov)> wrote:

Hey Landon,

Thanks for taking my call and enjoy the rest of Pioneer Day!!

Below is a link to an SO regarding Sage Grouse from 6/8/17.

<https://www.doi.gov/pressreleases/secretary-zinke-signs-order-improve-sage-grouse-conservation-strengthen-communication>

Feel free to call or email me tomorrow and we'll set up a time to speak this week.

Take care,

Jason Funes  
Special Assistant  
Intergovernmental and External Affairs  
Office of the Secretary  
Department of the Interior  
Office: (202) 208-5541

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Landon Stevens  
Director of Policy  
landon.stevens@strata.org  
(480) 338-9767  
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Jason Funes  
Special Assistant  
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Office of the Secretary  
Department of the Interior  
Office: (202) 208-5541



# Public Interest Comment from Strata Policy on Bears Ears National Monument Designation

## Public Interest Comment on The Department of the Interior's Review of Certain National Monuments Established Since 1996

Jordan K. Lofthouse, Ph.D. Fellow, Strata Policy

Camille Harmer, Policy Analyst, Strata Policy

Arthur R. Wardle, Policy Analyst, Strata Policy

Megan E. Hansen, Director of Policy, Strata Policy

Landon C. Stevens, Director of Policy, Strata Policy

### *ABOUT STRATA*

Strata is a public policy research center in Logan, Utah, that seeks to help people make informed decisions about issues that impact the freedom to live their lives. We work to achieve more prosperous and free societies by conducting academic research on energy and environmental issues.<sup>1</sup> We draw from the collective academic strength and ideas from a strong network of academics and professionals across the world.



**Docket ID:** DOI-2017-0002

**Released:** May 24, 2017

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<sup>1</sup> A statement on Strata's policies regarding research independence and integrity is available at: <http://www.strata.org/research-policy/>

# Introduction and Background

The Department of the Interior’s request for comment on the designation of Bears Ears National Monument and other monuments designated over the past 20 years responds to Executive Order 13792 (hereafter ‘The Executive Order’), issued by President Trump.<sup>2</sup> The Executive Order instructs the Secretary of the Interior to consider past designations’ adherence to statutory language in the Antiquities Act of 1906 (54 U.S. Code § 320301), among other criteria.

One of the most controversial of these designations has been Bears Ears National Monument. Strata is a public policy think tank based in Logan, Utah, that uses public choice theory and constitutional political economy to evaluate the legal and economic ramifications of government actions, especially as they relate to environmental policy. We are interested in the review of Bears Ears National Monument because we are concerned about the rule of law, the abuse of government power, and the effects of government policies on a wide range of people. Our organization is composed of academics and policy professionals who engage in research to better understand the incentives behind government policies and the consequences that result from these policies. We have found that Bears Ears National Monument, as currently designated, does not comport with the Act’s “requirements and original objectives.” We have also found that the current designation does not “appropriately balance the protection of landmarks, structures, and objects against the appropriate use of federal lands and the effects on surrounding lands and communities.”<sup>3</sup>

In December 2016, President Obama signed a presidential proclamation establishing Bears Ears National Monument in southeast Utah. In this proclamation, President Obama extolled the scenic amenities of the region and cited the area’s cultural and historical importance to local Native American people. The language of the proclamation argues that the natural, historical, and cultural amenities in the area need protection. President Obama claimed that the monument’s 1.35 million acres are “the smallest area compatible with the proper care and management of the objects to be protected.”<sup>4</sup> In the five months since President Obama established the monument, the debate for and against it has been widely publicized and contentious. The heightened emotions surrounding the review of this national monument should not influence how the Department of the Interior analyzes the monument’s economic impacts, legal implications, and effects on conservation. Below, we have listed seven factors that the Department of the Interior should consider in its review of Bears Ears National Monument. The factors are listed in the order we discuss them throughout the document.

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<sup>2</sup> Exec. Order No. 13792, 82 Fed. Reg. 82 (2017).

<sup>3</sup> Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment. 82 Fed. Reg. 90 (2017).

<sup>4</sup> Proclamation No. 9558, 82 Fed. Reg. 1139 (2017).

1. The monument violates the law by being significantly larger than “the smallest area compatible with the proper care and management of the objects to be protected” and includes many objects for protection beyond the scope of the Antiquities Act.
2. The creation of the monument seems to be rooted in the desire to establish an “environmental legacy,” rather than the stated purpose of the Antiquities Act.
3. Historical precedent gives ample evidence that the executive may unilaterally reduce the size of improperly large designations.
4. The monument designation does little to give additional protection to the amenities described in the presidential proclamation.
5. Federal, state, and local lawmakers supported land use policies that would balance the use of federal lands between competing interests. The monument designation overrode local interests.
6. The proclamation heavily emphasizes the importance of the area to Native Americans, but the future management may not actually reflect the desires of the Native peoples who value the land.
7. The designation does not necessarily give more freedom to Native Americans to use their sacred land as they see fit.

## Analysis

### Bears Ears National Monument Exceeds the Size Stipulations in the Antiquities Act

#### Legal Historical Background

The Department of the Interior’s request for public comment asks for information regarding “[t]he requirements and original objectives of the Act, including the Act’s requirement that reservations of land not exceed ‘the smallest area compatible with the proper care and management of the objects to be protected’” and “whether designated lands are appropriately classified under the Act as ‘historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest.’”<sup>5</sup>

The phrase “historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest” is drawn from the Antiquities Act and establishes the criteria the President may use to determine whether a given site can appropriately be designated as a national monument.<sup>6</sup> The statute does not supply any formal definition for these criteria. The Act’s legislative history is long and complex, but plenty of contemporary legislative documents and remarks by representatives indicate that the Act’s

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<sup>5</sup> Review of Certain National Monuments Established Since 1996, *supra*.

<sup>6</sup> 54 U.S.C. § 320301(a).

original purpose was to protect small geographic areas associated with specific relics and sites.<sup>7</sup> The phrase “other objects of historic or scientific significance” was not included in early proposals of the Act, but was instead added by a committee appointee from the American Anthropological Association. The Department of the Interior, interested in preserving greater swaths of land, approved the change, but Western congressional delegations disagreed, fearing land grabs. To appease concerned stakeholders in the West, the “smallest area compatible” language was included in the final bill.<sup>8</sup>

## President Obama’s Proclamation Includes Many Objects for Protection Beyond the Scope of the Antiquities Act

President Obama’s proclamation includes several references to sites that clearly fall within the scope of the Antiquities Act. Lime Ridge Clovis Site and Moon House Ruin, both located within Bears Ears National Monument, are two examples of candidates for legitimate designation because of their clear historic interest. The proclamation, however, goes much further in both geographic scope and in terms of what is considered an appropriate justification for designation. The proclamation talks at length about unique geological features, long-gone explorers, and “star-filled nights and natural quiet.” It contains seven long paragraphs listing species present in the area; though a few are rare or even endemic; many, like sagebrush, are extensively present throughout the Intermountain West and beyond.

It is difficult to argue that “scientific interest” extends so far that the mere presence of pine trees, rabbits, and mule deer is sufficient to justify a “smallest area compatible” designation of over a million acres — such a conclusion could be used to designate nearly all public lands on the Colorado Plateau. Bona fide historic sites exist in the monument, but these areas could just as easily be protected by a significantly smaller designation. The same is true for scientific sites and the presence of paleontological digs or habitat for endemic species like the moth *Eucosma navajoensis*. None of the sites of legitimate historic or scientific interest offered in the proclamation fulfill the burden of defending the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Bears Ears to more appropriately encompass sites of legitimate historical and scientific interest, reasonably defined. The definition of “scientific interest” can easily be extended to the point of legal meaninglessness, but without a robust explanation for a particular area’s unique value, the Antiquities Act is left open for rampant abuse.

It is also difficult to argue that the “historic interest” arguments for the monument are justifiable. With a loose interpretation of “historic interest,” the monument’s boundaries could potentially include the entire Four Corners region. The proclamation includes a description of the cultural and historical importance of

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<sup>7</sup> Hartman, B. J. (2011). “Extending the Scope of the Antiquities Act.” *Public Land and Resources Law Review* 32, 153-191. <http://scholarship.law.umt.edu/cgi/viewcontent.cgi?article=1026&context=plrlr>

<sup>8</sup> Rusnak, E. C. (2003). “The Straw that Broke the Camels Back? Grand Staircase-Escalante Antiquates the Antiquities Act.” *Ohio State Law Journal* 64, 669-730. <http://moritzlaw.osu.edu/students/groups/oslj/files/2012/03/64.2.rusnak.pdf>

Bears Ears, but the proclamation also includes archeological sites from the Clovis culture, the ancestral Puebloans, and more recent archeological findings from the Ute, Navajo, and Paiute cultures. By justifying the extent of the current monument on these grounds, the monument could be extended several hundred miles in every direction. Such a hypothetical designation would be politically unviable and an extreme abuse of the Antiquities Act. This thought experiment, however, suggests that the boundaries of the monument have been strategically drawn to maximize the extent of the monument while minimizing the political backlash from an overly large monument. Although strategic on the part of the Obama Administration, the scope of this designation and its ad hoc justifications erode the rule of law by increasing the expanding power of the executive branch.

## Political Economy Explanation for the Designation of National Monuments

Rather than following the stated purpose of the Antiquities Act, the creation of the monument seems to be rooted in the desire for an “environmental legacy.” The fact that President Obama designated this controversial monument during the lame duck period between the 2016 election and the presidential inauguration strongly suggests that this was a classic case of environmental legacy building. There is strong evidence to suggest that several past presidents have used the Antiquities Act for this motive, but such designations are inconsistent with the wording and original intention of the Act. Using the Antiquities Act as a means of self-aggrandizement on the part of lame duck presidents is inconsistent with the Act’s requirements and original objectives.

Although difficult to definitely prove that a designation is used for motives other than the protection of antiquities, economic theory can inform us of likely cases where designations are used for motives other than those expressly written in the Act. First, the lame duck period between an election and an inauguration is a strategic time for controversial actions on the part of the president and Congress alike. The chance for retribution on the part of the electorate is minimal for both the president and his party, which explains why presidents often save their most controversial designations for this period. Second, the size of monuments helps build up an environmental legacy because presidents are seen as having “saved” the largest amount of land possible. Third, national monument designations are one of the lowest cost ways for presidents to build an environmental legacy. Alternative means, such as landmark legislation or national park designations, are difficult and costly for a president to achieve because engaging with Congress to create such policies is time consuming and requires extensive coalition building, among other costs. Designating a national monument, on the other hand, can be done unilaterally. The judiciary’s lax enforcement of the Antiquities Act’s restrictions makes this even easier.

For presidents who want to have an environmental legacy, the Antiquities Act is a relatively low cost means to designate the largest amount of land possible at the most strategic time. President Obama appears to have followed this strategy with his designation of Bears Ears National Monument. Our comment is not to say that environmental legacy-building is good or bad, but simply that this use of the Antiquities Act is inconsistent with the original objectives and intent of the law. Such uses of the law are an overreach of executive power.

## Bears Ears National Monument Exceeds the Antiquities Act's Size Limitations

Bears Ears National Monument does not fulfill the requirements of the Antiquities Act because the size of the monument is much larger than “the smallest area compatible with the proper care and management of the objects to be protected.” Although the Act implicitly gives the president wide discretion to designate national monuments on federal lands, the law should not be read to give the president unlimited authority to unilaterally designate vast areas. Past abuses of the Antiquities Act do not justify continuing abuses. The Bears Ears, the monument’s namesake, are two mesas located in Utah’s San Juan County. The mesas are only a small fraction of the large area within Bears Ears National Monument.

Devils Tower National Monument, the first national monument in the United States, protects a geological feature similar to the Bears Ears, but the area of the monument is approximately two square miles. President Theodore Roosevelt used the Antiquities Act in 1906 to create Devils Tower National Monument, but his designation was only slightly larger than the footprint of the Devils Tower butte itself. This seems more consistent with the wording to protect “the smallest area compatible with the proper care and management of the objects to be protected.” Despite this precedent, presidents have made increasingly large designations. Over the years, the Supreme Court and other federal courts have consistently upheld presidential designations of national monuments, creating the incentive for presidents’ to abuse their fiat power.<sup>9</sup>

According to a strict interpretation of the Act, a monument designation protecting only the Bears Ears mesas would include an area of roughly five by five miles. Various other legitimate historic and scientific sites throughout the area could be protected by narrow piecemeal designations. The current monument, however, extends approximately 80 miles from north to south, and 50 miles from east to west. The monument also completely encapsulates other heavily protected areas, including Natural Bridges National Monument, Dark Canyon Wilderness Area, and Cedar Mesa Primitive Area. This suggests that many areas within the monument were already protected well before the national monument designation. The dimensions of Bears Ears National Monument are clearly larger than “the smallest area compatible with the proper care and management” of the Bears Ears mesas and their immediate surroundings.

## The Executive Has the Authority to Reduce the Size of Existing National Monuments Under Some Circumstances

No president has ever attempted the wholesale removal of a national monument designation. There is legal disagreement over whether such an attempt would ultimately be upheld in the courts, with reasonable arguments to be made for both sides.<sup>10</sup> Ultimately, executive-led full revocation of monument

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<sup>9</sup> See e.g. *Cappaert v. United States*, 426 U.S. 128 (S.C. 1976), *Cameron v. United States*, 252 U.S. 450 (S.C. 1920), and Squillace, M. (2003). “The Monumental Legacy of The Antiquities Act of 1906.” *Georgia Law Review* 37, 473-610. [https://www.nps.gov/parkhistory/online\\_books/antiquities/antiquities.pdf](https://www.nps.gov/parkhistory/online_books/antiquities/antiquities.pdf)

<sup>10</sup> *Presidential Authority to Revoke or Reduce National Monument Designations* by John Yoo and Todd Gaziano, cited later in this paragraph, begins with the argument that the president has the general authority to revoke designations

status is legally uncharted territory. Reductions in size, however, have occurred multiple times without court challenges. First, President Taft reduced his own designation of Navajo National Monument, cutting its land area by 89 percent. Multiple presidents cut pieces from Mount Olympus National Monument, reducing its size by nearly half. President Truman removed nearly half of Santa Rosa Island National Monument from designation, and President Eisenhower diminished Great Sand Dunes National Monument by 25 percent. This is not an exhaustive list — it merely highlights major reductions.<sup>11</sup>

President Taft's proclamation vastly reducing Navajo National Monument is illustrative. It specifically states that the decision was a result of finding that the designation constituted "a much larger tract of land than is necessary for the protection of such of the ruins as should be reserved."<sup>12</sup> Even without general authority to rescind monument status, there is a strong case to be made that the president retains the power to shrink existing monuments according to a finding that an original designation was inappropriately large. No federal court has ever ruled directly on these reductions, but in *Alaska v. United States*, the Supreme Court "accepted without discussion" that the boundaries of Glacier Bay National Monument redrawn by President Eisenhower were legitimate.<sup>13</sup> Eisenhower's proclamation made reductions on three different plots for separate reasons: the land could serve a more critical federal purpose; it was improvidently included in the designation to begin with; and Antiquities Act protection was no longer necessary.<sup>14</sup> The Congressional Research Service's report on presidential authority under the Antiquities Act concludes (albeit with an air of legal uncertainty) that these and other reductions are legally legitimate.<sup>15</sup>

Historical examples of presidents shrinking previous monument designations abound, including some which are quite large. The Department of the Interior should reevaluate previous designations to ascertain both whether they were originally valid and/or continue to be necessary. If either of those conditions is not met, the President and Secretary should seek to redraw monument boundaries in accordance with the size and scope limitations present in the text of the Antiquities Act.

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under a number of well accepted legal principles. For legal opinions arguing that the executive does not have the right to remove monuments, see Wyatt, A. M. (2016). *Antiquities Act: Scope of Authority for Modification of National Monuments*. Congressional Research Service Report R44687.

[http://www.law.indiana.edu/publicland/files/national\\_monuments\\_modifications\\_CRS.pdf](http://www.law.indiana.edu/publicland/files/national_monuments_modifications_CRS.pdf)

<sup>11</sup> Yoo, J. & Gaziano, T. (2017). *Presidential Authority to Revoke or Reduce National Monument Designations*. American Enterprise Institute. <https://www.aei.org/wp-content/uploads/2017/03/Presidential-Authority-to-Revoke-or-Reduce-National-Monument-Designations.pdf>

<sup>12</sup> Proclamation No. 1186, (1912). <http://www.presidency.ucsb.edu/ws/?pid=76605>

<sup>13</sup> 545 U.S. 75. (S.C. 2005). Quotation and analysis from Yoo & Gaziano, *Presidential Authority*, *supra*.

<sup>14</sup> Proclamation No. 3089, (1955). <http://www.presidency.ucsb.edu/ws/?pid=107264>

<sup>15</sup> Wyatt, *Antiquities Act*, *supra*.

## The Monument Designation Does Little to Give Additional Protections

The monument designation does little to give additional protection to the amenities described in the presidential proclamation. The U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) will continue to manage the land within the monument that they were already managing prior to the designation.<sup>16</sup>

President Obama’s proclamation also stipulates that the USFS and the BLM “shall consult with other Federal land management agencies in the local area, including the National Park Service” when deciding on a management plan for the monument. Management plans must include “maximum public involvement,” which includes federally recognized tribes, state governments, and local governments. Management plans must also be drafted to “maximize opportunities [...] for shared resources, operational efficiency, and cooperation.”<sup>17</sup> Prior to the monument designation, agencies collaborated to manage the area and members of the community were involved in land management decisions. Many laws already direct the USFS and the BLM to protect and preserve the scientific, historical, and cultural amenities of the area.<sup>18</sup> Although national monuments historically served a critical role in protecting artifacts, the Bears Ears designation serves little purpose in protecting any sites or amenities because newer federal laws and regulations, as well as USFS and BLM management plans, already protected the sites and amenities listed in the presidential proclamation.

### Protections for the Area Prior to the National Monument Designation

The Antiquities Act was passed in 1906 under a set of unique circumstances and with particular intentions. In the late 19th century and early 20th century, policymakers, academics, and the general public were concerned that development and looting were destroying archeological sites and other artifacts across the country. Congress passed the Antiquities Act as a relatively low-cost means of quickly protecting cultural and natural resources that were in immediate danger of destruction.<sup>19</sup>

As the 20th century progressed, other legislation and regulations were enacted to protect cultural and natural resources. These additional protections should have limited the need for presidents to use the Antiquities Act, at least in theory. For example, the Archaeological Resources Protection Act (ARPA) of

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<sup>16</sup> Proclamation No. 9558, *supra*.

<sup>17</sup> *Id.*

<sup>18</sup> See e.g. 36 C.F.R. 800, 42 U.S.C. § 4331 *et seq.*, 16 U.S.C. § 470aa *et seq.*, Exec. Order No. 13287, 68 Fed. Reg. 43 (2003).

<sup>19</sup> National Park Service. (2016). *About the Antiquities Act*. <https://www.nps.gov/archeology/sites/antiquities/about.htm>



1979 protects archaeological resources found on federally-owned and tribal lands, making monument designations to protect these resources redundant in many cases. ARPA also bans the trafficking of archaeological resources that people obtain when violating existing laws and regulations.<sup>20</sup> Despite increasing protections for cultural and natural resources, presidents continued to use their authority under the Act to designate monuments. In many cases, the Antiquities Act has evolved into a political tool, rather than a last-resort means of preserving endangered antiquities.

Advocates for the designation of Bears Ears National Monument wished to ensure protection for Native American artifacts and sacred sites. The Inter-Tribal Coalition, one of the groups that advocated for the designation of the monument, argued that more protection was needed for artifacts within the proposed area. These areas are already protected by ARPA, which states “No person may [or attempt to] excavate, remove, damage, or otherwise alter or deface [...] any archaeological resource located on public lands or Indian lands” unless they have been issued a permit by the proper governing body. People that knowingly violate this law can be fined up to \$10,000 or imprisoned for up to a year. The Inter-Tribal Coalition argued that Native American artifacts in the Bears Ears area needed additional protection, since laws that prohibit removing or damaging Native American artifacts were enforced by a single BLM law enforcement officer that covered all of San Juan County, almost 8,000 square miles.<sup>21</sup>

The USFS and the BLM have failed to make it clear how the monument designation will provide the area any protection beyond what current laws and resources already provide the area. Following the designation of the area, the USFS released a report on the recreation conditions of the monument. The report states that outfitter and guide permits, hunting, and firewood gathering would continue in the same manner that they had in the past, subject to USFS regulations and standards. The report also provided “etiquette for preserving [archeological] sites.” The guidelines inform visitors how to interact with historic sites and artifacts within the area, but they do not provide any information on the enforcement of laws prohibiting the removal of Native American artifacts.<sup>22</sup> The BLM has yet to release management guidelines specifically for Bears Ears National Monument, but the BLM provides general guidelines for the management of national monuments. These guidelines stipulate that the BLM must continue to manage the areas as multiple use, maintain relationships with local governments, land managers, and tribal governments, and “conserve, protect, and restore nationally significant landscapes,”

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<sup>20</sup> Gerstenblith, P. (2016). “The Legal Framework for the Prosecution of Crimes Involving Archaeological Objects.” *Cultural Property Law* 64(2), 5-16. <https://www.justice.gov/usao/file/834826/download>

<sup>21</sup> Bears Ears Inter-Tribal Coalition. (n.d.) *Proposal Overview*. <http://bearscoalition.org/proposal-overview/>

<sup>22</sup> U.S. Forest Service. (2017). *Bears Ears National Monument: Manti-La Sal National Forest Recreation Conditions*. [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd529897.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd529897.pdf)

among other things.<sup>23</sup> These guidelines provide no explanation of how a national monument designation will increase protections relative to the BLM's prior management.

The monument designation specifically maintains the status quo for many aspects of the monument's management, further making the designation superfluous. President Obama's proclamation states:

1. "Laws, regulations, and policies followed by USFS or BLM in issuing and administering grazing permits or leases on lands under their jurisdiction shall continue to apply with regard to the lands in the monument."
2. "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Utah, including its jurisdiction and authority with respect to fish and wildlife management."
3. "Nothing in this proclamation shall preclude low-level overflights of military aircraft...or the use or establishment of military flight training routes."
4. "Nothing in this proclamation shall be construed to alter the authority or responsibility of any party with respect to emergency response activities within the monument, including wildland fire response."
5. "Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation."

All of these stipulations appear to preserve the status quo of grazing, wildlife management, military activities, emergency response, wildland fire response, or other existing land and water use rights.

## Lack of Funding for Public Lands

Although Bears Ears National Monument was meant to further protect the land, serious funding issues limit federal land managers ability extend current protections. For example, the National Park Service currently has a \$12 billion backlog of deferred maintenance projects, which is roughly five times more than the average amount that Congress appropriates to the entire Service annually.<sup>24</sup> The BLM, which will manage parts of Bears Ears under the National Landscape Conservation System, is also severely underfunded. These National Conservation Lands compose 12 percent of BLM land but only receive 6 percent of total BLM funding. The BLM has only \$2.23 per acre for its National Conservation Lands.<sup>25</sup> The USFS also struggles with funding, due in large part to the high expense of fighting fires. The USFS

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<sup>23</sup> Bureau of Land Management. (2017). "National Monuments, National Conservation Areas, and Similar Designations." *BLM Manual 6220*.  
[https://www.blm.gov/sites/blm.gov/files/uploads/mediacenter\\_blmmanual6220.pdf](https://www.blm.gov/sites/blm.gov/files/uploads/mediacenter_blmmanual6220.pdf)

<sup>24</sup> Fretwell, H., Gilroy, L., Regan, S. & Watson, R. (2016). *Breaking the Backlog: 7 Ideas to Address the National Park Deferred Maintenance Problem*. Property and Environment Research Center Public Lands Report.  
[https://www.perc.org/sites/default/files/pdfs/BreakingtheBacklog\\_7IdeasforNationalParks.pdf](https://www.perc.org/sites/default/files/pdfs/BreakingtheBacklog_7IdeasforNationalParks.pdf)

<sup>25</sup> Conservation Lands Foundation. (2016). *National Conservation Lands: 2016 Policy Handbook*.  
<http://conservationlands.org/documents/2016/03/2016-policy-handbook.pdf>

claims that “rising fire suppression costs is predicted to continue as long as the 10-year average serves as the funding model and presents a significant threat to the viability of all other services that support our national forests.”<sup>26</sup> Given the perpetual funding issues with the NPS, USFS, and BLM, Bears Ears National Monument will continue to struggle with the same issues that existed prior to the designation. The title of “national monument” does not automatically solve the fiscal issues that presented challenges in managing the lands prior to the designation.

As has been the case with national monuments in the past, Bears Ears National Monument designation may increase tourism to the area. Considering the fiscal issues that the USFS and BLM face, they may not have the resources to properly protect the objects of interest found within the monument. The designation may have the unintended consequence of degrading the very things the monument was intended to protect.

## Concerns of State, Tribal, and Local Governments and Economic Impacts

The Department of the Interior’s request for public comment asks for information regarding “concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities.”

### Concerns of State and Local Governments

Utah’s delegation to Congress, as well as many local officials in San Juan County, supported an alternative proposal to Bears Ears National Monument. Two of Utah’s Representatives, Rob Bishop and Jason Chaffetz, sponsored the Public Lands Initiative (PLI) to balance the desires for conservation against local economic development and funding for public schools. The PLI was one way to balance the competing uses of the area in two ways. First, it proposed a massive conservation effort, including new national conservation areas, a new national monument, and new wilderness areas in Utah. Second, the bill would have promoted economic development by opening up some of Utah’s federally owned lands to energy development.<sup>27</sup> Representative Chaffetz said, “Instead of the arrogance of a unilateral designation by a president who has never visited these areas, this bill enjoys broad local support after a very open and transparent process.”<sup>28</sup> Despite the attempt at compromise, the PLI became highly controversial within

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<sup>26</sup>U.S. Forest Service. (2015). *The Rising Cost of Wildfire Operations: Effects on the Forest Service’s Non-Fire Work*. <https://www.fs.fed.us/sites/default/files/2015-Fire-Budget-Report.pdf>

<sup>27</sup> A bill to provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes. H.R. \_\_. 114th Cong. (2016). [http://robbishop.house.gov/uploadedfiles/utah\\_public\\_land\\_initiative\\_act.pdf](http://robbishop.house.gov/uploadedfiles/utah_public_land_initiative_act.pdf)

<sup>28</sup> Burr, T. (2016). Public Lands Initiative, meant to block Bears Ears monument, passes House committee. *The Salt Lake Tribune*. <http://www.sltrib.com/home/4386530-155/public-lands-initiative-meant-to-block>

Utah and across the country. With the establishment of Bears Ears, the PLI died in Congress. The concerns that prompted the PLI are still salient because the monument designation will affect local economic development.

## Concerns of Tribal Governments and Native Americans

The presidential proclamation heavily emphasizes the importance of the area to Native Americans, but future management may not actually reflect the desires of the Native peoples who value the land. Within the proclamation, President Obama established the Bears Ears Commission to “ensure that management decisions affecting the monument reflect tribal expertise and traditional and historical knowledge.” The Commission’s duties are described as providing “guidance and recommendations on the development and implementation of management plans and on management of the monument.” The Commission is composed of one elected officer each from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe, designated by the officers’ respective tribes.

Within the wording of the proclamation, both the Secretary of the Interior and the Secretary of Agriculture “shall meaningfully engage the Commission or, should the Commission no longer exist, the tribal governments through some other entity composed of elected tribal government officers (comparable entity), in the development of the management plan and to inform subsequent management of the monument.” Although the Commission can put forward suggestions to the Secretaries, they have no specific obligation to follow the desires of the Commission. If the Secretaries choose to deviate from the suggestions of the Commission, the Secretaries must provide the Commission with a written explanation of their reasoning. Any management plans created by the Secretaries and their agencies must also include “parameters for continued meaningful engagement with the Commission.” The vague wording and arbitrary nature of these directives indicate that current and future Secretaries can simply disregard the Commission’s suggestions as long as they give a written justification for their actions. There is no definition for “meaningful engagement,” so nearly any interpretation could be considered valid. Although some Secretaries may give considerable deference to the wishes of the Commission, some Secretaries in the future, depending on politics and other constraints, may choose to completely disregard the Commission’s guidance.

The designation does not necessarily give more freedom for Native Americans to use their sacred land as they see fit. President Obama’s proclamation specifically states that “[n]othing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Indian tribe.” The proclamation also states that the monument’s management will be “consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites), including collection of medicines, berries and other vegetation, forest products, and firewood for personal noncommercial use in a manner consistent with the care and management of the objects identified above.”

Both the Indian Religious Freedom Act and Executive Order 13007 have allowed Native Americans across the country to engage in traditional activities. The national monument designation does not give

any tribe additional jurisdiction over the area, which means that Native Americans do not have more access to their sacred lands than they did before the designation.

## Conclusion

While many Americans value the idea of land preservation, the designation of Bears Ears National Monument is an abuse of executive power and does little to increase the area's protections. The argument over Bears Ears National Monument is about more than just the monument itself. Rather, it is about the overextension of the Antiquities Act. The stakes of the current debate are not about how scenic or how beloved the land may or may not be, but the rule of law and the appropriate use of executive power granted by the Antiquities Act.

As requested by the Department of the Interior, we have identified seven reasons why Bears Ears National Monument does not reflect the “requirements and original objectives” of the Antiquities Act, and it does not “appropriately balance the protection” of objects of interest.<sup>29</sup> First, the monument violates the law by being significantly larger than “the smallest area compatible with the proper care and management of the objects to be protected” and includes many objects for protection beyond the scope of the Antiquities Act. Second, the creation of the monument violates the stated purpose of the Antiquities Act because it was clearly used as a tool to build an environmental legacy. Third, there are many historical cases where the executive has unilaterally reduced the size of improvidently large designations. Fourth, the monument designation does little to give additional protection to the amenities described in the presidential proclamation. Fifth, federal, state, and local lawmakers supported land use policies that would balance the use of federal lands between competing interests, but the monument designation overrode local say in the matter. Sixth, the proclamation heavily emphasizes the importance of the area to Native Americans, but the future management may not actually reflect the desires of the Native peoples who value the land. Seventh, the designation does not necessarily give more freedom for Native Americans to use their sacred land as they see fit.

We recommend that the Secretary take several courses of action. First, the Department of the Interior, in its review, should consider reducing the size of Bears Ears to more appropriately encompass sites of legitimate historical and scientific interest, reasonably defined. Second, the Department of the Interior should reevaluate previous designations to ascertain both whether they were originally valid and/or continue to be necessary. If either of those conditions is not met, the President and Secretary should seek to redraw the monument's boundaries in accordance with the size and scope limitations present in the text of the Antiquities Act.

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<sup>29</sup> Review of Certain National Monuments Established Since 1996, *supra*.

# Public Interest Comment from Strata Policy on Certain National Monuments Established Since 1996

*Public Interest Comment on The Department of the Interior's Review of Certain National Monuments Established Since 1996*

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## *ABOUT STRATA*

Strata is a public policy research center in Logan, Utah, that seeks to help people make informed decisions about issues that impact the freedom to live their lives. We work to achieve more prosperous and free societies by conducting academic research on energy and environmental issues. We draw from the collective academic strength and ideas from a strong network of academics and professionals across the world.<sup>1</sup>



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<sup>1</sup> A statement on Strata's policies regarding research independence and integrity is available at: <http://www.strata.org/research-policy/>

# Introduction and Background

The Department of the Interior's request for comment on national monuments designated over the past twenty years responds to Executive Order 13792, issued by President Trump.<sup>2</sup> The Executive Order instructs the Secretary of the Interior to consider past designations' adherence to statutory language in the Antiquities Act of 1906, among other criteria, including:

1. The requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";
2. whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";
3. the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
4. the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;
5. concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;
6. the availability of Federal resources to properly manage designated areas.

The current review examines 21 recent national monument designations or enlargements: Basin and Range, Bears Ears, Berryessa Snow Mountain, Canyons of the Ancients, Carrizo Plain, Cascade-Siskiyou, Craters of the Moon, Giant Sequoia, Gold Butte, Grand Canyon-Parashant, Grand Staircase-Escalante, Hanford Reach, Ironwood Forest, Mojave Trails, Organ Mountains-Desert Peaks, Rio Grande del Norte, Sand to Snow, San Gabriel Mountains, Sonoran Desert, Upper Missouri River Breaks, and Vermilion Cliffs.

Strata is a public policy think tank based in Logan, Utah, that uses public choice theory and political economy to evaluate the legal and economic ramifications of government actions, especially as they relate to environmental policy. We are interested in the review of these national monuments because we are concerned about the rule of law, the abuse of government power, and the effects of government policies on a wide range of people. Our organization is composed of academics and policy professionals who engage in research to better understand the incentives behind government policies and the consequences that result from these policies.

With the Secretary's criteria in mind, we find that many of the national monuments under review, as currently designated, do not comport with the Act's requirements and original objectives. We also find that many designations do not "appropriately balance the protection of

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<sup>2</sup> Exec. Order No. 13792, 82 Fed. Reg. 82 (2017).

landmarks, structures, and objects against the appropriate use of federal lands and the effects on surrounding lands and communities."<sup>3</sup>

Below, we have listed several of our conclusions that the Department of the Interior should consider in its review of recently established national monuments. The conclusions of our analysis are listed in the order we discuss them throughout the document.

1. The creation of many recent national monuments seems to be motivated by presidents' interest in building an environmental legacy, rather than the stated purposes of the Antiquities Act.
2. Many monuments violate the law by being significantly larger than "the smallest area compatible with the proper care and management of the objects to be protected."
3. Many recent national monuments do not contain sites that are unique or specific enough to fulfill the "historic or scientific interest" clause of the Antiquities Act.
4. Historical precedent gives ample evidence that the executive may unilaterally reduce the size of improperly large designations.
5. Federal laws and regulations make monument designations superfluous in many cases because monuments do little to give additional protection to the amenities described in presidential proclamations.
6. Federal agencies, including the National Park Service, Forest Service, and Bureau of Land Management, suffer from backlogs and limited budgets that restrain how well they can manage large national monuments.

We also provide a specific comment on each of the 21 national monuments under review. Some of the national monuments under consideration appear to adhere to the statutory language of the Antiquities Act. Other monuments appear to violate that statutory language. We make a number of policy recommendations the President and Secretary could pursue in reevaluating national monuments.

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<sup>3</sup> Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment. 82 Fed. Reg. 90 (2017).



# Analysis

## Many Recent National Monuments Violate the Stipulations in the Antiquities Act

### Legal Historical Background

The Department of the Interior's request for public comment asks for information regarding "[t]he requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed 'the smallest area compatible with the proper care and management of the objects to be protected'" and "whether designated lands are appropriately classified under the Act as 'historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest.'"<sup>4</sup>

The phrase "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest" is drawn from the Antiquities Act and establishes the criteria the President may use to determine whether a given site can appropriately be designated as a national monument.<sup>5</sup> The statute does not supply any formal definition for these criteria. The Act's legislative history is long and complex, but many contemporary legislative documents and remarks by representatives indicate that the Act's original purpose was to protect small geographic areas associated with specific relics and sites.<sup>6</sup> The phrase "other objects of historic or scientific significance" was not included in early drafts of the Act, but was instead added by a committee appointee from the American Anthropological Association. The Department of the Interior, interested in preserving greater swaths of land, approved the change, but Western congressional delegations disagreed, fearing land grabs. To appease concerned stakeholders in the West, the "smallest area compatible" language was included in the final bill.<sup>7</sup>

The ways that presidents have used the Antiquities Act have evolved over the past century. Between 1906 and 1943, various presidents established 82 national monuments with relatively little resistance or controversy. The first major attempt to limit the power of the president under the Antiquities Act occurred in 1920 in *Cameron v. United States*. In this case, the Supreme Court found that the federal government had a right to evict Ralph H. Cameron from his mining claims on the south rim of the Grand Canyon because President Theodore Roosevelt's creation of the Grand Canyon National Monument was within the scope of authority granted under the Antiquities Act. Cameron had argued that the monument exceeded the Act's

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<sup>4</sup> Review of Certain National Monuments Established Since 1996, *supra*.

<sup>5</sup> 54 U.S.C. § 320301(a).

<sup>6</sup> Hartman, B. J. (2011). "Extending the Scope of the Antiquities Act." *Public Land and Resources Law Review* 32, 153-191. <http://scholarship.law.umt.edu/cgi/viewcontent.cgi?article=1026&context=plrlr>

<sup>7</sup> Rusnak, E. C. (2003). "The Straw that Broke the Camels Back? Grand Staircase-Escalante Antiquates the Antiquities Act." *Ohio State Law Journal* 64, 669-730. <http://moritzlaw.osu.edu/students/groups/oslj/files/2012/03/64.2.rusnak.pdf>

authority, but the Supreme Court stated that the Grand Canyon qualified as an object of historic or scientific interest because it "is the greatest eroded canyon in the United States, if not in the world, is over a mile in depth, has attracted wide attention among explorers and scientists, affords an unexampled field for geologic study, [and] is regarded as one of the great natural wonders."<sup>8</sup> This case widened the president's discretion to designate national monuments.

Another landmark case that shaped how presidents could use the Antiquities Act was *State of Wyoming v. Franke*. In 1943, President Franklin Roosevelt created Jackson Hole National Monument in Wyoming, which was strongly opposed by many locals. In this case, Wyoming charged that Jackson Hole National Monument exceeded the scope of the Antiquities Act because it lacked "historic landmarks, historic or prehistoric structures [or] objects of historic or scientific interest." The Wyoming Federal District Court upheld the establishment of the monument, stating that "whenever a statute gives a discretionary power to any person, to be exercised by him upon his own opinion of certain facts, it is a sound rule of construction, that the statute constitutes him the sole and exclusive judge of the existence of those facts."<sup>9</sup>

In response to the controversy over Jackson Hole National Monument, Congress passed a law to abolish the monument, which President Roosevelt vetoed. Again in 1947, Congress attempted to abolish the monument, but public sentiment had changed, and it became politically expedient to preserve the monument designation. In 1950, Congress incorporated Jackson Hole National Monument into the bordering Grand Teton National Park. This legislation, however, amended the Antiquities Act, prohibiting any new national monuments or extensions to national monuments in Wyoming without Congressional approval. The political battle over Jackson Hole National Monument slowed the creation of new national monuments. Between 1943 and 1977, only six national monuments were established by presidents.<sup>10</sup>

The next landmark court case occurred in December 1978, when President Carter designated fifteen national monuments in Alaska, most of which covered over a million acres each. These designations reignited the controversy and disputes over the legality of national monument designations. In *Anaconda Copper v. Andrus*, the Supreme Court again refused to limit the president's authority under the Antiquities Act. In the case, the Supreme Court stated that it did "believe there are limitations" to the president's authority and discretion. The Court, however, did not define those limitations, and never has to this day. Because the courts and Congress did not restrict or define presidential authority when the Alaskan designations were made in 1978, the president appears to have ever-widening and unchecked authority under the Act.<sup>11</sup> Past abuses of the Antiquities Act, however, do not justify continuing abuses, and past abuses should be remedied by the executive branch or Congress. The judicial branch's failure to

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<sup>8</sup> Quigley, J. J. (1999). Grand Staircase-Escalante National Monument: Preservation or Politics. *Journal of Land, Resources, & Environmental Law*, Vol. 19, Issue 1 (1999), pp. 55-102.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> Halden, A. E. (1997). The Grand Staircase-Escalante National Monument and the Antiquities Act [notes]. *Fordham Environmental Law Journal*, Vol. 8, Issue 3 (Symposium 1997), pp. 713-740.

restrict usage of the Antiquities Act to a reasonable domain only makes it more important that the executive provide intertemporal checks and balances on its own.

#### Political Economy Explanation for the Designation of National Monuments

Over the course of the 20th century and into the 21st century, presidents have used the Antiquities Act to designate increasingly large and controversial pieces of federal land as national monuments. One of the most striking uses of the Antiquities Act has been what we call "midnight monuments."<sup>12</sup> Many presidents have used their lame duck months in office to designate some of the largest and most controversial national monuments.

Rather than following the stated purpose of the Antiquities Act, the creation of many monuments seems to be rooted in the desire for an "environmental legacy." For example, Presidents Obama, Bush, and Clinton designated monuments during their lame duck periods between the final presidential election of their terms and the next president's inauguration. This pattern strongly suggests that these monument designations served mainly as a tool for environmental legacy building. Using the Antiquities Act as a means of self-aggrandizement on the part of lame duck presidents is inconsistent with the Act's original objectives.

Although difficult to prove that a designation is used for motives other than the protection of historic or scientific amenities, economic theory can illuminate conditions linked to designations that are used for motives other than those expressly written in the Act. First, the lame duck period between an election and an inauguration is a strategic time for controversial actions on the part of the president and Congress alike. The ability of the electorate to punish the president and his party for overreach is vastly diminished in the lame duck period, which explains why presidents often save their most controversial designations and regulations for this period. Second, national monument designations, especially large ones, help build an environmental legacy because presidents are seen as having "saved" the largest amount of land possible. National monuments are popular with average Americans, especially those that live in cities and are located far from the monuments themselves. This popularity is the main mechanism that leaves a lasting legacy. Third, national monument designations are one of the lowest cost ways for presidents to build an environmental legacy. Alternative means, such as landmark legislation or national park designations, are difficult and costly for a president to achieve because engaging with Congress to create such policies is time consuming and requires extensive coalition building, among other costs. Designating a national monument, on the other hand, can be done unilaterally. The judiciary's lax enforcement of the Antiquities Act's restrictions makes this even easier.

With the nearly unlimited discretion of the Antiquities Act, recent two-term presidents have used their authority to designate national monuments in the lame duck period between the election and the next president's inauguration. For example, President Obama designated five

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<sup>12</sup> Much of the research of this section and the terminology of "midnight monuments" comes from an ongoing and unreleased research project of Lofthouse, Harmer, and Wardle. We are available for further comment on this research if it interests the Department.

national monuments in his lame duck period, George W. Bush designated four, and Clinton designated eight. For perspective, Obama designated twenty-four national monuments before his lame duck period, George W. Bush designated two, and Clinton designated ten, despite the fact that the lame duck period makes up less than 100 days of these presidents' long tenures. Environmental legacy building is inconsistent with the original objectives and intent of the Antiquities Act, and such uses of the law are an overreach of executive power.

#### Many National Monuments Exceed the Antiquities Act's Size Limitations

Many recent national monuments do not fulfill the requirements of the Antiquities Act because their size is much larger than "the smallest area compatible with the proper care and management of the objects to be protected." Although the Act implicitly gives the president wide discretion to designate national monuments on federal lands, the law should not be read to give the president unlimited authority to unilaterally designate vast areas.

Devils Tower National Monument, the first national monument in the United States, protects approximately two square miles. President Theodore Roosevelt used the Antiquities Act in 1906 to create Devils Tower National Monument, but his designation was only slightly larger than the footprint of the Devils Tower butte itself. This seems more consistent with the wording to protect "the smallest area compatible with the proper care and management of the objects to be protected." Despite this precedent, presidents have made increasingly large designations. Over the years, the Supreme Court and other federal courts have consistently upheld presidential designations of national monuments, creating the incentive for presidents to abuse their fiat power.<sup>13</sup>

The majority of national monuments that were established in the early 1900s were also of similar size and scope to Devils Tower. Over time, national monuments designations have become increasingly large as presidents have used the Antiquities Act more loosely. Prior to 1970, the average size of national monuments was roughly 80,000 acres. After 1970, the average size of national monuments was over ten times larger at nearly 1.013 million acres. In Appendix 1, we have listed all national monuments that presidents created through the Antiquities Act and the acreage of those monuments at the time they were created.

Some recent national monuments clearly are larger than the Antiquities Act was meant to protect. Bears Ears in Utah is 1.353 million acres, Grand Staircase-Escalante in Utah is 1.7 million acres, and Mojave Trails in California is 1.6 million acres.. To put this into perspective, the State of Delaware is 1.251 million acres. The Antiquities Act was never meant to protect areas larger than some states, nor was it meant to give presidents the unbridled authority to redesignate such large tracts of public land.

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<sup>13</sup> See e.g. *Cappaert v. United States*, 426 U.S. 128 (S.C. 1976), *Cameron v. United States*, 252 U.S. 450 (S.C. 1920), and Squillace, M. (2003). "The Monumental Legacy of The Antiquities Act of 1906." *Georgia Law Review* 37, 473-610. [https://www.nps.gov/parkhistory/online\\_books/antiquities/antiquities.pdf](https://www.nps.gov/parkhistory/online_books/antiquities/antiquities.pdf)

## Many Recent National Monuments Do Not Contain Unique Features of Historic or Scientific Interest

Most national monuments that were created before the 1970s contained specific and unique features that had historic or scientific interest. Some of the oldest national monuments preserved distinct archaeological or geological features. For example, Devils Tower National Monument protected a particular and unique igneous rock tower, and Montezuma Castle National Monument preserved an ancient cliff dwelling.

Through the end of the 20th century and into the 21st, presidents became much looser with the features they deemed to be worthy of national monument protection. For example, many recent presidents have justified their national monuments by citing the presence of abundant and widespread species of vegetation and wildlife. Many recent national monuments have used such vague and wide-sweeping justifications for "historic or scientific interest" that the term loses nearly all meaning. With vague justifications, presidents could potentially establish national monuments that included the entire Colorado Plateau or the entire Mojave Desert. In the "Specific Comments on the National Monuments Under Review" section of this paper, we show how and why many recent national monuments do not comport with the "historic and scientific interest" stipulations of the Antiquities Act.

## The Executive Has the Authority to Reduce the Size of Existing National Monuments Under Some Circumstances

No president has ever attempted the wholesale removal of a national monument designation. There is legal disagreement over whether such an attempt would ultimately be upheld in the courts, with reasonable arguments to be made for both sides.<sup>14</sup> Ultimately, executive-led full revocation of monument status is legally uncharted territory. Reductions in size, however, have occurred multiple times without court challenges. First, President Taft reduced his own designation of Navajo National Monument, cutting its land area by 89 percent. Multiple presidents cut pieces from Mount Olympus National Monument, reducing its size by nearly half. President Truman removed nearly half of Santa Rosa Island National Monument from designation, and President Eisenhower diminished Great Sand Dunes National Monument by 25 percent. This is not an exhaustive list—it merely highlights major reductions.<sup>15</sup>

President Taft's proclamation vastly reducing Navajo National Monument is illustrative. It specifically states that the decision was a result of finding that the designation constituted "a

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<sup>14</sup> *Presidential Authority to Revoke or Reduce National Monument Designations* by John Yoo and Todd Gaziano, cited later in this paragraph, begins with the argument that the president has the general authority to revoke designations under a number of well accepted legal principles. For legal opinions arguing that the executive does not have the right to remove monuments, see Wyatt, A. M. (2016). *Antiquities Act: Scope of Authority for Modification of National Monuments*. Congressional Research Service Report R44687. Retrieved from [http://www.law.indiana.edu/publicland/files/national\\_monuments\\_modifications\\_CRS.pdf](http://www.law.indiana.edu/publicland/files/national_monuments_modifications_CRS.pdf)

<sup>15</sup> Yoo, J. & Gaziano, T. (2017). *Presidential Authority to Revoke or Reduce National Monument Designations*. American Enterprise Institute. Retrieved from <https://www.aei.org/wp-content/uploads/2017/03/Presidential-Authority-to-Revoke-or-Reduce-National-Monument-Designations.pdf>

much larger tract of land than is necessary for the protection of such of the ruins as should be reserved.”<sup>16</sup> Even without general authority to rescind monument status, there is a strong case to be made that the president retains the power to shrink existing monuments according to a finding that an original designation was inappropriately large. No federal court has ever ruled directly on these reductions, but in *Alaska v. United States*, the Supreme Court “accepted without discussion” that the boundaries of Glacier Bay National Monument redrawn by President Eisenhower were legitimate.<sup>17</sup> Eisenhower’s proclamation made reductions on three different plots for separate reasons: the land could serve a more critical federal purpose; it was improvidently included in the designation to begin with; and Antiquities Act protection was no longer necessary.<sup>18</sup> The Congressional Research Service’s report on presidential authority under the Antiquities Act concludes (albeit with an air of legal uncertainty) that these and other reductions are legally legitimate.<sup>19</sup>

Historical examples of presidents shrinking previous monument designations abound, including some which are quite large. The Department of the Interior should reevaluate previous designations to ascertain both whether they were originally valid and/or continue to be necessary. If either of those conditions is not met, the President and Secretary should seek to redraw monument boundaries in accordance with the size and scope limitations present in the text of the Antiquities Act.

## Many Monument Designations Do Little to Give Additional Protections

### Federal Laws and Regulations Already Protect Most Public Land

The Antiquities Act was passed in 1906 under a set of unique circumstances and with particular intentions. In the late 19th century and early 20th century, policymakers, academics, and the general public were concerned that development and looting were destroying archeological sites and other artifacts across the country. Congress passed the Antiquities Act as a relatively low-cost means of quickly protecting cultural and natural resources that were in immediate danger of destruction.<sup>20</sup>

As the 20th century progressed, other legislation and regulations were enacted to protect cultural and natural resources. These additional protections should have limited the need for presidents to use the Antiquities Act, at least in theory. For example, the Archaeological Resources Protection Act (ARPA) of 1979 protects archaeological resources found on federally-owned and tribal lands, making monument designations to protect these resources redundant in many cases. ARPA also bans the trafficking of archaeological resources that people obtain when

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<sup>16</sup> Proclamation No. 1186, (1912). Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=76605>

<sup>17</sup> 545 U.S. 75. (S.C. 2005). Quotation and analysis from Yoo & Gaziano, *Presidential Authority*, *supra*.

<sup>18</sup> Proclamation No. 3089, (1955). Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=107264>

<sup>19</sup> Wyatt, *Antiquities Act*, *supra*.

<sup>20</sup> National Park Service. (2016). *About the Antiquities Act*. Retrieved from <https://www.nps.gov/archeology/sites/antiquities/about.htm>

violating existing laws and regulations.<sup>21</sup> Despite increasing protections for cultural and natural resources, presidents continued to use their authority under the Act to designate monuments. In many cases, the Antiquities Act has evolved into a political tool, rather than a last-resort means of preserving endangered amenities of historic or scientific interest.

Advocates for a designation often want to ensure protection for artifacts and sacred sites. These areas are already protected by ARPA, which states “No person may [or attempt to] excavate, remove, damage, or otherwise alter or deface [...] any archaeological resource located on public lands or Indian lands” unless they have been issued a permit by the proper governing body. People that knowingly violate this law can be fined up to \$10,000 or imprisoned for up to a year. Laws that prohibit removing or damaging Native American artifacts already exist, so a national monument designation does little to provide extra protection. Current laws and regulations could protect areas of historic or scientific interest if they are enforced by federal land management enforcement officers.

In addition to ARPA, the federal land management agencies must follow dozens of other laws and regulations intended to protect public lands. Here is a list of just some of the laws that federal land managers must obey:

- Clean Air Act
- Clean Water Act
- Coastal Zone Management Act
- Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)
- Endangered Species Act
- Energy Policy Act of 1992
- Energy Policy Act of 2005
- Federal Land Policy and Management Act
- Federal Insecticide, Fungicide, and Rodenticide Act
- Federal Power Act
- Fish and Wildlife Coordination Act
- Fisheries Conservation and Management Act (Magnuson-Stevens)
- Lacey Act
- Marine Mammal Protection Act
- Migratory Bird Treaty Act
- Mineral Leasing Act
- National Environmental Policy Act
- National Forest Management Act
- National Historic Preservation Act
- Noise Control Act
- Nuclear Waste Policy Act
- Ocean Dumping Act

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<sup>21</sup> Gerstenblith, P. (2016). “The Legal Framework for the Prosecution of Crimes Involving Archaeological Objects.” *Cultural Property Law* 64(2), 5-16. Retrieved from <https://www.justice.gov/usao/file/834826/download>

- Oil Pollution Act
- Resource Conservation and Recovery Act
- Rivers and Harbors Act
- Safe Drinking Water Act
- Surface Mining Control and Reclamation Act
- Toxic Substances Control Act
- Wild and Scenic Rivers Act

Each land management agency also makes management plans to protect the ecological and historic amenities on federal land. For example, the Bureau of Land Management (BLM) creates resource management plans (RMPs) to protect the plants, animals, landscapes, and historic features of the land under its purview. RMPs guide the BLM in how it manages public lands. The BLM must balance between competing land uses, while also protecting valuable resources for the future.<sup>22</sup> RMPs may consider a wide variety of aspects on public land, such as air quality, areas of critical environmental concern, climate change, cultural and paleontological resources, fire and fuels, fisheries, forest management, hydrology, invasive species, lands and realty, lands with wilderness characteristics, livestock grazing, minerals, national trails systems, rare plants and fungi, recreation and visitor services, socioeconomics, soil resources, sustainable energy, trails and travel management, tribal interests, visual resource management, wildlife, and wild-and-scenic rivers.<sup>23</sup>

The United States Forest Service (USFS) also creates a management plan for every national forest or grassland under their purview. Managers of individual forests and grasslands adhere to planning rules to develop a specific land management plan. The planning process for USFS management plans meets the requirements of the National Forest Management Act (NFMA), the Multiple-Use Sustained-Yield Act (MUSYA), and the Endangered Species Act, as well as all other legal requirements. USFS land management plans are required to promote "ecological sustainability and contribute to social and economic sustainability, using public input and the best available scientific information to inform plan decisions." In particular, USFS planning rules emphasize protecting water resources, restoring ecosystems, supporting biodiversity, and promoting multiple uses.<sup>24</sup>

Past presidents have failed to show why the list of federal laws, regulation, and management plans are insufficient for protecting the lands they have designated as national monuments. The Antiquities Act was passed in a time when few environmental or historic preservation laws existed, but in recent decades, the United States has implemented dozens of

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<sup>22</sup> Utah Public Lands Coordinating Office. (n.d.). "BLM Resource Management Plans Litigation." Retrieved from <http://publiclands.utah.gov/current-projects/blm-resource-management-plan-litigation/>

<sup>23</sup> Bureau of Land Management. (2015). Proposed Resource Management Plan Western Oregon – Final EIS – Volume 1. Retrieved from [https://www.blm.gov/or/plans/rmpswesternoregon/files/prmp/RMPWO\\_V1\\_Summary.pdf](https://www.blm.gov/or/plans/rmpswesternoregon/files/prmp/RMPWO_V1_Summary.pdf)

<sup>24</sup> National Forest System Land Management Planning. 77 Fed. Reg. 21162 (2012). Retrieved from [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5362536.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5362536.pdf).



laws that protect nearly every aspect of our federal lands. Some national monuments are designated in areas that already have federally designated wilderness, wilderness study areas, or wildlife refuges. These designations make national monuments largely superfluous for environmental protections, but monuments do serve as a way for presidents to build environmental legacies without expending much political capital.

#### *Failed Attempt at Preservation: Fossil Cycad National Monument*

Designating an area as a national monument does not automatically ensure that the area will be protected into the future. For example, Fossil Cycad National Monument in South Dakota was created in 1922, but in 1957, Congress removed the national monument designation. The area was named for the rich collection of fossils that abounded in the monument, but in only 33 years, nearly all the above-ground fossils within the monument were looted by visitors. The monument designation did not prevent visitors from stealing fossils as souvenirs from the monument. Without the fossils, justifications for the monument no longer existed.

Without proper enforcement, monument designations are little more than a name change of federal lands. Sally Shelton, the collections director of the Museum of Geology at the South Dakota School of Mines and Technology, said about Fossil Cycad, “If you want to manage something as a public resource, you need to make sure that you’ve got the resources to make that commitment. Just saying it’s a national park or monument doesn’t give it any protection.”<sup>25</sup>

If the Secretary finds that some national monuments are not afforded greater levels of protection from their designations, he should consider alternatives to the designation. In some cases, state and local officials may have more resources, knowledge, and incentive to protect an area than a federal manager would. Particularly in areas containing Native American artifacts, allowing tribes to take a greater role in managing the area may provide greater protections for artifacts.

#### Funding Shortfalls for Public Lands

The federal government may not always have the resources available to properly manage designated areas. Serious funding issues limit federal land managers ability extend current protections. For example, the National Park Service currently has a \$12 billion backlog of deferred maintenance projects, which is roughly five times more than the average amount that Congress appropriates to the entire Service annually.<sup>26</sup> The BLM, which manages several national monuments under the National Landscape Conservation System, has overextended its resources protecting the monuments under its control. These National Conservation Lands

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<sup>25</sup> Tupper, S. (2016, June 26). SD’s forgotten national monument: A cautionary tale for the Park Service centennial. *Rapid City Journal*. Retrieved from [http://rapidcityjournal.com/news/local/sd-s-forgotten-national-monument-a-cautionary-tale-for-the/article\\_94f03f22-1c00-54bc-b73a-df4c737f337c.html](http://rapidcityjournal.com/news/local/sd-s-forgotten-national-monument-a-cautionary-tale-for-the/article_94f03f22-1c00-54bc-b73a-df4c737f337c.html)

<sup>26</sup> Fretwell, H., Gilroy, L., Regan, S. & Watson, R. (2016). *Breaking the Backlog: 7 Ideas to Address the National Park Deferred Maintenance Problem*. Property and Environment Research Center Public Lands Report. Retrieved from [https://www.perc.org/sites/default/files/pdfs/BreakingtheBacklog\\_7IdeasforNationalParks.pdf](https://www.perc.org/sites/default/files/pdfs/BreakingtheBacklog_7IdeasforNationalParks.pdf)

compose 12 percent of BLM land but only receive 6 percent of total BLM funding. The BLM has only \$2.23 per acre for its National Conservation Lands.<sup>27</sup> The USFS also struggles with funding, due in large part to the high expense of fighting fires. The USFS claims that the "trend of rising fire suppression costs is predicted to continue as long as the 10-year average serves as the funding model and presents a significant threat to the viability of all other services that support our national forests."<sup>28</sup>

Given the perpetual funding issues with the NPS, USFS, and BLM, national monuments will continue to struggle with the same issues that existed prior to the designation. The title of "national monument" does not automatically solve any fiscal issues.

National monument designations may have the unintended consequence of degrading the very things the monuments were intended to protect. Newly designated national monuments often increase tourism, so considering the fiscal issues that the NPS, USFS, and BLM face, federal agencies may not have the resources to properly protect the objects of interest found within national monuments, especially ones that are hundreds of thousands of acres. Even in well-funded national parks, vandalism and degradation commonly occur. In less-funded national monuments that span for hundreds of thousands of acres, the small number of enforcement officers may not be able to stop vandalism, looting, poaching, or other forms of degradation. Increasing funding may not be the proper answer because the funding necessary to establish adequate enforcement may exceed the benefit of the added enforcement.

## Specific Comments on the National Monuments Under Review

In this section, we evaluate each of the 21 monuments under review. For each monument, we discuss the justifications specified in each of the presidential proclamations. Then we evaluate whether the justifications are valid under the "smallest area compatible" and "historic and scientific interest" clauses.

We also provide courses of action that the executive branch may take. For many monuments, we recommend that the President collaborate with Congress to reevaluate land protections. Congress, being a more democratically responsive institution, is more likely to succeed at drawing compromise between competing public land interests. Congressional collaboration also expands the slate of policy options, as the Constitution states "Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."<sup>29</sup>

There is a long history of national monuments being made into national parks by Congress. Many of America's most beloved national parks began as presidentially created national monuments that were later sanctioned by Congress to become national parks. Some of

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<sup>27</sup> Conservation Lands Foundation. (2016). *National Conservation Lands: 2016 Policy Handbook*. Retrieved from <http://conservationlands.org/documents/2016/03/2016-policy-handbook.pdf>

<sup>28</sup> U.S. Forest Service. (2015). *The Rising Cost of Wildfire Operations: Effects on the Forest Service's Non-Fire Work*. Retrieved from <https://www.fs.fed.us/sites/default/files/2015-Fire-Budget-Report.pdf>

<sup>29</sup> U.S. Const. art. 4, § 3.

these national parks include Grand Canyon, Olympic, Zion, Joshua Tree, and Denali.<sup>30</sup> Congress also combined some presidentially created national monuments into adjacent national parks, such as the combination of Jackson Hole National Monument and Grand Teton National Park in 1950.

Congress also has the authority to redesignate land as national wilderness, which would give far stricter regulations than national monument status. For monuments that contain sites that are especially important to Native American tribes, the President and the Secretary could also work with Congress to turn over the land to those tribes.<sup>31</sup> Finally, the President could work with Congress to evaluate the acceptability of turning land over to individual States or even land privatization. State control of lands may be beneficial because states have a better ability to respond to localized information and utilize federalism to innovate with different land management strategies. Privatization, while politically difficult, should be strongly considered because of the strong stewardship incentive created by private ownership of land.<sup>32</sup> We urge the President and the Department of the Interior to consider that the best potential management for many of these areas might require a mixture of designations.

## Monuments that May Adhere to the Antiquities Act

### *Berryessa Snow Mountain National Monument*

President Barack Obama designated Berryessa Snow Mountain National Monument on July 10, 2015. The monument is in Northern California and covers 330,780 acres. The area is home to several endemic species and contains unique geologic features, including the seismically active Bartlett Springs fault zone and two tension-crack caves. The area's soils "lack the nutrients most plants need and often contain heavy metals toxic to many plants, resulting in plants that are unique and endemic to this region."<sup>33</sup> In addition, the area contains historic settlements including mineral collection sites, camps from fur trappers, and villages left over from Native Americans. President Obama's proclamation creating the area provides few specific details about the historic features protected within the area. Additionally, while many of the species mentioned in the proclamation are "rare, sensitive, or threatened under Federal or State

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<sup>30</sup> Others include Lassen Volcanic, Katmai, Great Basin, Bryce Canyon, Carlsbad Caverns, Arches, Glacier Bay, Great Sand Dunes, Death Valley, Saguaro, Black Canyon of the Gunnison, Capitol Reef, Channel Islands, Gates of the Arctic, Kenai Fjords, Kobuk Valley, Lake Clark, and Wrangell-St. Elias.

<sup>31</sup> Regan, S. (2014, March 13). "5 Ways The Government Keeps Native Americans In Poverty." PERC. Retrieved from <https://www.perc.org/articles/5-ways-government-keeps-native-americans-poverty>

Anderson, T. (1996, July 1). "Conservation Native American Style." PERC. Retrieved from <https://www.perc.org/articles/conservation-native-american-style-full>

<sup>32</sup> Anderson, T. L., Smith, V. L., Simmons, E. (1999). *How and Why to Privatize Federal Lands*. Cato Policy Analysis No. 363. Washington, D.C.: The Cato Institute.

<sup>33</sup> Obama, B.H. (2015, July 10). "Presidential Proclamation -- Establishment of the Berryessa Snow Mountain National Monument." The White House Office of the Press Secretary. Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2015/07/10/presidential-proclamation-establishment-berryessa-snow-mountain-national>

law,” others, like rainbow trout, common king snake, American badger, etc., are common and can be found across much of North America.<sup>34</sup>

The area contains important geologic features and historic artifacts. The area also contains two wilderness areas that were both created in 2006. Protecting the wilderness areas within the monument is redundant, as a wilderness provides much stricter protection to an area than most other land designations. In addition, historic artifacts within wilderness areas are already protected under several other laws and do not require further legal protection.

The monument undoubtedly contains areas of “scientific interest,” as required by the Antiquities Act, but it also contains features that are already protected, or can be found in numerous other places throughout the country. The President could decrease the area of the monument to more closely encompass specific geologic features and specific historic sites.

### *Canyons of the Ancients National Monument*

President Bill Clinton designated Canyons of the Ancients National Monument on June 9, 2000. The monument is in western Colorado near the Utah border and includes over 175,000 acres. President Clinton's justifications for the designation highlighted the fact that the area contains the "highest known density of archaeological sites in the Nation." For example, the presidential proclamation states that "[t]he Mockingbird Mesa area has over forty sites per square mile, and several canyons in that area hold more than three hundred sites per square mile."<sup>35</sup>

Out of all the recent national monuments under review, Canyons of the Ancients seems to be most in line with the stipulations of the Antiquities Act. The boundaries of the monument, while extensive, do protect areas of historic and scientific interest that comport with the original intention of the Antiquities Act. This monument protects one of the large concentrations of antiquities that the Act was meant to protect.

The President could collaborate with Congress to reevaluate the designation of the area. Mesa Verde National Park is roughly 5.5 miles from the southeast corner of Canyons of the Ancients, which would allow Congress to fold the monument into the existing park if it considered such a decision prudent. If Congress does not believe that the area should be redesignated, leaving the current monument as it is would still comport with the original intentions of the Antiquities Act.

### *Carrizo Plain National Monument*

President Bill Clinton designated Carrizo Plain National Monument on January 17, 2001, in the lame duck period of his presidency. The monument is in southern California and spans just over 204,000 acres. President Clinton's proclamation that created the monument said that the

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<sup>34</sup> Obama, B.H. (2015, July 10). “Presidential Proclamation -- Establishment of the Berryessa Snow Mountain National Monument.” The White House Office of the Press Secretary. Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2015/07/10/presidential-proclamation-establishment-berryessa-snow-mountain-national>

<sup>35</sup> Clinton, W.J. (2000). "Proclamation 7317—Establishment of the Canyons of the Ancients National Monument." The American Presidency Project. Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62331>

area is the "largest undeveloped remnant" of the grasslands that once existed in the San Joaquin Valley. The monument also contains Soda Lake, which is "the largest remaining natural alkali wetland in southern California." The Carrizo Plain is unique because of its "size, isolation, and relatively undeveloped nature."<sup>36</sup>

Californians' public response to the review of Carrizo Plain has been nearly unanimously in support of the monument.<sup>37</sup> Carrizo Plain is one of the smallest monuments under review. The monument covers the grassland between the Temblor Range and the Caliente Range. Leaving the monument as it is would be justifiable because of the area's unique objects of scientific interest and inconsequential because of minimal public opposition. If the Secretary is looking for a more democratic alternative to the monument designation, the executive branch could work with Congress to redesignate the area.

### *Craters of the Moon National Monument*

In 2000, President Bill Clinton enlarged Craters of the Moon National Monument, originally created in 1924, from 54,000 acres to 661,000 acres.<sup>38</sup> The monument is in southern Idaho and is frequently described as a "lunar" landscape. It is the result of ancient volcanic activity, and the expanded monument includes "craters, cones, lava flows, caves, and fissures of the 65-mile-long Great Rift, a geological feature that is comparable to the great rift zones of Iceland and Hawaii." The monument boundaries were adjusted five times prior to Clinton's adjustment. Clinton's presidential proclamation lists specific volcanic features that the monument enlargement contains, including the Kings Bowl lava field, the Wapi lava field, and the Bear Trap lava tube.<sup>39</sup>

The Great Rift is the longest known rift zone in the contiguous United States, and as such, qualifies as an object of scientific interest. While Craters of the Moon National Monument is exceptionally large, the monument covers area that is not viable for farming or grazing. The designation of the monument and subsequent enlargements have generated little controversy, as the land itself is not directly useful to local communities.

In recent years, some Idahoans have suggested turning the area into Idaho's first national park. Residents of Arco and other surrounding towns think that a national park designation

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<sup>36</sup> Clinton, W.J. (2001). "Proclamation 7393—Establishment of the Carrizo Plain National Monument." Retrieved from [https://www.blm.gov/nlcs\\_web/sites/style/medialib/blm/ca/nlcs/Carrizo\\_Plain\\_NM/docs.Par.35275.File.dat/Carrizo%20Plain%20Proclamation.pdf](https://www.blm.gov/nlcs_web/sites/style/medialib/blm/ca/nlcs/Carrizo_Plain_NM/docs.Par.35275.File.dat/Carrizo%20Plain%20Proclamation.pdf)

<sup>37</sup> The Reporter News. (2017, June 10). Legislature urges continued protection of California's national monuments. Retrieved from <http://www.thereporter.com/article/NG/20170610/NEWS/170619990>  
Becerra, X. (2017, June 8). Trump administration threatens protections for California's cherished national monuments. Retrieved from <https://medium.com/@AGBecerra/trump-administration-threatens-protections-for-californias-cherished-national-monuments-22dcf519975e>

<sup>38</sup> Stahl, G. (2000). Craters expansion finalized. *Idaho Mountain Express and Guide*. Retrieved from <http://archives.mtexpress.com/2000/11-15-00/11-15rift.htm>

<sup>39</sup> Clinton, W.J. (2000, November 9). "Proclamation 7373—Boundary Enlargement of the Craters of the Moon National Monument." Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62283>

would increase tourism in the area and revitalize the local economy.<sup>40</sup> The President could work with Congress to designate the area as a national park to increase visitation to the area and bring it greater public attention. As it stands now, the monument covers valuable scientific resources and has little to no negative impact on surrounding communities.

### *Giant Sequoia National Monument*

President Bill Clinton created Giant Sequoia National Monument in April 2000. The monument covers 327,769 acres in California and protects several giant sequoia groves. Clinton's proclamation creating the monument states that part of the purpose of the monument is to restore the forests to "counteract the effects of a century of fire suppression and logging." In addition, the proclamation states that since sequoias are so large, their rings contain many "records of past environmental changes such as climate, fire regimes, and consequent forest response." The giant trees provide nesting areas for the California condor, a critically endangered species.<sup>41</sup>

Because the main justification for Giant Sequoia National Monument is the scientific value of the forest, the size and scope of the monument is likely valid. The goal of counteracting the effects of fire suppression and logging, however, could be better served through other means, such as more active management plans from the Forest Service. Simply designating the area as a national monument has done nothing on its own to counteract those impacts.

Giant Sequoias are the world's largest trees and exist only in California. The proclamation demonstrates that the area contains objects of scientific interest that should be preserved. As such, the monument is likely valid under the Antiquities Act. The President could encourage Congress to consider incorporating the area into the adjacent Sequoia and Kings Canyon National Parks.

### Monuments that May Not Adhere to the Antiquities Act

#### *Basin and Range National Monument*

President Barack Obama designated Basin and Range National Monument in July 2015. The monument is found in southeastern Nevada and is approximately 700,000 acres. President Obama's justifications for the monument include the area's topography, ecology, and history. Many historic events, including mining, Native American hunting and gathering, and European settlement occurred within the area, but the only remaining artifacts mentioned by Obama's proclamation are petroglyphs. Many parts of the monument were already federally protected

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<sup>40</sup> Sevren, M., Shaw, S., & Cramer, J. (2016, May 23). *KIVTV*. Retrieved from <http://www.kivitv.com/news/craters-of-the-moon-a-push-for-idahos-1st-national-park>

<sup>41</sup> Clinton, W.J. (2000, April 15). "Proclamation 7295—Establishment of the Giant Sequoia National Monument." Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62321>

before President Obama's designation. These protected areas included White River Narrows Historic District, Mount Irish Archaeological Area, and the Shooting Gallery rock art site.<sup>42</sup>

The vague justifications could be used to designate nearly all public lands from the Sierra Nevada in California to the Wasatch Range in Utah. The only unique feature of the monument is that it is one of the more undisturbed areas of the Great Basin. Other areas of historic or scientific interest were already protected prior to the monument's designation. These justifications do not fit within the "smallest area compatible" clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Basin and Range National Monument to more appropriately encompass sites of legitimate historic interest, reasonably defined.

The President and the Department of the Interior could work with Congress to incorporate the area into nearby Great Basin National Park if the members of Congress deem it as an appropriate addition. If Congress does not believe that the area should be established as a national park, the executive branch or Congress could revert the area back to its multiple use mandates that were in place before the designation to promote more democratic management of public lands or consider alternative designations.

#### *Bears Ears National Monument*

See Strata's previous public comment titled "Public Interest Comment from Strata Policy on Bears Ears National Monument Designation" submitted to the Department of the Interior on May 24, 2017.<sup>43</sup> We would also like to express general support for the ideas contained in the Public Interest Comment filed by Brian Seasholes on behalf of the Property and Environment Research Center regarding Bears Ears, especially with respect to a stronger Native American role in the land's management.<sup>44</sup>

#### *Cascade-Siskiyou National Monument*

President Bill Clinton originally designated Cascade-Siskiyou National Monument on June 9, 2000. President Barack Obama enlarged the designation in his lame duck period on January 12, 2017. The original monument was located in southwestern Oregon, but the Obama

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<sup>42</sup> Obama, B.H. (2015). "Presidential Proclamation -- Establishment of the Basin and Range National Monument." The White House Office of the Press Secretary. Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2015/07/10/presidential-proclamation-establishment-basin-and-range-national>.

<sup>43</sup> Lofthouse, J.K., Harmer, C., Wardle, A.R., Hansen, M.E., & Stevens, L.C. (2017, May 24). Public interest comment from Strata Policy on Bears Ears National Monument designation. Retrieved from <http://strata.org/pdf/papers/bears-ears-5-17.pdf>

<sup>44</sup> Seasholes, B. (2017, May 25). "Public Comment to the U.S. Department of the Interior on the Review of Certain National Monuments Established Under the Antiquities Act of 1906 Regarding Bears Ears National Monument." Retrieved from <https://www.perc.org/sites/default/files/pdfs/PERC%20Public%20Comment%20to%20the%20U.S.%20Department%20of%20the%20Interior%20on%20the%20Review%20of%20Certain%20National%20Monuments%20Established%20Under%20the%20Antiquities%20Act%20of%201906.pdf>

expansions now include a section in California. The expanded monument now spans roughly 100,000 acres. The original monument designation was meant to protect the biodiversity of the region due to the intersection of several distinct ecoregions. Another protected feature is Piot Rock, which is a volcanic formation with vertical cliffs. The Obama expansions were meant to protect the biodiversity of the area by creating "habitat connectivity corridors for species migration and dispersal."<sup>45</sup>

The enlargements have been controversial in Oregon. Conservation groups and Oregon's Democratic U.S. Senators lauded the expanded monument. Other organizations, including the Oregon Cattleman's Association, have expressed concern with the enlargement because of the effects on local ranchers, farmers, and recreationists.<sup>46</sup> The wide justifications in the presidential proclamation could be used to designate nearly all public lands from the Canadian border to central California. The Cascade Range stretches for several hundred miles and is highly biodiverse for its entire length due to the fact that the western slope is largely a temperate rainforest and the eastern slope borders the deserts of the Great Basin and Columbia Plateau. These justifications do not fit within the "smallest area compatible" clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Cascade-Siskiyou National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

#### *Gold Butte National Monument*

On December 28, 2016, President Obama created Gold Butte National Monument in southeast Nevada. The monument covers 296,937 acres of an area known as Gold Butte within the Mojave Desert. The monument contains the remnants of Native American habitation in the area, including roasting pits, bones, "projectile points," pottery fragments, and petroglyphs. To this day, the Southern Paiute people use the area for religious ceremonies. The monument contains critical habitat for the Mojave desert tortoise, a threatened species under the Endangered Species Act, and is home to Joshua trees, pinyon pine, Utah juniper, sagebrush, and "a variety of creatures, including birds and insects, and [...] a number of plant species."<sup>47</sup>

The proclamation fails to demonstrate that the area contains anything of particular historic or scientific interest that is not already protected under other laws. Most of the species listed in the proclamation can be found throughout deserts of the western United States, and

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<sup>45</sup> Clinton, W.J. (2000, June 9). "Proclamation 7318—Establishment of the Cascade-Siskiyou National Monument." Retrieved from [https://www.blm.gov/or/resources/recreation/csnm/files/Proclamation\\_7318.pdf](https://www.blm.gov/or/resources/recreation/csnm/files/Proclamation_7318.pdf)

Obama, B.H. (2017, January 12). "Presidential Proclamation—Boundary Enlargement of the Cascade-Siskiyou National Monument." Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2017/01/12/presidential-proclamation-boundary-enlargement-cascade-siskiyou-national>

<sup>46</sup> The Associated Press. (2017, January 13). " Cascade-Siskiyou Monument Expanded." Bend Bulletin. Retrieved from <http://www.bendbulletin.com/localstate/4978577-151/cascade-siskiyoumonument-expanded>

<sup>47</sup> Obama, B. J. (2016, December 28). "Presidential Proclamation -- Establishment of the Gold Butte National Monument" Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2016/12/28/presidential-proclamation-establishment-gold-butte-national-monument>



those that are listed as endangered or threatened could be safeguarded by existing or future critical habitat designations, which would provide the species more specific protections.

The President and the Department of the Interior could work with Congress to decrease the size of the area to protect specific artifacts and return much of the land to multiple use management or give management authority or ownership to the Moapa Band of Paiutes, some of whom encouraged the designation to protect their ancestral land.<sup>48</sup> This decision would likely be more democratic than President Obama's executive order and ensure that the specific features of the area that do fit the stipulations of the Antiquities Act are better protected.

#### *Grand Canyon-Parashant National Monument*

President Bill Clinton designated Grand Canyon-Parashant National Monument in January 2000, several months before the presidential election and his lame duck period. The monument is found in northern Arizona near the Nevada and Utah borders and is just over one million acres. President Clinton's justifications for the monument include the area's large sandstone cliffs, paleontological resources, and biodiversity, as well as the area's history with Native Americans, Spanish explorers, and Mormon pioneers.<sup>49</sup>

These justifications do not constitute the "smallest area compatible" with the designation of the monument. The broad justifications could be used to designate nearly all public lands north of Grand Canyon National Park and south of Utah's Wasatch Range. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Grand Canyon-Parashant National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

The President could collaborate with Congress to use its authority to incorporate the area into Grand Canyon National Park if the members of Congress deem it as an appropriate addition. If Congress does not believe that the area should be incorporated into Grand Canyon National Park, the executive branch or Congress could revert the area back to its multiple use mandates that were in place before the designation for a more democratic approach to federal land management.

#### *Grand Staircase-Escalante National Monument*

President Bill Clinton designated Grand Staircase-Escalante National Monument in September 1996, shortly before the presidential election that would win him a second term. The monument is found in southern Utah and is approximately 1.7 million acres. President Clinton's justifications for the monument include the area's geological formations, such as colorful

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<sup>48</sup> Siegler, K. (2016, August 18). "In Nevada, Tribes Push to Protect Land at the Heart of Bundy Ranch Standoff." *NPR*. Retrieved from <http://www.npr.org/sections/codeswitch/2016/08/18/490498442/in-nevada-tribes-push-to-protect-land-at-the-heart-of-bundy-ranch-standoff>

<sup>49</sup> Clinton, W.J. (2000). "Proclamation 7265—Establishment of the Grand Canyon-Parashant National Monument". The American Presidency Project. Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62310>.

sandstone cliffs, natural arches, and slot canyons. In addition, the justifications include the area's biodiversity and history of Native Americans, Spanish explorers, and Mormon pioneers.<sup>50</sup>

Grand Staircase-Escalante may be the largest abuse of the Antiquities Act in recent history. President Clinton's justifications do not constitute the “smallest area compatible” with the 1.7 million acre designation. The extensive justifications could be used to designate nearly all public lands in southern Utah or the entire Colorado Plateau. While there may be legitimate sites of historic or scientific interest within the boundaries of the current designations, the 1.7 million acre designation is much larger than necessary. The Department of the Interior, in its review, should consider reducing the size of Grand Staircase-Escalante National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

The President could encourage Congress to use its authority to designate the area as a separate national park or other preserve, as it has done with other national monuments in the past. Congress could also use its authority to incorporate the area into an adjacent national park or national recreation area, such as Bryce Canyon National Park, Capitol Reef National Park, or Glen Canyon National Recreation Area if the members of Congress find that the entire designation is worthy of protection under the National Park System. If Congress does not believe that the area should be incorporated into the nearby national parks or national recreation areas, the executive branch or Congress could revert the area back to its multiple use mandates that were in place before the designation to promote more democratic management of public lands.

#### *Hanford Reach National Monument*

President Bill Clinton created Hanford Reach National Monument on June 9, 2000. The monument is located in the State of Washington along the Columbia River and is over 194,000 acres. The proclamation justifies the designation by specifying the area's sagebrush ecosystems and riparian habitats along the Columbia River. The proclamation also specifies the area's geology, such as the White Bluffs and the Hanford Dune Field, and the area's archeology, including the remains of pithouses, graves, and hunting sites.<sup>51</sup>

The wide justifications in the proclamation could be used to designate many public lands across the Columbia Plateau and do not fit within the “smallest area compatible” clause of the Antiquities Act. The Department of the Interior, in its review, should consider reducing the size of Hanford Reach National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

The area could likely be decreased to cover only specific archeological sites, which would return much of the land to its previous multiple use management. Or, if the intent of the monument is just to provide protections to a general stretch of land, the President could work with Congress to redesignate the land as a national park, wilderness, or preserve.

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<sup>50</sup> Clinton, W.J. (1996). "Proclamation 6920—Establishment of the Grand Staircase-Escalante National Monument". The American Presidency Project. Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=51948>.

<sup>51</sup> Clinton, W.J. (2000, June 9). "Proclamation 7319—Establishment of the Hanford Reach National Monument." Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62329>

### *Ironwood Forest National Monument*

President Bill Clinton created Ironwood Forest National Monument on June 9, 2000. The monument is found in Arizona's Sonoran Desert and is nearly 130,000 acres. President Clinton's justifications for the monument include the presence of desert plants and animals. The monument also contains "more than 200 sites from the prehistoric Hohokam period," as well as two areas that had already been listed on the National Register of Historic Places, the Los Robles Archeological District and the Cocoraque Butte Archeological District.<sup>52</sup>

The proclamation's wide justifications could be used to designate nearly all public lands in the Sonoran Desert. These justifications do not fit within the "smallest area compatible" clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Ironwood Forest National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

### *Mojave Trails National Monument*

President Barack Obama designated Mojave Trails National Monument in February 2016. The monument is found in southern California and is approximately 1.6 million acres. President Obama's justifications for the monument include the area's geology, paleontological resources, rare plants, Native American history, and history of transportation with the Southern Pacific railroad and Route 66.<sup>53</sup>

The sweeping justifications could be used to designate nearly all public lands in from the in the Mojave Desert of southern California. All areas of the Mojave Desert contain the same features that are mentioned in the monument's proclamation. These justifications do not fit within the "smallest area compatible" clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation.

The President could work with Congress to use its authority to incorporate the area into the adjacent Mojave National Preserve or Joshua Tree National Park. Congress could also designate the monument as its own national park. If members of Congress do not find that the monument is worthy of protecting as a national park or national preserve, then the executive branch or Congress could revert the area back to its multiple use mandates that were in place before the designation to promote more democratic management of public lands.

### *Organ Mountains-Desert Peaks National Monument*

President Barack Obama established Organ Mountains-Desert Peaks National Monument on May 21, 2014. The monument is located in southern New Mexico and contains approximately

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<sup>52</sup> Clinton, W.J. (2000, June 9). "Proclamation 7320—Establishment of the Ironwood Forest National Monument." Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62320>

<sup>53</sup> Obama, B.H. (2016). "Presidential Proclamation -- Establishment of Mojave Trails National Monument." The White House Office of the Press Secretary. Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2016/02/12/presidential-proclamation-establishment-mojave-trails-national-monument>

496,000 acres. President Obama's justifications for the monument include "five iconic mountain ranges," Native American archaeology, history of the Wild West, and Chihuahuan Desert ecology.<sup>54</sup>

The wide justifications could be used to designate nearly all public lands in the Chihuahuan Desert. These justifications do not fit within the "smallest area compatible" clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Organ Mountains-Desert Peaks National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

### *Rio Grande del Norte National Monument*

On March 25, 2013, President Barack Obama established Río Grande del Norte National Monument in northern New Mexico. The monument spans 242,555 acres. The presidential proclamation justifies the designation by specifying the area's unique geology of volcanic cones and deep canyons, as well as scattered archaeological remains, such as petroglyphs, rock art, and other remnants of daily life for ancient Native Americans.<sup>55</sup>

The wide justifications could be used to designate nearly all public lands in southern Colorado and northern New Mexico. These justifications do not fit within the "smallest area compatible" clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Río Grande del Norte National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

The President could work with Congress to redesignate the land or turn the land over to Native American tribes who have cultural and historic ties to it. For example, leaders of the Taos Pueblo have supported the national monument. The War Chief of the Taos Pueblo, Benito Sandoval, said, "I applaud President Obama protecting Río Grande del Norte National Monument because many of the wildlife species that live in that corridor come in and out of this area. Left unprotected, there may be very few animals available that the Native American people of Taos Pueblo depend on for food, clothing and shelter."<sup>56</sup> The President could work with Congress to turn over part or all of the national monument so that local Native Americans can manage the lands to maintain the amenities that they depend on. If Congress does not believe

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<sup>54</sup> Obama, B.H. (2014, May 21). "Presidential Proclamation—Organ Mountains-Desert Peaks National Monument." Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2014/05/21/presidential-proclamation-organ-mountains-desert-peaks-national-monument>

<sup>55</sup> Obama, B.H. (2013, March 25). "Presidential Proclamation—Río Grande del Norte National Monument." Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2013/03/25/presidential-proclamation-r-o-grande-del-norte-national-monument>

<sup>56</sup> ICMN Staff. (2013, March 26). "Obama Proclaims Río Grande del Norte a National Monument, Significant Site for Natives." Indian Country Today. Retrieved from <https://indiancountrymedianetwork.com/travel/destinations/obama-proclaims-ro-grande-del-norte-a-national-monument-significant-site-for-natives/>

that the area should be established as a national park or returned to Native American tribes, Congress could revert the area back to its multiple use mandates that were in place before the designation to promote more democratic management of public lands.

### *Sand to Snow National Monument*

On February 12, 2016, President Barack created Sand to Snow National Monument in southern California. The monument includes 154,000 acres of federal land. President Obama justified his use of the Antiquities Act by citing the area's geology and ecology of deserts and mountains. President Obama also cites that 30 miles of the already-protected Pacific Crest National Scenic Trail run through Sand to Snow. The area also contains scattered artifacts of Native American history, Spanish settlement, and Wild West exploration.<sup>57</sup>

Of Sand to Snow's 154,000 acres, over 100,000 acres of that designation are already congressionally-designated wilderness area.<sup>58</sup> This makes almost all of the national monument designation superfluous because most of the monument already has the strictest protections that the federal government can extend. The wide justifications could be used to designate nearly all public lands along the eastern slope of the Sierra Nevada. These justifications do not fit within the “smallest area compatible” clause of the Antiquities Act. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Sand to Snow National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

### *San Gabriel Mountains National Monument*

President Barack Obama designated San Gabriel Mountains National Monument on October 10, 2014. The monument is located near Los Angeles, California, and is over 346,000 acres. President Obama justified the monument by citing the area's already-existing protections. For example, the proclamation mentions several protected areas like the Aliso-Arrastre Special Interest Area, four designated wilderness areas, Angeles National Forest, several National Recreational Trails, and the Pacific Crest National Scenic Trail.<sup>59</sup>

The justifications for this monument do not fit within the “smallest area compatible” clause of the Antiquities Act and do not comport with the "historic or scientific interest" clause. Because the area was already one of the most heavily protected areas in the United States prior to the 2014 designation, the national monument does little, if anything, to give additional

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<sup>57</sup> Obama, B.H. (2016, February 12). “Presidential Proclamation—Establishment of the Sand to Snow National Monument.” Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2016/02/12/presidential-proclamation-establishment-sand-snow-national-monument>

<sup>58</sup> U.S. Bureau of Land Management. (n.d.). Sand to Snow National Monument. Retrieved from [https://www.blm.gov/nlcs\\_web/sites/ca/st/en/prog/nlcs/Sand-to-Snow.html](https://www.blm.gov/nlcs_web/sites/ca/st/en/prog/nlcs/Sand-to-Snow.html)

<sup>59</sup> Obama, B.H. (2014, October 10). "Presidential Proclamation -- San Gabriel Mountains National Monument." Retrieved from <https://obamawhitehouse.archives.gov/the-press-office/2014/10/10/presidential-proclamation-san-gabriel-mountains-national-monument>

protections to the area. The proclamation does not adequately justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of San Gabriel Mountains National Monument to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

#### *Sonoran Desert National Monument*

President Bill Clinton created Sonoran Desert National Monument on January 17, 2001, during his lame duck period. The monument lies just south of Phoenix and covers 486,149 acres of the Sonoran Desert. The area contains many desert species, including the saguaro cactus, bobcats, mule deer, mountain lions, junipers, along with some endangered species like the Sonoran Pronghorn, acuna pineapple, and the lesser long-nosed bat. In addition, the area contains historic trails like the Juan Bautista de Anza National Historic Trail, the Mormon Battalion Trail, and the Butterfield Overland Stage Route.<sup>60</sup>

The area may contain specific features of historic or scientific interest, such as the historical trails that cross the land. These trails were already protected before the monument designation, making the monument designation largely superfluous. Many of the species that live in the monument can be found throughout the entire Sonoran Desert, and those that are listed as endangered or threatened could be protected through existing or future critical habitat designations, which would provide the species more specific protections.

#### *Upper Missouri River Breaks National Monument*

President Bill Clinton designated Upper Missouri River Breaks National Monument during his lame duck period in January 2001. The monument is found in northern Montana along the Missouri River and is nearly 400,000 acres. President Clinton's justifications for the monument include the area's historical connections to Native Americans and the Lewis and Clark Expedition, as well as eroded sedimentary cliffs and common wildlife. Even in the proclamation that established the monument, President Clinton admits that the monument designation is redundant because of other federal protections to the area: "In 1976, the Congress designated the Missouri River segment and corridor in this area a National Wild and Scenic River (Public Law 94-486, 90 Stat. 2327). The monument also encompasses areas that are already protected, including the Lewis and Clark National Historic Trail, the Nez Perce National Historic Trail, and the Cow Creek Island Area of Critical Environmental Concern."<sup>61</sup> The monument also includes six wilderness study areas and the Fort Benton National Historic Landmark.<sup>62</sup>

These justifications do not constitute the "smallest area compatible" with the designation

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<sup>60</sup> Clinton, W.J. (2001, January 17). "Sonoran Desert National Monument Proclamation." Retrieved from [https://www.blm.gov/nlcs\\_web/sites/style/medialib/blm/az/images/son\\_des.Par.30940.File.dat/proclamation.pdf](https://www.blm.gov/nlcs_web/sites/style/medialib/blm/az/images/son_des.Par.30940.File.dat/proclamation.pdf)

<sup>61</sup> Clinton, W.J. (2001). "Proclamation 7398—Establishment of the Upper Missouri River Breaks National Monument." The American Presidency Project. Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62516>.

<sup>62</sup> Bureau of Land Management. (n.d.) "Upper Missouri River Breaks National Monument." Retrieved from [https://www.blm.gov/nlcs\\_web/sites/mt/st/en/prog/nlcs\\_new/UMRB\\_NM.html](https://www.blm.gov/nlcs_web/sites/mt/st/en/prog/nlcs_new/UMRB_NM.html)

of the monument. The wide-sweeping justifications could be used to designate nearly all public lands from the headwaters of the Missouri River to the North Dakota border. Sedimentary cliffs, the Lewis and Clark Trail, and wildlife are common for hundreds of miles in every direction from Upper Missouri River Breaks. The sites of historic or scientific interest offered in the proclamation do not justify the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Upper Missouri River Breaks to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined.

The President could work with Congress to use its authority to combine the monument with the adjacent Charles M. Russell National Wildlife Refuge. Alternatively, the executive branch or Congress could revert the area back to its multiple use mandates that were in place before the designation. Both of these approaches would be more democratic.

### *Vermilion Cliffs National Monument*

President Bill Clinton designated Vermilion Cliffs National Monument during his lame duck period in November 2000. The monument is found in northern Arizona along the Utah border and is nearly 300,000 acres. President Clinton's justifications for the monument include the area's "sandstone slickrock, brilliant cliffs, and rolling sandy plateaus," as well as the area's history of Spanish explorers and Mormon pioneers. The presidential proclamation that established the national monument also extolled the area's plant and animal species, such as desert bighorn sheep, pronghorn antelope, and mountain lion.<sup>63</sup> In 1984, Congress protected much of the land within the current national monument in the Paria Canyon-Vermilion Cliffs Wilderness.<sup>64</sup>

It is difficult to argue that these justifications constitute the "smallest area compatible" with the designation of the monument — such justifications could be used to designate nearly all public lands on the Colorado Plateau. Sandstone cliffs, Mormon historical sites, and desert bighorn sheep are common for hundreds of miles in every direction from Vermilion Cliffs. None of the sites of legitimate historic or scientific interest offered in the proclamation fulfill the burden of defending the full extent of the designation. The Department of the Interior, in its review, should consider reducing the size of Vermilion Cliffs to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined. The definition of "scientific interest" can easily be extended to the point of legal meaninglessness, but without a robust explanation for a particular area's unique value, the Antiquities Act is left open for rampant abuse.

Because the area contains some areas of interest, the President could work with Congress to designate the entire area or parts of the current monument as a national park, as it has done

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<sup>63</sup> Clinton, W. J. (2000). "Proclamation 7374—Vermilion Cliffs National Monument." The American Presidency Project. Retrieved from <http://www.presidency.ucsb.edu/ws/?pid=62318>.

<sup>64</sup> Bureau of Land Management. (n.d.) "VERMILION CLIFFS NATIONAL MONUMENT PARIA CANYON/VERMILION CLIFFS WILDERNESS PARIA CANYON PERMIT AREA." Retrieved from <https://www.blm.gov/programs/recreation/permits-and-passes/lotteries-and-permit-systems/arizona/paria-canyon>

with national monuments in the past. The President could also work with Congress to incorporate all or parts of the monument into the adjacent Glen Canyon National Recreation Area or nearby Grand Canyon National Park. Alternatively, the executive branch or Congress could revert the area back to its multiple use mandates that were in place before the designation. This approach would be more democratic.



## Conclusion

Although many Americans value the idea of land preservation, many recent national monument designations have abused executive power and done little to increase land protections. The current review is about more than just national monuments themselves. This review of national monuments can be an opportunity for the President and the Secretary to restore the appropriate use of executive power.

As requested by the Department of the Interior, we have identified several reasons why some recent national monuments do not reflect the “requirements and original objectives” of the Antiquities Act and do not “appropriately balance the protection” of objects of interest.<sup>65</sup> Many of the monuments violate the plain reading of law by being significantly larger than “the smallest area compatible with the proper care and management of the objects to be protected” and include many objects for protection beyond the scope of the Antiquities Act. Several monuments violate the stated purpose of the Antiquities Act because their designations were used as a tool to build a president’s environmental legacy. There is historical precedent for the executive to unilaterally reduce the size of improper designations. Many national monument designations do little to give additional protection to the amenities described in presidential proclamations, and federal land managers may not have adequate resources to properly fulfill their responsibilities on recently designated national monuments.

We recommend that the Secretary of the Interior take several courses of action. First, the Department of the Interior, in its review, should consider reducing the size of some national monuments to more appropriately encompass sites of legitimate historic and scientific interest, reasonably defined. Second, the Department of the Interior should reevaluate previous designations to ascertain both whether they were originally valid and/or continue to be necessary. If either of those conditions is not met, the President and Secretary should seek to redraw the monuments’ boundaries in accordance with the size and scope limitations present in the text of the Antiquities Act.

The President and Secretary could also work with Congress to redesignate these national monuments as national parks or revert the land back to its multiple use mandates as public land. Article 4, section 3, clause 2 of the U.S. Constitution expressly gives Congress the “power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.” By collaborating more with Congress on national monuments, the President and the Secretary could take advantage of the democratic compromises that take place within Congress. More democratic approaches to public land designations are important to balance many competing interests. Limiting the nearly unlimited power of the president to designate national monuments is important for checks and balances as well as the rule of law.

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<sup>65</sup> Review of Certain National Monuments Established Since 1996, *supra*.

## Appendix 1: Sizes of All President-Created National Monuments at their Establishment

Our calculated averages for before and after 1970 do not include marine monuments, post-designation enlargements or reductions, or monuments designated by Congress. They do include the initial designations of monuments that were later redesignated as some different form of land protection.

*Monuments established prior to 1970:*

Monument Name	Date Established	President	Initial Acreage
Devils Tower	9/24/06	T. Roosevelt	1193.91
Petrified Forest	12/8/06	T. Roosevelt	60776.02
Montezuma Castle	12/8/06	T. Roosevelt	161.39
El Morro	12/8/06	T. Roosevelt	160
Chaco Canyon	3/11/07	T. Roosevelt	10643.13
Lassen Peak	5/6/07	T. Roosevelt	1280
Cinder Cone	5/6/07	T. Roosevelt	5120
Gila Cliff Dwellings	11/16/07	T. Roosevelt	160
Tonto	12/19/07	T. Roosevelt	640
Muir Woods	1/9/08	T. Roosevelt	295
Grand Canyon	1/11/08	T. Roosevelt	808120
Pinnacles	1/16/08	T. Roosevelt	1320

Jewel Cave	2/7/08	T. Roosevelt	1274.56
Natural Bridges	4/16/08	T. Roosevelt	120
Lewis and Clark Cavern	5/11/08	T. Roosevelt	160
Tumacacori	9/15/08	T. Roosevelt	10
Wheeler	12/7/08	T. Roosevelt	300
Mount Olympus	3/2/09	T. Roosevelt	639200
Navajo	3/20/09	Taft	360
Oregon Caves	7/12/09	Taft	465.8
Mukuntu-weap/Zion	7/31/09	Taft	16000
Shoshone Cavern	8/21/09	Taft	210
Salinas Pueblo Missions (previously Gran Quivira)	11/1/09	Taft	160
Sitka	3/23/10	Taft	57
Rainbow Bridge	5/30/10	Taft	160
Big Hole Battlefield	6/23/10	Taft	5
Colorado	5/24/11	Taft	13883.06
Devils Postpile	7/6/11	Taft	768.46
Cabrillo	10/14/13	Wilson	0.5
Papago Saguaro	1/31/14	Wilson	2050.43

Dinosaur	10/4/15	Wilson	80
Walnut Canyon	11/30/15	Wilson	960
Bandelier	2/11/16	Wilson	23352
Sieur de Monts	7/8/16	Wilson	5000
Capulin Volcano (previously Capulin Mountain)	8/9/16	Wilson	640.42
Old Kasaan	10/25/16	Wilson	43
Verendrye	6/29/17	Wilson	253.04
Casa Grande Ruins	8/3/18	Wilson	480
Katmai	9/24/18	Wilson	1088000
Scotts Bluff	12/12/19	Wilson	2053.83
Yucca House	12/19/19	Wilson	9.6
Lehman Caves	1/24/22	Harding	593.03
Timpanogos Cave	10/14/22	Harding	250
Fossil Cycad	10/21/22	Harding	320
Aztec Ruins	1/24/23	Harding	4.6
Mound City Group	3/2/23	Harding	57
Hovenweep	3/2/23	Harding	285.8
Pipe Spring	5/31/23	Harding	40

Bryce Canyon	6/8/23	Harding	7440
Carlsbad Cave	10/25/23	Coolidge	719.22
Chiricahua	4/18/24	Coolidge	3655.12
Craters of the Moon	5/2/24	Coolidge	22651.8
Fort Matanzas	10/15/24	Coolidge	1
Castillo de San Marcos (previously Fort Marion)	10/15/24	Coolidge	18.51
Fort Pulaski	10/15/24	Coolidge	20
Castle Pinckney	10/15/24	Coolidge	3.5
Statue of Liberty (previously Fort Wood)	10/15/24	Coolidge	2.5
Wupatki	12/9/24	Coolidge	2234.1
Meriwether Lewis	2/6/25	Coolidge	50
Glacier Bay	2/26/25	Coolidge	1379315.58
Father Millet Cross	9/5/25	Coolidge	0.0074
Lava Beds	11/21/25	Coolidge	45589.92
Arches	4/12/29	Hoover	4520
Holy Cross	5/11/29	Hoover	1392
Sunset Crater Volcano (previously Sunset Crater)	5/30/30	Hoover	3040

Canyon de Chelly	4/1/31	Hoover	83840
Great Sand Dunes	3/17/32	Hoover	35528.36
Grand Canyon II	12/22/32	Hoover	273145
White Sands	1/18/33	Hoover	131486.84
Death Valley	2/11/33	Hoover	848581.36
Saguaro	3/1/33	Hoover	53510.08
Black Canyon of the Gunnison	3/2/33	Hoover	10287.95
Cedar Breaks	8/22/33	F. Roosevelt	5701.39
Fort Jefferson	1/4/35	F. Roosevelt	47125
Joshua Tree	8/10/36	F. Roosevelt	825340
Zion II (Kolob)	1/22/37	F. Roosevelt	49150
Organ Pipe Cactus	4/13/37	F. Roosevelt	330690
Capitol Reef	8/2/37	F. Roosevelt	37060
Channel Islands	4/26/38	F. Roosevelt	1119.98
Fort Laramie	7/16/38	F. Roosevelt	214.41
Santa Rosa Island	5/17/39	F. Roosevelt	9500
Tuzigoot	7/25/39	F. Roosevelt	42.67
Jackson Hole	3/15/43	F. Roosevelt	210950

Effigy Mounds	10/25/49	Truman	1000
Edison Laboratory	7/14/56	Eisenhower	1.51
Chesapeake & Ohio Canal	1/18/61	Eisenhower	5263.94
Russell Cave	5/11/61	Kennedy	310.45
Buck Island Reef	12/28/61	Kennedy	850
Marble Canyon	1/20/69	Johnson	32546.69

*Monuments Established After 1970:*

Misty Fjords	12/1/78	Carter	2285000
Aniakchak	12/1/78	Carter	350000
Admiralty Island	12/1/78	Carter	1100000
Becharof	12/1/78	Carter	1200000
Bering Land Bridge	12/1/78	Carter	2590000
Cape Krusenstern	12/1/78	Carter	560000
Denali	12/1/78	Carter	3890000
Gates of the Arctic	12/1/78	Carter	8220000
Kenai Fjords	12/1/78	Carter	570000
Kobuk Valley	12/1/78	Carter	1710000

Lake Clark	12/1/78	Carter	2500000
Noatak	12/1/78	Carter	5880000
Wrangell-St. Elias	12/1/78	Carter	10950000
Yukon-Charley Rivers	12/1/78	Carter	1720000
Yukon Flats	12/1/78	Carter	10600000
Grand Staircase-Escalante	9/18/96	Clinton	1700000
Agua Fria	1/11/00	Clinton	71100
Grand Canyon-Parashant	1/11/00	Clinton	1014000
California Coastal	1/11/00	Clinton	883
Giant Sequoia	4/15/00	Clinton	327769
Hanford Reach	6/8/00	Clinton	195000
Ironwood Forest	6/9/00	Clinton	128917
Canyons of the Ancients	6/9/00	Clinton	164000
Cascade-Siskiyou	6/9/00	Clinton	52000
President Lincoln and Soldiers' Home	7/7/00	Clinton	2.3
Vermilion Cliffs	11/9/00	Clinton	293000
Carrizo Plain	1/12/01	Clinton	204107
Sonoran Desert	1/17/01	Clinton	486149



Pompeys Pillar	1/17/01	Clinton	51
Upper Missouri River Breaks	1/17/01	Clinton	377346
Kasha-Katuwe Tent Rocks	1/17/01	Clinton	4148
Virgin Islands Coral Reef	1/17/01	Clinton	12708
Minidoka Internment	1/17/01	Clinton	72.75
Governors Island	1/19/01	Clinton	20
African Burial Ground	2/27/06	Bush	0.345
Papahānaumokuākea Marine (previously Northwestern Hawaiian islands)	6/15/06	Bush	140000 (sq. miles)
World War II Valor in the Pacific	12/5/08	Bush	6310
Rose Atoll Marine	1/6/09	Bush	13451 (sq. miles)
Marianas Trench Marine	1/6/09	Bush	95216 (sq. miles)
Pacific Remote Islands Marine	1/6/09	Bush	86888 (sq. miles)
Fort Monroe	11/1/11	Obama	325.21
Fort Ord	4/20/12	Obama	14651
Chimney Rock	9/21/12	Obama	4726
César E. Chávez	10/8/12	Obama	10.5
First State	3/25/13	Obama	1108

Harriet Tubman Underground Railroad	3/25/13	Obama	11750
Río Grande del Norte	3/25/13	Obama	242555
Charles Young Buffalo Soldiers	3/25/13	Obama	59.65
San Juan Islands	3/25/13	Obama	970
Organ Mountains-Desert Peaks	5/21/14	Obama	496330
San Gabriel Mountains	10/10/14	Obama	346177
Browns Canyon	2/19/15	Obama	21586
Honouliuli	2/19/15	Obama	123
Pullman	2/19/15	Obama	0.2397
Berryessa Snow Mountain	7/10/15	Obama	330780
Basin and Range	7/10/15	Obama	704000
Waco Mammoth	7/10/15	Obama	7.11
Sand to Snow	2/12/16	Obama	154000
Mojave Trails	2/12/16	Obama	1600000
Castle Mountains	2/12/16	Obama	20920
Belmont-Paul Women's Equality	4/12/16	Obama	0.34
Stonewall	6/24/16	Obama	0.12
Katahdin Woods and Waters	8/24/16	Obama	87500

Northeast Canyons and Seamounts Marine	9/15/16	Obama	4913 (sq. miles)
Gold Butte	12/28/16	Obama	296937
Bears Ears	12/28/16	Obama	1351849
Birmingham Civil Rights	1/12/17	Obama	0.88
Freedom Riders	1/12/17	Obama	5.96
Reconstruction Era	1/12/17	Obama	15.56



**A BIRD IN THE HAND**  
STATE-DRIVEN SUCCESS IN SAGE-GROUSE CONSERVATION

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July 2017

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## Executive Summary

The greater sage-grouse, a wild bird that lives across the Western United States, has become one of the most controversial species in American history. Over the past few decades, a political movement has worked to place the greater sage-grouse under the protection of the Endangered Species Act (ESA). After the U.S. Fish and Wildlife Service (FWS) announced its interest in listing the species in 2010, several Western states increased their efforts to preserve the greater sage-grouse. In 2015, the FWS decided not to list the sage-grouse as threatened or endangered under the ESA, in large part because the states proved that they could effectively protect the species.

The fight over the sage-grouse illustrates how state governments can and do conserve species. States cooperate with federal agencies to increase decentralized decision-making and more successfully protect species. By deferring to states, the federal government could be more effective at conserving species and limiting the economic harm caused by the ESA. The purpose of this policy brief is to illustrate why increasing state management of endangered species would be an improvement over the current approach.

Cooperative federalism and decentralized decision-making occur when the federal government allows lower levels of government to make their own policies. This type of decision-making is beneficial in three ways. First, states serve as “laboratories” of innovation for testing various approaches to conservation. Second, state agencies may have better data and expertise regarding species conservation than federal agencies. Third, state governments are often more responsive to the needs of local people better than federal decision-makers. They are able to create policies and conservation plans that more carefully account for local economic and geographic factors.

The federal government could enhance species recovery by cooperating more with the states and by deferring many conservation decisions to lower levels of government. Over the past twenty years, many scholars have noted the “lack of consistent and sustained cooperation between state and federal agencies” on endangered species issues.<sup>1</sup> Following the example demonstrated by state-level sage-grouse management, the federal government could allow for more cooperative and decentralized policies that may improve overall species conservation. In particular, the federal government could change the implementation of the ESA’s Section 6 or Section 4(d) to increase cooperation and decentralization.

## Introduction

In this Strata report, we first show why cooperative federalism and decentralized decision-making are important for the effective conservation of species, especially the greater sage-grouse. Then we explain how the political battle over the greater sage-grouse illustrates that states can protect species without a listing under the Endangered Species Act (ESA). We conclude with recommendations for how state and federal agencies can improve species conservation through cooperation and decentralization. The purpose of this policy brief is to summarize the benefits of increasing state management of species and their habitats.

## Giving States More Power Helps Conservation

The federal government could improve species conservation if it cooperated more fully with state governments and decentralized much of its decision-making power. Cooperative federalism occurs when the federal government and state governments share responsibility over public policy. There is a sharp divide in how cooperative federalism is used in environmental policy, particularly between pollution control and resource management. Many federal environmental laws are largely based on cooperative federalism, such as the Clean Water Act or the Clean Air Act. In these acts, the federal government sets overarching goals that states can attain through their own individualized plans. Pollution control laws may still be costly and onerous, but states have more flexibility in how they implement these laws.

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1 Arha, K., and Thompson, B. (n.d.) “Endangered Species Act and Federalism: Effective Species Conservation through Greater State Commitment.” Woods Institute for Environment Stanford Law School. Policy Paper. Retrieved from <https://woods.stanford.edu/sites/default/files/files/Endangered-Species-Act-Policy-Paper-20050224.pdf>

The ESA could be more effective if federal policymakers adopted the pollution-control model of cooperative federalism. Federal policymakers could change the ESA so that federal coordination with state and local jurisdictions is more common. If federal agencies, especially the FWS, were to certify local programs for meeting ESA goals more often, local people could use grassroots conservation effectively without the need for redundant efforts of federal managers.<sup>2</sup>

Decentralized decision-making occurs when lower levels of government have the ability to make their own policies. This type of decision-making is beneficial in a few ways. First, the states serve as “laboratories” of innovation where many approaches are tried. Second, state agencies may have better available science, expertise, mapping capabilities, biological inventories, biological management goals, state wildlife action plans, and other important data than federal agencies. Third, state governments often are often more responsive to local preferences and know the needs of local people better than federal decision-makers.

## States as Laboratories of Innovation

Allowing states to take the lead on species conservation may be beneficial because state governments can test out a variety of approaches. When states are free to experiment with different management regimes, they are more likely to find the most efficient and effective policies. State officials can adopt policies that have worked in other states and avoid policies that have not. This type of experimentation and innovation has been compared to a “laboratory of democracy.” Michael S. Greve, a professor at the Antonin Scalia Law School at George Mason University, writes that “one can make a powerful theoretical case for the experimental, decentralized politics that the laboratory metaphor suggests.”<sup>3</sup> Smaller, localized policies are more capable of adapting to changing circumstances, whether economic or ecological.

One of the most pragmatic reasons for decentralized decision-making is that policymakers, at both the federal and state levels, do not always know exactly what they are doing or what the consequences of their actions will be. When federal policymakers face uncertainty, one overarching policy that applies the same solution to many different problems makes little sense because policymakers can make a mistake that affects the entire country. Using state-based policies allows for gradual changes that foster a system of “feedback and institutional learning.” State-based policies can more easily address the needs, circumstances, and preferences of people nearest to the problem.<sup>4</sup>

In recent years, some scholars argue that the federal government’s approach to working with states has become less cooperative and more coercive through the use of statutory mandates, conditional grants, preemption, and administrative regulations. These tactics force the states to comply with the wishes of federal decision-makers.<sup>5</sup> Over the past forty years, Congress and the president have increasingly relied on mandates and preemption to impose national priorities on state governments, especially regarding environmental issues.<sup>6</sup>

The coercive federalism we know today arose in the 1970s. In particular, the federal government began to use regulatory tools to supercede state policies. Prior to this shift, the federal government used mainly fiscal tools to facilitate cooperation with state governments. John Kincaid, the executive director of the U.S. Advisory Commission on Intergovernmental Relations, claims that during the 1970s and 1980s, the federal government eroded “constitutional and political limits” on federal regulatory power, which led to “a more coercive system of

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2 Fischman, R.L. (2005). Cooperative Federalism and Natural Resources Law. Articles by Maurer Faculty. Paper 219. Retrieved from <http://www.repository.law.indiana.edu/facpub/219>

3 Greve, M. S. (March 31, 2001). Laboratories of democracy. *American Energy Institute*. Retrieved from <http://www.aei.org/publication/laboratories-of-democracy/>

4 Ibid.

5 McGovern, S. (2011). New Model for States as Laboratories for Reform: How Federalism Informs Education Policy. *New York University Law Review* 86(5), 1519-1555.

6 Posner, P. (2007). “The Politics of Coercive Federalism in the Bush Era.” *Publius*; 37 (3): 390-412. Retrieved from <https://academic.oup.com/publius/article/37/3/390/1922375/The-Politics-of-Coercive-Federalism-in-the-Bush>.



federal preemptions of state and local authority and unfunded mandates on state and local governments.”<sup>7</sup> Kincaid also asserts that a coercive system undermines government responsibility and public accountability, but state and local governments lack the leverage to reverse this trend.<sup>8</sup> If the federal government were to revert back to a more cooperative system, as opposed to a coercive system, states may be better equipped to create innovative policies for species conservation.

## States Often Have Better Data and Resources than the Federal Government

State governments often have better information on the needs of endangered species within their borders, and they have better knowledge of the needs of the people who are affected by endangered species policies. Elinor Ostrom, a Nobel Prize winner in economics, argued that many environmental issues can be solved most effectively by the people closest to the problem. Top-down, one-size-fits-all policies often replace local ways of managing environmental issues, and can compound existing problems by implementing policies that fail to consider local issues.<sup>9</sup>

State agencies frequently have more employees on the ground, documenting state species populations and ecological factors. For example, in Wyoming, the state’s wildlife agency employs 173 field biologists and wardens, while the FWS only has 24 employees working on similar projects in the state. California employs 1,236 wardens and biologists, but the FWS only employs 188 and NOAA Fisheries employs only 66.<sup>10</sup> A larger number of government employees do not automatically lead to better knowledge and better policies, but, compared to the federal government, states often employ more people to gather data and enforce public policies. Because states often employ local people, states may have more knowledge relating to the needs of local people and ecosystems than the federal government.<sup>11</sup>

For example, Utah’s Division of Wildlife Resources manages the Utah Conservation Data Center (UCDC), which is the comprehensive repository for the state’s biodiversity information. The UCDC holds data on all of Utah’s vertebrate wildlife species, including rare native species and game animals, as well as many invertebrate and plant species. The UCDC collects its information from a wide variety of sources, including the Utah Division of Wildlife Resources, the Utah Reclamation Mitigation and Conservation Commission, the United States National Park Service, the United States Forest Service, the United States Fish and Wildlife Service, the United States Bureau of Land Management, Utah State University, the University of Utah, Brigham Young University, the network of state/province Natural Heritage Programs and Conservation Data Centers, The Nature Conservancy, NatureServe, museums, and numerous individuals.<sup>12</sup>

Other states have similarly robust wildlife agencies that collect and manage extensive data repositories. For example, the California Department of Fish and Wildlife’s (CDFW) Data Portal holds information on angling records, CDFW special hunts, coho salmon recovery tasks, conservation and mitigation banking, ecosystem restoration programs, habitat tracking and reporting, steelhead trout management tasks, and wildlife incident reporting, among other data.<sup>13</sup> The Idaho Fish and Wildlife Information System employees a team of professionals, including biologists, data managers, GIS professionals, and programmers, to compile data on the state’s wildlife. In particular, the Idaho Species Diversity Database, which is a subset of the Information System, holds the most complete set of site-specific data on Idaho’s fish, wildlife, and plant diversity.<sup>14</sup>

7 Kincaid, J. (1990). From Cooperative to Coercive Federalism. *The Annals of the American Academy of Political and Social Science*, 509, 139-152. Retrieved from <http://www.jstor.org/stable/1046444>

8 Ibid.

9 Ostrom, E. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. p. 90

10 Arha, K., and Thompson, B. (n.d.) “Endangered Species Act and Federalism: Effective Species Conservation through Greater State Commitment.” Woods Institute for Environment Stanford Law School. Policy Paper. Retrieved from <https://woods.stanford.edu/sites/default/files/files/Endangered-Species-Act-Policy-Paper-20050224.pdf>

11 Ibid.

12 Utah Division of Wildlife Resources. (n.d.) “Utah Conservation Data Center.” Retrieved from <https://dwrcdc.nr.utah.gov/ucdc/>

13 California Department of Fish and Wildlife. (2017). “Data Portal.” Retrieved from <https://nrm.dfg.ca.gov/>.

14 Idaho Department of Fish and Game. (n.d.) “Idaho Fish and Wildlife Information System.” Retrieved from <https://idfg.idaho.gov/data>. Idaho Department of Fish and Game. (n.d.) “Idaho Species.” Retrieved from <https://idfg.idaho.gov/species/>.

Although the FWS also has large amounts of population and geospatial data for wildlife and plants, states often have more comprehensive datasets and more employees to collect and catalog the data. The entire FWS employs approximately 9,000 people in its central administrative office, eight regional offices, and nearly 700 field offices.<sup>15</sup> California, for comparison, has roughly 2,500 employees in its Department of Fish and Wildlife.<sup>16</sup> The Florida Fish and Wildlife Conservation Commission has approximately 2,100 full-time employees working in law enforcement, research, management, and outreach.<sup>17</sup> Even Wyoming, the state with the smallest population, employs roughly 350 people in its Game and Fish Department who manage the state's 800 wildlife species.<sup>18</sup>

## States Often Know and Respond to Local Needs Better

The main flaw of a heavily centralized system is that a uniform policy for the entire country does not necessarily reflect local needs and preferences.<sup>19</sup> Public policies for ecological problems cannot be reduced to a single prescription that will completely solve the issue. Ecological issues, especially endangered species issues, are incredibly complex, which is why a diversity of decentralized approaches may be the most effective means of addressing these problems. Elinor Ostrom asserts that “a set of rules used in one physical environment may have vastly different consequences if used in a different physical environment.” Using local knowledge and a diversity of approaches makes public policy more adaptable in a changing world.<sup>20</sup> Ostrom and Andersson assert that the complexity of many natural resources requires sophisticated governance systems. They argue that multilevel governance arrangements are necessary for the proper governance of natural resource issues, like endangered species.<sup>21</sup>

Terry Anderson and Peter Hill, PhD economists and senior research fellows at the Property and Environment Research Center, argue that federalism has several advantages over a single sovereign government. First, federalism allows lower levels of government to craft their policies and programs in a way that their citizens demand. Second, federalism allows citizens to better monitor and constrain policymakers and policies. Federal politicians and bureaucrats are much more difficult to monitor and constrain than state or local policymakers. Third, federalism facilitates a common market without trade barriers between states, which allows ideas for policies to move more freely.<sup>22</sup>

Anderson and Hill state that national control is necessary in some circumstances, such as when pollution crosses state borders or when states must share water in rivers. Centralization, however, comes with costs that policymakers must balance if they desire the most effective and efficient outcomes. One of these costs is that centralization distances the decision-makers from the people they affect, and citizens can no longer monitor and constrain policymakers as well as they did before. When decision-makers are farther removed, it becomes more difficult to discern whether their decisions are for the benefit of the public or special interest groups. One of the largest costs of centralization is that it becomes prohibitively expensive for citizens to “vote with their feet” by moving to a different

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15 U.S. Fish and Wildlife Service. (2016). “About the U.S. Fish and Wildlife Service.” Retrieved from [https://www.fws.gov/help/about\\_us.html](https://www.fws.gov/help/about_us.html)

16 AllGov California. (2016). “Department of Fish and Wildlife.” Retrieved from [http://www.allgov.com/usa/ca/departments/natural-resources-agency/department\\_of\\_fish\\_and\\_wildlife?agencyid=159](http://www.allgov.com/usa/ca/departments/natural-resources-agency/department_of_fish_and_wildlife?agencyid=159)

17 Florida Fish and Wildlife Conservation Commission. (n.d.) “Overview - Fast Facts.” Retrieved from <http://myfwc.com/about/overview>

18 Wyoming Game and Fish Department. (2017). “About the Wyoming Game and Fish Department: History of the Wyoming Game and Fish.” Retrieved from <https://wgfd.wyo.gov/About-Us/About-the-Department>.

19 Cheikbossian, G. (2008). “Rent-seeking, spillovers and the benefits of decentralization.” *Journal of Urban Economics* 63, 217–228. Retrieved from [http://ac.els-cdn.com/mutex.gmu.edu/S0094119007000228/1-s2.0-S0094119007000228-main.pdf?\\_tid=893af2b8-665f-11e7-8472-00000aab0f6b&acdnat=1499794797\\_edf304718f549c80db3cadc403ea43a3](http://ac.els-cdn.com/mutex.gmu.edu/S0094119007000228/1-s2.0-S0094119007000228-main.pdf?_tid=893af2b8-665f-11e7-8472-00000aab0f6b&acdnat=1499794797_edf304718f549c80db3cadc403ea43a3)

20 Ostrom, E. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. Pp. 1–28.

Brook, R.K., Mclachlan, S.M. (2008, December). Trends and prospects for local knowledge in ecological and conservation research and monitoring. *Biodiversity and Conservation*, 17:3501–3512. DOI 10.1007/s10531-008-9445-x

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21 Andersson, K., & Ostrom, E. (2008). Analyzing Decentralized Resource Regimes from a Polycentric Perspective. *Policy Sciences*, 41(1), 71–93. Retrieved from <http://www.jstor.org/stable/25474353>

22 Anderson, T. and Hill, P. (1996). “Environmental Federalism: Thinking Smaller.” Property and Environmental Research Center. Retrieved from <https://www.perc.org/articles/environmental-federalism-2>

jurisdiction. Citizens cannot easily escape a policy they disagree with when they feel that the national government abuses its power, but they can more easily escape a state policy they disagree with.<sup>23</sup>

With overarching federal regulations, local people may change their behavior because they fear inflexible, stringent policies. For example, before the black-footed ferret was listed as endangered, Montana ranchers saw the ferrets as allies. Ranchers viewed prairie dogs as pests, and the black-footed ferrets would prey on them. The number of ferrets dwindled, and they were eventually listed on the federal endangered species list. Instead of working to preserve the ferrets, landowners have fought attempts to reintroduce them because landowners are subject to FWS regulations and are required to provide habitat without compensation. This approach has created the incentives for landowners to “shoot, shovel, and shut up” when they encounter ferrets on their land, instead of preserving the species.<sup>24</sup>

Finding the right balance between individual, state, and national control of wildlife management is a key goal for policymakers if they want to find the most effective and efficient way of preserving species. That balance, however, is lacking under the current system.<sup>25</sup> Because state governments are generally more responsive to their constituents’ preferences, allowing individuals and state governments to take the lead on species conservation may help strike the balance between species preservation and economic impacts.

## Experimenting with More Cooperation and Decentralization

Decentralization can be problematic because it involves the redistribution of power and resources among different units of a government. Elinor Ostrom argues that federal officials may be hesitant to pursue decentralization because they must voluntarily give up some of their power to state officials. With this in mind, it is important to understand who is involved in the transfer of power and what their incentives are. Effective decentralization involves aligning the interests of federal decision-makers among themselves and with state officials. When incentives are aligned, it becomes easier and less costly to decentralize power.<sup>26</sup> One-size-fits-all approaches are unlikely to align the interests of different levels of policymakers. The federal government and the states could take many approaches to rearrange decision-making responsibilities.

Below, we explain how decentralization and cooperative federalism can benefit conservation policy through the story of the greater sage-grouse. State governments proved that they had the knowledge and resources to conserve a particular species innovatively while also meeting the needs of local people. The case of the sage-grouse shows how the states and the federal government worked together for a mutually beneficial solution. The federal government wanted to ensure that the sage-grouse was conserved, so they retained the power to list the species under the ESA with all its stringent protections. State policymakers were granted the power to choose how to conserve the species, which led to effective compromise between local interests and the preservation of the sage-grouse. The example of the greater sage-grouse illustrates how the federal government could delegate more management of species to the states.

## The Political Battle over the Greater Sage-Grouse

### Petitions and Reviews for Listing the Greater Sage-Grouse As Endangered

The sage-grouse is an important species because it serves as a proxy for other political battles. The species is considered an “umbrella species” for other sagebrush-associated animals. An umbrella species is used in conservation

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23 Ibid.

24 Stroup, R. (1995). “The Endangered Species Act: Making Innocent Species the Enemy.” PERC Policy Series, PS-3. Bozeman, MT: Political Economy Research Center. Retrieved from

25 Anderson, T. and Hill, P. (1996). “Environmental Federalism: Thinking Smaller.” Property and Environmental Research Center. Retrieved from <https://www.perc.org/articles/environmental-federalism-2>

26 Agrawal, A., Ostrom, E. (December 2001). Collective action, property rights, and decentralization in resource use in India and Nepal. *Politics and Society*, 29(4). Retrieved from <http://www-personal.umich.edu/~arunagra/papers/Collective%20Action%20Property%20Rights%20and%20Decentralization%20in%20Resource%20Use%20in%20India%20and%20Nepal.pdf>

planning to protect the biodiversity of lesser known species. While the umbrella species concept has shown to be useful in certain situations, some biologists are skeptical of the concept.<sup>27</sup>

Outside of the scientific community, conservationists often fight for the listing of an umbrella species under the ESA as a way to protect landscapes or other animals. For example, the habitat of the greater sage-grouse stretches across much of the Western United States. Listing the species could initiate strict protections across tens of millions of acres. For the same reason, it is strategic for people who wish to use the land for purposes other than conservation to fight against the listing of such a widespread umbrella species.

Beginning in 2002, several individuals submitted petitions to list the greater sage-grouse as endangered under the ESA. The FWS began the 90-day finding process in December 2003 and found in April 2004 that there was substantial evidence to complete a status review of the species. As required by the ESA, the Service then began its yearlong status review to determine whether a listing was warranted. In January 2005, the FWS published its 12-month finding that the listing of the greater sage-grouse was not warranted under the ESA.<sup>28</sup>

This first status review, however, was controversial. Western Watersheds Project (WWP) filed a court complaint on July 14, 2006, stating that the FWS's 12-month finding was incorrect and arbitrary. On December 4, 2007, the 9th District Court agreed with the WWP and found that the FWS's decision was arbitrary and capricious under the Administrative Procedure Act. The court reversed the FWS's decision and remanded the finding back to the FWS.<sup>29</sup>

Due to the Court's decision, the FWS announced that it was initiating a new status review for the greater sage-grouse in February 2008. The Service also began the collection of information regarding the species from interested parties. The requested information included the status of and any potential threats to the species. Once the status review was completed, the FWS would then decide whether listing the greater sage-grouse as threatened or endangered was warranted.<sup>30</sup>

In April 2008, the FWS extended the period for submitting information on the status review of the greater sage-grouse. The stated purpose of the extension was to "provide the public and Federal, State, and local agencies with an additional opportunity to submit information for the status review."<sup>31</sup>

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27 Caro, T. (2003). Umbrella species: Critique and lessons from East Africa. *Animal Conservation*, 6(2), 171-181. doi:10.1017/S1367943003003214

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28 Endangered and Threatened Wildlife and Plants; 12-Month Finding for Petitions To List the Greater Sage-Grouse as Threatened or Endangered, 70 Fed. Reg. 2244 (January 12, 2005) (to be codified at 50 C.F.R. pt. 17). Retrieved from <https://www.gpo.gov/fdsys/pkg/FR-2005-01-12/pdf/05-583.pdf>.

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29 U.S. Fish and Wildlife Service. (2008). "Summary of Sage-Grouse Listing Petitions Submitted to the U.S. Fish and Wildlife Service." Retrieved from [https://www.fws.gov/nevada/nv\\_species/documents/sage\\_grouse/SG\\_petition\\_sum\\_8\\_27\\_2008.pdf](https://www.fws.gov/nevada/nv_species/documents/sage_grouse/SG_petition_sum_8_27_2008.pdf)

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30 Endangered and Threatened Wildlife and Plants; Initiation of Status Review for the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered, 73 Fed. Reg. 10218 (February 26, 2008) (to be codified at 50 C.F.R. pt. 17). Retrieved from <https://www.gpo.gov/fdsys/pkg/FR-2008-02-26/pdf/E8-3374.pdf#page=1>

31 Endangered and Threatened Wildlife and Plants; Initiation of Status Review for the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered, 73 Fed. Reg. 23172 (April 29, 2008) (to be codified at 50 C.F.R. pt. 17). Retrieved from <https://www.gpo.gov/fdsys/pkg/FR-2008-04-29/pdf/E8-9181.pdf#page=1>

## States and Federal Agencies Protect the Greater-Sage Grouse

After the new 12-month review, the FWS found in March 2010 that the range-wide listing of the greater sage-grouse was “warranted but precluded” by higher priority listing actions.<sup>32</sup> Warranted but precluded means that the FWS believes a listing under the ESA is warranted but will develop a proposed rule to list the species when their “priorities allow.” With this designation, the greater sage-grouse was identified as a “candidate species” for full listing under the ESA, which entitles it to certain protections that are less stringent than a threatened or endangered listing.

Many political leaders in Western states feared the listing of the greater sage-grouse under the ESA because such a listing would limit productive land use in their states and prevent states from protecting the species as they best saw fit. In 2011, Secretary of the Interior Ken Salazar invited the 11 states with sage-grouse populations to produce sage-grouse management plans. These plans could be individualized to each state, and Secretary Salazar encouraged state policymakers to balance economic development and management of the species. By 2015, most of these Western states implemented new conservation strategies or strengthened their existing strategies for sage-grouse preservation to avoid the need for federal listing of the species.<sup>33</sup>

For example, Wyoming’s Governor Matthew Mead issued Executive Order 2015-4 dealing with greater sage-grouse core area protections. One of the expressly stated reasons for these additional protections was because “the United States Department of the Interior has determined that listing the greater sage-grouse range-wide as a threatened or endangered species is currently precluded making it a candidate species.”<sup>34</sup>

In February 2013, the State of Utah issued a new conservation plan for greater sage-grouse specifically “to protect high-quality habitat, enhance impaired habitat, and restore converted habitat to support, in Utah, a portion of the range-wide population of greater sage-grouse [...] necessary to eliminate threats to the species and negate the need for the listing of the species under the provisions of the federal Endangered Species Act.”<sup>35</sup>

Idaho’s Governor Butch Otter signed Executive Order 2012-02 to establish Idaho’s Sage-Grouse Task Force specifically because “listing of the species would have a significant impact on the State’s custom, culture and way of life.”<sup>36</sup> The Task Force’s purpose was to make recommendations for long-term viability of sage-grouse populations in Idaho and to prevent the listing of the species under the ESA.<sup>37</sup> In June 2012, the Task Force issued its recommendations which were meant avoid the need for listing the species by facilitating solutions to threats to the species and its habitat. These solutions included the establishment of Sage-Grouse Management Areas, and addressed the threats of wildfire, invasive species, large infrastructure projects, livestock grazing management, West Nile virus, grazing infrastructure, and recreation.<sup>38</sup>

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32 Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petitions to List the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered. 75 Fed. Reg. 13910 (March 23, 2010) (to be codified at 50 C.F.R. pt. 17). Retrieved from [https://ecos.fws.gov/docs/federal\\_register/fr5934.pdf](https://ecos.fws.gov/docs/federal_register/fr5934.pdf)

33 Empowering State Management of Greater Sage Grouse: Oversight Hearing before the Committee on Natural Resources, U.S. House of Representatives, 114th Cong. Serial No. 114-7 (2015). Retrieved from <https://www.gpo.gov/fdsys/pkg/CHRG-114hhrg94772/pdf/CHRG-114hhrg94772.pdf>

34 State of Wyoming Executive Department Exec. Order No. 2015-4. Retrieved from [https://wgfd.wyo.gov/WGFD/media/content/PDF/Habitat/Sage%20Grouse/SG\\_Executive\\_Order.pdf](https://wgfd.wyo.gov/WGFD/media/content/PDF/Habitat/Sage%20Grouse/SG_Executive_Order.pdf)

35 Utah Division of Wildlife Resources. (2013). Final Conservation Plan for Greater Sage-Grouse in Utah. Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater\\_sage\\_grouse\\_plan.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater_sage_grouse_plan.pdf)

36 State of Idaho Executive Department Exec. Order No. 2012-02. Retrieved from <https://idfg.idaho.gov/old-web/docs/wildlife/SGtaskForce/execOrder.pdf>

37 Idaho Department of Fish and Game. (2012). Idaho Sage-Grouse Task Force. Retrieved from <https://idfg.idaho.gov/conservation/sage-grouse/task-force>

38 Idaho Governor’s Sage-Grouse Task Force. (2012). Idaho Governor’s Sage-Grouse Task Force Recommendations. Retrieved from <https://idfg.idaho.gov/old-web/docs/wildlife/SGtaskForce/FinalRecommendations.pdf>

Montana's Governor Steve Bullock issued Executive Order No. 12-2015 to amend and implement the Montana Sage-Grouse Conservation Strategy to "demonstrate to the USFWS that the sage-grouse does not warrant federal protection under the ESA."<sup>39</sup>

Other Western states have similar language in their management plans for the greater sage-grouse. Nearly every state's plan was intended to avoid the listing of the greater sage-grouse because many state leaders believed that a listing would harm the economy and the management of lands within Western states. Some states included this language before the 2005 finding of "not warranted," while others included the language after the 2010 finding of "warranted but precluded."<sup>40</sup> Oregon, for example, created the Greater Sage-Grouse Conservation Assessment and Strategy, which cites that "[f]ull protection for sage-grouse under ESA would have serious economic, social, and cultural consequences across the Western United States."<sup>41</sup>

Federal lawmakers from Western states also feared the listing of the greater sage-grouse. For example, Representative Rob Bishop (R-UT) and Representative Cynthia Lummis (R-WY) served on the House Committee on Natural Resources during this time and argued that the states could adequately protect the species without the need for a listing. Lummis stated,

"In 2011, Secretary Salazar invited the states to take the lead in conserving sage-grouse. [...] The states have responded with tens of millions of dollars, countless man hours, and an unprecedented dedication to sage-grouse conservation. [...] The issues that threaten sage-grouse populations in these 11 states are so different, a cookie-cutter approach won't work."<sup>42</sup>

Not all federal lawmakers on the Committee on Natural Resources were in agreement. Representative Jared Polis (D-CO) opposed Bishop's and Lummis's arguments, stating, "The greater sage-grouse [...] is threatened by industrial oil and gas development, fragmentation of its sagebrush habitat, fire, and invasive weeds. Due to these threats, the greater sage-grouse occupies only half of the historic range and, therefore, based entirely on its merits has become a candidate for listing under the Endangered Species Act."<sup>43</sup>

Kathleen Clarke, the former Director of the Bureau of Land Management (BLM) and current Director of the Public Lands Policy Coordinating Office for the State of Utah, argued that state and federal agencies were capable of protecting the species without an ESA listing. During her time as Director of the BLM, she implemented the BLM's sage-grouse strategy for conservation in 2003 and 2004. This national plan established a comprehensive approach to sage-grouse habitat management on BLM lands.<sup>44</sup> Clarke attributed the 2005 finding of "not warranted" to the BLM's effective conservation strategies. After the 2010 finding of "warranted but precluded," she argued before the House Committee on Natural Resources that states were protecting the greater sage-grouse:

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39 State of Montana Office of the Governor Exec. Order No. 12-2015. Retrieved from [https://governor.mt.gov/Portals/16/docs/2015EOs/EO\\_12\\_2015\\_Sage\\_Grouse.pdf](https://governor.mt.gov/Portals/16/docs/2015EOs/EO_12_2015_Sage_Grouse.pdf)

40 Endangered and Threatened Wildlife and Plants; 12-Month Finding for Petitions To List the Greater Sage-Grouse as Threatened or Endangered, 70 Fed. Reg. 2244 (January 12, 2005) (to be codified at 50 C.F.R. pt. 17). Retrieved from <https://www.gpo.gov/fdsys/pkg/FR-2005-01-12/pdf/05-583.pdf>.  
U.S. Fish and Wildlife Service. (2008). "Summary of Sage-Grouse Listing Petitions Submitted to the U.S. Fish and Wildlife Service." Retrieved from [https://www.fws.gov/nevada/nv\\_species/documents/sage\\_grouse/SG\\_petition\\_sum\\_8\\_27\\_2008.pdf](https://www.fws.gov/nevada/nv_species/documents/sage_grouse/SG_petition_sum_8_27_2008.pdf)

41 Hagen, C. (2011). Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat. Oregon Department of Fish and Wildlife. Retrieved from [http://www.dfw.state.or.us/wildlife/sagegrouse/docs/20110422\\_GRSG\\_April\\_Final%2052511.pdf](http://www.dfw.state.or.us/wildlife/sagegrouse/docs/20110422_GRSG_April_Final%2052511.pdf)

42 Empowering State Management of Greater Sage Grouse: Oversight Hearing before the Committee on Natural Resources, U.S. House of Representatives, 114th Cong. Serial No. 114-7 (2015). Retrieved from <https://www.gpo.gov/fdsys/pkg/CHRG-114hhrg94772/pdf/CHRG-114hhrg94772.pdf>

43 Ibid.

44 Bureau of Land Management. (2004). Bureau of Land Management National Sage-Grouse Habitat Conservation Strategy. Retrieved from [https://www.blm.gov/nhp/spotlight/sage\\_grouse/docs/Sage-Grouse\\_Strategy.pdf](https://www.blm.gov/nhp/spotlight/sage_grouse/docs/Sage-Grouse_Strategy.pdf)

“[...] I think there is a dichotomy developing between the state’s collaborative approach and Federal unilateralism. What started out as a very promising partnership is becoming increasingly imbalanced and, sadly, adversarial. [...] The State of Utah is absolutely committed to the conservation, long-term conservation, of the sage-grouse. Over \$50 million have been invested in the last 10 years in sage-grouse conservation, and Utah has only 4 percent of the birds. But that is the second-highest amount that any state has invested in the grouse conservation.”<sup>45</sup>

Not only were state officials worried about the potential listing of the greater sage-grouse, many federal land management officials in both the BLM and United States Forest Service (USFS) thought that a listing would be detrimental. For example, the BLM National Policy Guidance specifically states that “it is in the interest of the Federal government [...] to conserve sensitive species with the intent to avoid a need to list.”<sup>46</sup> Roughly half of all remaining sage-grouse live on BLM or USFS land. Both BLM and USFS plans are intended to facilitate collaboration between federal, state, and local entities to improve species conservation. These sage-grouse plans have three objectives. First, the plans are meant to reduce habitat fragmentation by protecting undisturbed habitat. Second, the plans are meant to improve habitat through “purposeful management.” Third, the plans work to reduce the threat of rangeland fire, which can have long-term impacts on sagebrush.<sup>47</sup>

The BLM and USFS adopted new federal management plans in September 2015, which amended the land-use plans for 98 BLM and USFS units. The 2015 federal plans increased protection for sage-grouse in nearly 70 million acres of federal land across much of the Western United States.<sup>48</sup> The BLM and USFS also partnered with more than 1,100 private individuals across the West through the Sage-Grouse Initiative (SGI). The United States Department of Agriculture’s Natural Resources Conservation Service runs the SGI to restore about 4.4 million acres of habitat and simultaneously allow economic development on federal public lands.<sup>49</sup> The SGI was set up as a voluntary, incentive-based conservation effort. Since 2010, the Natural Resources Conservation Service has spent more than \$296.5 million on the SGI. Another \$128 million has come from other conservation partners and landowners, making total SGI investment \$424.5 million.<sup>50</sup>

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45 Empowering State Management of Greater Sage Grouse: Oversight Hearing before the Committee on Natural Resources, U.S. House of Representatives, 114th Cong. Serial No. 114-7 (2015). Retrieved from <https://www.gpo.gov/fdsys/pkg/CHRG-114hhrg94772/pdf/CHRG-114hhrg94772.pdf>

46 Bureau of Land Management. (2004). Bureau of Land Management National Sage-Grouse Habitat Conservation Strategy. Retrieved from [https://www.blm.gov/nhp/spotlight/sage\\_grouse/docs/Sage-Grouse\\_Strategy.pdf](https://www.blm.gov/nhp/spotlight/sage_grouse/docs/Sage-Grouse_Strategy.pdf)

47 Bureau of Land Management. (n.d.). Fact Sheet: BLM, USFS Greater Sage-Grouse Conservation Effort. Retrieved from <https://www.blm.gov/sites/blm.gov/files/BLM-USFS%20Plans%20Fact%20Sheet%20Final915.pdf>

48 Streater, S. (2017). Western governors fret as Zinke ponders review of grouse plans. E&E News. Retrieved from <https://www.eenews.net/greenwire/stories/1060055357>  
Bureau of Land Management. (n.d.). Fact Sheet: BLM, USFS Greater Sage-Grouse Conservation Effort. Retrieved from <https://www.blm.gov/sites/blm.gov/files/BLM-USFS%20Plans%20Fact%20Sheet%20Final915.pdf>

49 Bureau of Land Management. (n.d.). Fact Sheet: BLM, USFS Greater Sage-Grouse Conservation Effort. Retrieved from <https://www.blm.gov/sites/blm.gov/files/BLM-USFS%20Plans%20Fact%20Sheet%20Final915.pdf>

50 Natural Resources Conservation Service. (2015). Sage Grouse Initiative 2.0 Investment Strategy, FY 2015-2018. U.S. Department of Agriculture. Retrieved from [http://www.sagegrouseinitiative.com/wp-content/uploads/2015/08/SGI2.0\\_Final\\_Report.pdf](http://www.sagegrouseinitiative.com/wp-content/uploads/2015/08/SGI2.0_Final_Report.pdf)  
Natural Resources Conservation Service. (2015). “Greater Sage-Grouse 2015 Progress Report.” U.S. Department of Agriculture. Retrieved from [http://www.sagegrouseinitiative.com/wp-content/uploads/2016/02/GSG\\_FINAL.pdf](http://www.sagegrouseinitiative.com/wp-content/uploads/2016/02/GSG_FINAL.pdf)

The SGI has five main objectives. First, the SGI works to promote grazing practices that will reduce threats to annual grasses. This includes restoring disturbed areas, eliminating noxious weeds, and decreasing the potential for wildfire. Second, the SGI incentivizes the removal of conifer trees that are encroaching on sagebrush habitat. Third, the SGI helps to acquire conservation easements to limit urban and exurban development in sage-grouse habitats, as well as the spread of cropland and grazing land. Fourth, the SGI works to preserve and restore wetlands and irrigated fields, which are key to sage-grouse health and reproduction. Fifth, the SGI works to reduce sage-grouse fence collisions by marking fences in high-risk areas to make them more easily visible to sage-grouse. Sage-grouse can die when they collide with infrastructure such as fences. Marking fences can reduce collision rates by roughly 83 percent. (Stevens, B. S., Reese, K. P., Connelly, J. W. and Musil, D. D. (2012). Greater sage-grouse and fences: Does marking reduce collisions?. *Wildlife Society Bulletin*, 36: 297–303. doi:10.1002/wsb.142)

From 2013 to 2015, the FWS and the BLM entered into Candidate Conservation Agreements (CCA) on 5.5 million acres of both private and federal lands.<sup>51</sup> CCAs are voluntary agreements between the FWS and another party that are meant to aid in the conservation of candidate species. People who participate in CCAs voluntarily commit to reduce threats to candidate species, which may eliminate the need for a listing. The FWS has entered into many CCAs with other federal agencies, state governments, local governments, tribal governments, and private property owners.<sup>52</sup> Idaho, Wyoming, and Oregon, for example, all entered into CCAs with the FWS for sage-grouse protection.<sup>53</sup>

## The 2015 Decision Not to List the Greater Sage-Grouse

In September 2015, the FWS decided that it would not list the greater sage-grouse as threatened or endangered. The Service also chose to withdraw the species from the Candidate Species list. The FWS justified its decision by stating that “multiple conservation efforts across the range, particularly the regulatory protections in federal and state management plans, have sufficiently addressed the primary threats which originally caused the bird to be designated as warranted for ESA protection in 2010.”<sup>54</sup> The FWS concluded that a listing was not necessary because of “thousands of other conservation efforts across the species’ 173- million-acre range, including the voluntary commitment of millions of acres of private rangeland to sage-grouse conservation.”<sup>55</sup>

The sage-grouse largely faded from public debate until 2017 when Secretary of the Interior Ryan Zinke began considering how the Department of the Interior [DOI] approaches sage-grouse management. In May 2017, Secretary Zinke announced that the DOI was considering switching sage-grouse conservation plans from a habitat management model to population objectives. Then in June 2017, Secretary Zinke issued Secretarial Order 3353, stating that the DOI would review federal greater sage-grouse conservation plans. The basis of this review is to determine whether the plans are limiting energy production on public lands.<sup>56</sup> State governments and the DOI could use this review as an opportunity to incorporate cooperative federalism and decentralization into species management more greatly.

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51 U.S. Fish and Wildlife Service. (2015). “Frequently Asked Questions: Greater Sage-Grouse Status Review.” Retrieved from <https://www.fs.fed.us/sites/default/files/fws-faqs-greater-sage-grouse.pdf>

52 U.S. Fish and Wildlife Service. (2017). Candidate Conservation Agreements. Retrieved from <https://www.fws.gov/endangered/esa-library/pdf/CCAs.pdf>

53 Draft Candidate Conservation Agreement With Assurances, Receipt of Application for an Enhancement of Survival Permit for the Greater Sage-Grouse on Oregon Department of State Lands, and Draft Environmental Assessment, 80 Fed. Reg. 9475 (February 23, 2015). Retrieved from <https://www.gpo.gov/fdsys/pkg/FR-2015-02-23/pdf/2015-03565.pdf>  
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Department of the Interior. (n.d.) Greater Sage-Grouse Conservation in Oregon. Retrieved from [https://www.fws.gov/greatersagegrouse/factsheets/OregonGrSGFactSheet\\_FINAL%20\(1\).pdf](https://www.fws.gov/greatersagegrouse/factsheets/OregonGrSGFactSheet_FINAL%20(1).pdf)

U.S. Fish and Wildlife Service. (2014). Farmers and Ranchers in Eastern Oregon sign on as Partners to Conserve the Sage-grouse, a Candidate Species. Retrieved from [https://www.fws.gov/endangered/map/ESA\\_success\\_stories/OR/OR\\_story4/index.html](https://www.fws.gov/endangered/map/ESA_success_stories/OR/OR_story4/index.html)

54 U.S. Fish and Wildlife Service. (2015). Greater Sage-Grouse Conservation Campaign. Retrieved from [https://www.fws.gov/greatersagegrouse/PDFs/GrSG\\_ConsCampaignESASStatusReview\\_FINAL.pdf](https://www.fws.gov/greatersagegrouse/PDFs/GrSG_ConsCampaignESASStatusReview_FINAL.pdf)

55 Ibid.

56 Office of the Secretary. (2017, June 8). *Secretary Zinke Signs Order to Improve Sage-Grouse Conservation, Strengthen Communication and Collaboration Between States and Feds*. [Press Release]. Retrieved from <https://www.doi.gov/pressreleases/secretary-zinke-signs-order-improve-sage-grouse-conservation-strengthen-communication>



Some governors would rather use a habitat management model rather than population objectives. Governor Matthew Mead of Wyoming and Governor John Hickenlooper of Colorado co-signed a letter to Secretary Zinke on May 26, 2017, emphasizing “the need for coordination between the Department of the Interior and the sage-grouse states through the Sage-Grouse Task Force.” The letter also expressed the governors’ concerns that population objectives for the states are “not the right decision.” The governors wrote that their states are “willing to work with [the DOI] to develop the best approach for managing the species on federal lands.”<sup>57</sup> Other states, such as Nevada and California, argue that the current resource management plans may not be the most effective and efficient means of conservation and a change in direction is needed.<sup>58</sup> The current review of sage grouse management and future reviews could allow some states to continue with habitat management models, but other states could use population objectives. Allowing states to choose their species conservation method ensures that they can meet the varying needs of their local culture and ecology.

## Utah’s Example of Greater Sage-Grouse Conservation

Most western states have sage-grouse conservation plans or initiatives, but Utah’s plan is a particularly clear example of how states can incorporate tradeoffs between different interest groups, while also prioritizing the conservation of the sage-grouse. Utah has been protecting the sage-grouse since 1996 through Local Area Working Groups. The Utah Wildlife Board implemented the state’s first Strategic Plan for the Management of Sage Grouse in Utah in 2005. The plan was updated in 2009.<sup>59</sup> The most recent version of Utah’s plan was created in 2013, but was implemented in 2015 through an executive order from Governor Herbert. The plan lists five main objectives:

1. Sustain an average male sage-grouse population of 4,100 between all Sage-Grouse Management Areas (SGMAs) and increase those populations to an average of 5,000
2. Annually protect an additional 10,000 acres of sage-grouse habitat on private land and on lands owned by Utah’s School and Institutional Trust Lands Administration (SITLA) through “conservation covenants, leases, easements or other legal tools”
3. Annually improve an average of 25,000 acres of sage-grouse habitat
4. Increase the total area of SGMAs by 50,000 acres per year
5. “Maintain viable populations within each SGMA”<sup>60</sup>

The government of Utah created the new sage-grouse conservation plan to avoid the listing of the species as endangered because the listing would “have a significant adverse effect on the economy, custom and culture of the

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57 Mead, M. and Hickenlooper, J. (2017). Letter to Secretary of the Interior Ryan Zinke. Retrieved from [https://www.cenews.net/assets/2017/05/31/document\\_gw\\_09.pdf](https://www.cenews.net/assets/2017/05/31/document_gw_09.pdf)

58 Bi-State Technical Advisory Committee Nevada and California. (2012). “Bi-State Action Plan: Past, Present, And Future Actions for Conservation of the Greater Sage-Grouse Bi-State Distinct Population Segment.” Retrieved from [http://www.ndow.org/uploadedFiles/ndoworg/Content/public\\_documents/Nevada\\_Wildlife/Bi-State%20Action%20Plan.pdf](http://www.ndow.org/uploadedFiles/ndoworg/Content/public_documents/Nevada_Wildlife/Bi-State%20Action%20Plan.pdf)

59 Conservation plan for greater sage-grouse in Utah. (2013, February 14). State of Utah. p. 6 Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater\\_sage\\_grouse\\_plan.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater_sage_grouse_plan.pdf)  
State of Utah Office of the Governor Exec. Order No. 2015-001. Retrieved from <http://publiclands.utah.gov/wp-content/uploads/2015/02/EO-Sage-Grouse1.pdf>

60 Conservation plan for greater sage-grouse in Utah. (2013, February 14). State of Utah. p. 4 Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater\\_sage\\_grouse\\_plan.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater_sage_grouse_plan.pdf)

There are currently 11 defined SGMAs within the state. Adjustments of the SGMA boundaries are reviewed every five years, unless other events require that the areas be reviewed more frequently. These events include wildfire or successful habitat improvement (Conservation plan for greater sage-grouse in Utah. (2013, February 14). State of Utah. p. 8. Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater\\_sage\\_grouse\\_plan.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater_sage_grouse_plan.pdf)).

Under the plan, state agencies are to coordinate with the Public Lands Policy Coordinating Office and the Division of Wildlife Resources to ensure that state activities do not interfere with the protection of the greater sage-grouse (State of Utah Office of the Governor Exec. Order No. 2015-001. Retrieved from <http://publiclands.utah.gov/wp-content/uploads/2015/02/EO-Sage-Grouse1.pdf>).

State of Utah.”<sup>61</sup> The longest-lived strategy for conserving the greater sage-grouse in Utah has been Local Area Working Groups. Since 1996, these groups have brought together state and federal agents, local landowners, and other interested parties to conserve sage-grouse. Each group has its own conservation plan and works to reverse the decline of sage-grouse in their area. Utah currently has 12 Local Working Groups, but there are more than 60 across the West.<sup>62</sup>

Local Area Working Groups were the state’s pioneer efforts to conserve the sage-grouse and have become a crucial part of more recent state conservation plans. The state’s current conservation plan promotes several policies to combat the many threats to the greater sage-grouse population. These threats include the destruction of habitat from wildfire, invasive species, predators, mineral extraction, roads, renewable energy development, recreation, livestock grazing, and hunting. The plan contains guidelines for mitigating each of these risks, while still maintaining a balance between conservation and other activities. For example, the plan suggests controlling predator populations, removing conifers from sage-grouse habitat, and only allowing recreation on defined trails and roads during winter and nesting season. Hunting sage-grouse is allowed in SGMAs with a permit. In addition, the plan requires that mineral extractors “engage in reclamation efforts as projects advance or are completed.”<sup>63</sup>

Unlike the ESA, Utah’s conservation plan prioritizes the rights of local governments and private landowners. The conservation plan allows the protection of sage-grouse to be a compromise between local considerations and the requirements of federal agencies. All 11 SGMAs contain land owned by private citizens, local governments, SITLA, Division of Wildlife Resources, Division of State Parks and Recreation, the BLM, and the USFS. Using SITLA or private lands for the conservation purposes of the SGMA requires compensation to or a contractual agreement with the landowner. In the development of the state’s sage-grouse conservation plan, the future use of lands was also taken into account. Areas that were identified as likely places for future development were not included in SGMAs, and sage-grouse populations in these areas were identified as non-essential.<sup>64</sup>

The Utah Community-Based Conservation Program (CBCP), run by a Utah State University extension program and staffed predominantly by university-affiliated researchers, conserves the greater sage-grouse by working with local landowners to ensure the protection of the species. The CBCP works with local groups across Utah that have their own sage-grouse conservation plans.<sup>65</sup> These groups are “composed of private interests and governmental

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61 State of Utah Office of the Governor Exec. Order No. 2015-001. Retrieved from <http://publiclands.utah.gov/wp-content/uploads/2015/02/EO-Sage-Grouse1.pdf>

62 U.S. Department of Agriculture, Natural Resources Conservation Service, Agricultural Wildlife Conservation Center, Utah State University. (2009, April). Working with sage-grouse local working groups: A practical guide for NRCS staff. Retrieved from [http://digitalcommons.usu.edu/cgi/viewcontent.cgi?article=1092&context=extension\\_curall](http://digitalcommons.usu.edu/cgi/viewcontent.cgi?article=1092&context=extension_curall)  
Reese, A., Sachs, K. (2005, October 3). Utah Sage Grouse Working Groups. *Red Lodge Clearinghouse*. Retrieved from <http://rlch.org/stories/utah-sage-grouse-working-groups>

Even before the greater sage-grouse came into the limelight in 2002, the Utah Division of Wildlife Resources (UDWR) was interested studying and protecting the species. A 2001 report from the UDWR details conservation efforts, population statistics, and research efforts within the state. While the state’s conservation efforts increased following the threat of listing, it’s clear that the state was engaged in protecting the sage-grouse long before it became a popular issue (Utah Division of Wildlife Resources. (2001). “Sage Grouse in Utah.” Retrieved from [https://efotg.sc.egov.usda.gov/references/public/UT/Utah\\_SG\\_status\\_110901.pdf](https://efotg.sc.egov.usda.gov/references/public/UT/Utah_SG_status_110901.pdf)).

63 Conservation plan for greater sage-grouse in Utah. (2013, February 14). State of Utah. p. 12-19. Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater\\_sage\\_grouse\\_plan.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater_sage_grouse_plan.pdf)

Terry Messmer, a Utah State University Extension wildlife specialist, said, “Removing trees goes against what we typically think is good for the environment.” He explains, however, that research done by members of the CBCP shows that removing conifers from sage-grouse habitat helps the sage-grouse thrive. (Ruud, S. (2017, April). It’s official - Clearing conifers conserves sage-grouse. *The Communicator*, 13(2), 3. Retrieved from <http://utahcbcp.org/cbcpnewsletters/CommunicatorApril2017.pdf>)

64 State of Utah Office of the Governor Exec. Order No. 2015-001. Retrieved from <http://publiclands.utah.gov/wp-content/uploads/2015/02/EO-Sage-Grouse1.pdf>

65 Conservation plan for greater sage-grouse in Utah. (2013, February 14). State of Utah. p. 6 Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater\\_sage\\_grouse\\_plan.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/greater_sage_grouse_plan.pdf)

entities, and were charged to assess the local nature and scope of the threats to the species, and to recommend a course of action to address those threats.”<sup>66</sup> The extension program also publishes peer-reviewed research on the sage-grouse, which better helps the State of Utah understand the complexities of greater sage-grouse conservation and implement more effective conservation methods.<sup>67</sup>

Utah’s exemplary conservation of the sage-grouse illustrates that states can and do succeed in the conservation of sage-grouse. In 2014, SGMAs contained 7.5 million acres of land, and from 2013-2014, Utah’s sage-grouse population increased by 40 percent.<sup>68</sup> This should show that cooperation between federal interests and state control can be a win-win compromise for states, the federal government, local interests, and environmental concerns.

## Recommendations for Using the ESA More Effectively

Greater sage-grouse conservation illustrates cooperation between the federal and state governments. Using the example of the sage-grouse, we highlight two ways that the ESA could be better used to protect species and minimize impacts to surrounding communities:

1. The federal government could use the ESA’s Section 6 more fully to enhance cooperation in species conservation.
2. The federal government could be more flexible in the way works with state and local governments by using and expanding Section 4(d).

## Increasing Cooperation Between the Federal Government and States

State governments are capable of species conservation, but the ability of states to manage species within their boundaries is limited under the current implementation of the ESA. Section 6 of the ESA states that the federal government “shall cooperate to the maximum extent practicable with the States” to protected listed species.<sup>69</sup> Under Section 6, the FWS is supposed to consult with state governments when working to conserve endangered or threatened species, but cooperation has only played a minor role.

Many scholars and policy analysts consistently agree that there has been a “lack of consistent and sustained cooperation between state and federal agencies.”<sup>70</sup> From the 1970s through the 1990s, the FWS heavily relied on threatening states with regulatory action under the ESA. This tactic has fostered a culture of distrust between state and federal agencies. The decades of tension have led to incoherent policies and a lack of comprehensive commitments by both levels of government. In recent years, there seems to be more signs of cooperation between federal and state agencies, but partnership between the different levels of government is still strained.<sup>71</sup>

The case of the greater sage-grouse shows that the federal government can work with state governments to successfully promote the conservation and recovery of species. The FWS could incorporate more cooperative federalism into its policies before and after a species is listed. Congress or the FWS could change the

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66 Ibid.

67 Utah Community-Based Conservation Program. (n.d.) Utah’s Community-Based Conservation Program. Retrieved from <http://utahcbcp.org/index>

68 Utah Department of Natural Resources. (2014). “Implementing Utah’s Greater Sage-Grouse Conservation Plan.” Retrieved from [https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/14\\_annual\\_report.pdf](https://wildlife.utah.gov/uplandgame/sage-grouse/pdf/14_annual_report.pdf)

69 U.S. Fish and Wildlife Service. (2013). Endangered Species Act | Section 6. Retrieved from <https://www.fws.gov/endangered/laws-policies/section-6.html>

70 Arha, K., and Thompson, B. (n.d.) “Endangered Species Act and Federalism: Effective Species Conservation through Greater State Commitment.” Woods Institute for Environment Stanford Law School. Policy Paper. Retrieved from <https://woods.stanford.edu/sites/default/files/files/Endangered-Species-Act-Policy-Paper-20050224.pdf>

71 Ibid.

implementation of the law to facilitate state programs that would allow for local permitting and federal oversight. The federal government could also delegate to the states the ability to set standards with site-specific tailoring.<sup>72</sup>

Section 6 is also important because it authorizes funding for a variety of state conservation programs, as long as they are at least as stringent as federal programs. Some states have created comprehensive endangered species programs that match the ESA's stringency. For example, California created the Coordinated Regional Strategy to Conserve Biological Diversity, also known as the Agreement on Biological Diversity, in 1991.<sup>73</sup> Most states have signed cooperative agreements for limited projects. Under Section 6, the federal government can extend funding to states and territories to conserve species and habitats on non-federal lands. To receive these funds, states or territories must have a cooperative agreement with the Secretary of the Interior.<sup>74</sup> In FY 2016, the FWS used the Cooperative Endangered Species Conservation Fund to award approximately \$56.3 million to states.<sup>75</sup> Although ESA grants given to states under Section 6 have been growing over the past 30 years, grants alone will not solve endangered species issues. On top of grant funding, one of the most important cooperative actions would be allowing states to issue permits for "taking" species, which are currently available only from FWS Regional Offices.<sup>76</sup>

The federal government could use Section 6 of the ESA as it was originally intended for a more consistent, sustained partnership between the different levels of government. States could lead the recovery efforts for threatened and endangered species if the federal government granted them the authority and resources necessary. Overcoming the neglect of Section 6 is a complex issue, but working toward better cooperation may help increase the recovery of species, as well as mitigate the economic harm inflicted on the people who are affected by endangered species designations. State lawmakers and agencies would be more likely to take on a greater role in species conservation if such actions were a positive experience, not a frustrating one.<sup>77</sup>

Collaborative conservation could fail if the fragile trust between the federal and state agencies were undone. For example, litigation could undermine the fragile collaborative conservation of sage-grouse and other species. The umbrella species status of the sage-grouse increases the incentive of conservation groups to sue the FWS to list these species. If the FWS chooses to list the greater sage-grouse after states, landowners, industry leaders, and taxpayers have spent large sums of money to protect it, then distrust between the states and the federal government will likely increase.<sup>78</sup>

## Increasing Flexibility for Protecting Species

Section 4(d) of the ESA allows the FWS to make special rules and regulations to protect species that are listed as threatened. The section states that, "Whenever any species is listed as [...] threatened [...] the Secretary shall issue such regulations as he deems necessary and advisable to provide for the conservation of such species."<sup>79</sup> In essence,

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72 Fischman, R. L. (2005). Cooperative Federalism and Natural Resources Law. Articles by Maurer Faculty. Paper 219. Retrieved from <http://www.repository.law.indiana.edu/facpub/219>

73 California Biodiversity Council. (2014). "History and MOU: Memorandum of Understanding." Division of Agriculture and Natural Resources, University of California. Retrieved from [http://ucanr.edu/sites/CBC/About\\_the\\_Council/History\\_and\\_MOU/](http://ucanr.edu/sites/CBC/About_the_Council/History_and_MOU/)

74 U.S. Fish and Wildlife Service. (2017). "Grants | Overview." Retrieved from <https://www.fws.gov/endangered/grants/>

75 U.S. Fish and Wildlife Service. (2016). "Cooperative Endangered Species Conservation Fund Grants (Section 6 of the Endangered Species Act)." Retrieved from <https://www.fws.gov/endangered/esa-library/pdf/section6.pdf>.

76 To "take" a species is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Permitting takings allows loggers, miners, farmers, and other land owners to still operate on their properties without fear of legal repercussions. Taking permits typically require that the permit holder engage in other conservation activities to offset their takings. Fischman, R. L. (2005). Cooperative Federalism and Natural Resources Law. Articles by Maurer Faculty. Paper 219. Retrieved from <http://www.repository.law.indiana.edu/facpub/219>

77 Arha, K., and Thompson, B. (n.d.) Endangered Species Act and Federalism: Effective Species Conservation through Greater State Commitment. Woods Institute for Environment Stanford Law School. Policy Paper. Retrieved from <https://woods.stanford.edu/sites/default/files/files/Endangered-Species-Act-Policy-Paper-20050224.pdf>

78 Baier, L. (2015). Inside the Equal Access to Justice Act: Environmental Litigation and the Crippling Battle over America's Lands, Endangered Species, and Critical Habitats. Rowman & Littlefield Publishers, pp. 272-274.

79 Endangered Species Act of 1973, 16 U.S.C. § 1531 et seq.

Section 4(d) gives the FWS flexibility to create guidelines and policies for the conservation of threatened species, which often involves deferring decision-making power to the states.

Section 4(d) allows the FWS to enhance the preservation of a threatened species by allowing local governments more flexibility to oversee the preservation of a species. The FWS has had some success using Section 4(d) in the past. For example, the FWS has used the section to allow the trapping and killing of Minnesota wolves that have killed domestic animals.<sup>80</sup> The FWS has also used the section to simplify the definition of what is considered a “take” of a threatened species, which provides more flexibility for those that work with or around threatened species.<sup>81</sup> In addition, the FWS has allowed the State of Washington to run local conservation programs for the Puget Sound Chinook salmon.<sup>82</sup>

Section 4(d) allows the federal government to expand the role of state governments in the protection of threatened species and to be more flexible in the way that it approaches threatened-species conservation. The FWS could create more 4(d) rules that would allow states to create conservation plans for threatened species. These rules might make it less costly for states to take part in conservation. Deferring to states would decrease costs for the FWS and allow local officials and community members to make conservation decisions.

Congress could amend the ESA to expand the flexibility of Section 4(d) to more than just threatened species, such as endangered species, candidate species, and other species of concern. If the FWS and state agencies had more flexibility, they may be more effective at conserving species. For the most part, the ESA currently acts as a blanket policy that gives the federal government unilateral power to make decisions regarding species protection. By allowing states to take flexible approaches to species conservation in diverse circumstances, the federal government could oversee more effective conservation strategies. The federal government could still hold the power to oversee state decisions while also giving states the ability to make policies that are most appropriate and effective for their unique circumstances. If Congress amended the ESA to allow more flexibility for state-led conservation, it could lessen the burden of ESA designations on states.

The federal government can use the ESA more effectively to conserve species and limit economic harm by decentralizing much of the decision-making. Overhauling the wording of the ESA to make it more palatable to states would be a difficult task, but Sections 6 and 4(d) are two existing mechanisms that the FWS could use more fully to improve species conservation. These two sections already allow for state conservation programs, but they are not used to their fullest potential. Cooperation and flexibility may improve species conservation both before and after an ESA designation.

## Conclusion

When the federal government allows states to take the lead on conservation strategies, states can effectively implement their own plans to protect species. In 2015, the FWS chose not to list the greater sage-grouse because state governments and federal land management agencies proved that they could sufficiently cooperate to protect the species without the need for listing under the ESA. The saga of the sage-grouse shows that, when allowed to work properly, cooperative federalism and decentralized decision-making can effectively conserve species and minimize economic harm.

Cooperative federalism and decentralized decision-making are beneficial because states can experiment with diverse approaches to conservation. State agencies often have better data and expertise than federal agencies, which can

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80 U.S. Fish and Wildlife Service. (n.d.) Little known but important features of the Endangered Species Act. Retrieved from <https://www.fws.gov/pacific/news/grizzly/esafacts.htm>

81 U.S. Fish and Wildlife Service. (February, 2014). Endangered Species Act Special Rules: Questions and Answers. Retrieved from [https://www.fws.gov/mountain-prairie/factsheets/ESA%20SpecialRules%20Factsheet\\_020714.pdf](https://www.fws.gov/mountain-prairie/factsheets/ESA%20SpecialRules%20Factsheet_020714.pdf)

82 Fischman, Robert L., “Cooperative Federalism and Natural Resources Law” (2005). Articles by Maurer Faculty. Paper 219. <http://www.repository.law.indiana.edu/facpub/219>

make them better equipped to address conservation issues. In addition, state governments often know and respond to the needs of local people better than federal decision-makers.

The ESA could be improved in many ways to take advantage of cooperative federalism and decentralized decision-making, but two of the most practical ways to improve ESA implementation is to improve the use Section 6 and Section 4(d) of the ESA.

Section 6 states that the federal government shall cooperate with the states on species conservation, but this section has been largely ignored over the course of the ESA's history. The FWS already has the ability under the Act to defer power to the states through this section. The federal government already uses cooperative federalism and decentralized decision-making in environmental policies, such as the Clean Air Act and the Clean Water Act. These laws show that the federal government can and will cooperate with states to address environmental issues. Expanding the use of Section 6 will likely be one of the simplest ways to take advantage of the benefits of decentralization.

Section 4(d) allows the federal government to provide exemptions and defer power to the states to protect species that are listed as threatened. The FWS could use 4(d) rules more often, and Congress could amend the ESA to widen Section 4(d) so that states have more power and flexibility to conserve species before and after they are listed.

The federal government's approach of threatening states and private landowners with restrictions and regulations has built a culture of distrust that has limited the effectiveness of species conservation. The benefit of cooperative federalism and decentralized decision-making is that we can achieve the national goal of species conservation while also using local knowledge and limiting economic harm. If federal officials changed the implementation of the ESA, they could use the Act as a guide to help the states create their own plans, rather than imposing harsh regulations from above.

The saga of the sage-grouse illustrates two important points. First, state governments can and do conserve species, and they often do it in a less burdensome way than the federal government. Second, the ESA stands in need of reform to help species recover more effectively and to limit economic harm to American citizens.

**To:** Magallanes Downey[downey\_magallanes@ios.doi.gov]  
**From:** Caroline Boulton  
**Sent:** 2017-07-28T08:32:26-04:00  
**Importance:** Normal  
**Subject:** Fwd: Meeting with Sec. Zinke  
**Received:** 2017-07-28T08:32:36-04:00  
[ATT00001.htm](#)  
[Friends Bio.pdf](#)  
[ATT00001.html](#)  
[ATT00002.htm](#)

Sent from my iPhone

Begin forwarded message:

**From:** Benjamin Gabriel <[ben@organmtnfriends.org](mailto:ben@organmtnfriends.org)>  
**Date:** July 27, 2017 at 5:13:27 PM MDT  
**To:** Caroline Boulton <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)>  
**Subject: Re: Meeting with Sec. Zinke**

Please see attached bio's of those attending the meeting.

**Ben Gabriel** | Executive Director  
Friends of Organ Mountains - Desert Peaks  
PO Box 2676 | Las Cruces | NM | 88004  
Office (575) 323-1423 | [website](#) | [email](#)





On Jul 27, 2017, at 1:25 PM, Caroline Boulton <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Hi Ben,

Yes we do!

We will be meeting at:  
New Mexico State University  
University Center & Residence  
4501 Geothermal Drive  
Las Cruces, NM

We look forward to seeing the group at 1:30! Please feel free to contact me at 202-706-9300 or here if you have any questions or concerns.

Best,  
Caroline

Sent from my iPhone

On Jul 27, 2017, at 7:45 AM, Benjamin Gabriel <[ben@organmtnfriends.org](mailto:ben@organmtnfriends.org)> wrote:

Do you have a location for our meeting? I will send over our list of name and bios later today.

**Ben Gabriel** | Executive Director  
Friends of Organ Mountains - Desert Peaks  
PO Box 2676 | Las Cruces | NM | 88004  
Office (575) 323-1423 | [website](#) | [email](#)

On Jul 26, 2017, at 8:17 AM, Boulton, Caroline <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Hi Ben,

We're looking to do this meeting at NMSU's campus, as we'll be holding meetings there directly prior to this one. I will have an exact room number later this morning that I can send to you. Would that work for the group?

Best,  
Caroline

On Tue, Jul 25, 2017 at 12:17 PM, Benjamin Gabriel <[ben@organmtnfriends.org](mailto:ben@organmtnfriends.org)> wrote:

Caroline,  
Thank you for extending the time to meet with us. We don't feel it is appropriate for the county commissioners to meet at the same time as they are a government entity and may have issues with NM open meetings act issues. We would urge you

to reach out to them and the other elected officials and stakeholders who have extended invitations.

**Ben Gabriel** | Executive Director  
Friends of Organ Mountains - Desert Peaks  
PO Box 2676 | Las Cruces | NM | 88004  
Office (575) 323-1423 | [website](#) | [email](#)

On Jul 24, 2017, at 5:06 PM, Boulton, Caroline  
<[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Hi Ben,  
We were able to push back the Secretary's departure time from Las Cruces and would love to extend the meeting with the Friends of Organ Mountains to an hour (1:30-2:30pm). Please let us know if you'd like to do so. In addition, if we are able to have an hour meeting, we were wondering if you would be amenable to our extending an invite to some of the County Commissioners to join. Please let me know either way!

Best,  
Caroline

On Fri, Jul 21, 2017 at 7:17 PM, Boulton, Caroline <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Hi Ben,  
Yes, the 28th! Sorry, my apologies.

Best,  
Caroline

On Fri, Jul 21, 2017 at 6:09 PM, Benjamin Gabriel <[ben@organmtnfriends.org](mailto:ben@organmtnfriends.org)> wrote:

Sorry, want to confirm Friday the 28th? You had it listed as the 29th.  
Thank you.

**Ben Gabriel** | Executive Director  
Friends of Organ Mountains - Desert Peaks  
PO Box 2676 | Las Cruces | NM | 88004  
Office (575) 323-1423 | [website](#) | [email](#)

On Jul 21, 2017, at 3:18 PM, Boulton, Caroline  
<[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Hi Ben,  
Thanks for taking my call just now. We're happy to confirm the meeting for the Secretary

and the Friends of Organ Mountains-Desert Peaks for this coming Friday, July 29 at 1:30pm. We are currently holding 30 minutes on his schedule for the meeting.

If you could send the list of participants you will be invited, that would be greatly appreciated. The Secretary was hoping to invite representatives from the Senators' offices to join the meeting; please let us know if you would prefer otherwise.

I will follow up with you on Monday regarding the meeting location. If you need to reach me, you can at 202-706-9300, which is my work cell, or this email address.

Thanks!  
Caroline

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Caroline Boulton  
Department of the Interior  
Scheduling & Advance  
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### **Keith Davis**

- Scientist, Businessman and Educator.
- Semi-retired Oil and Gas Exploration Geophysicist of 30 years who teaches and interacts with the NMSU Geology Department as an Adjunct Professor on a volunteer basis.
- Veteran of the US Army, SP5, 24Q20, Meritorious Service Medal, 1974-78.
- Masters in Geophysics at NMSU, 1986. Worked an oil exploration career with Shell Oil Co and others.
- He helped discover the Eagle Ford Shale Play in south Texas which is one of four major Shale Oil Plays in America that have led to energy independence for America again.
- Maintains his own geophysical consulting firm here in Las Cruces.
- Growing up for the first eighteen years of his life at the headquarters of White Sands Missile Range where he developed an appreciation of the earth's beauty, the complexities of science coupled with man's need to exploit certain earth resources to advance society.

### **Patricia "Pat" Buls**

- Owner The Shining Heart farm.
- Pat lives a colorful life that included stints in the Bolivian Cavalry (where her father was based in the Air Force).
- Has ridden from Las Cruces to Durango, CO.
- Train horses and riders.
- lives with deep ties to Doña Ana Public lands.

### **Gabe Vasquez**

- An avid outdoorsman who grew up fishing the waters of the Rio Grande in southern New Mexico.
- Gabe has a passion for increasing youth engagement and diversity within New Mexico's public lands.
- A graduate of New Mexico State University, Gabe has worked as a newspaper editor, as the director of the Las Cruces Hispanic Chamber of Commerce, and most recently as the southern New Mexico coordinator for the New Mexico Wildlife Federation.
- Gabe grew up fishing the Rio Grande corridor from El Paso, Texas, to Elephant Butte, New Mexico, with his father and brother, developing a strong sense of conservation, a passion for issues important to sportsmen, and an appreciation and tie to the cultural origins and beauty of the land in Southern New Mexico.
- Gabe also serves as the secretary of the Friends of the Organ Mountains-Desert Peaks, is the New Mexico coordinator for Latino Outdoors, and is the founder of the Nuestra Tierra Conservation Project.

## Margaret Berrier

- Margaret Berrier received a BA in Art Education from Indiana University and began recording petroglyphs in 1986 at sites in Utah on a trip to the Direty Devil River.
- Has continued to research, record and photograph other rock art sites in Utah as well as Arizona, California, Colorado, Montana, New Mexico, Nevada, Oregon, Texas, Washington and Wyoming.
- She received a rock art recording certificate for my work in Arizona.
- From 1988 to 2006 she was employed by Chevron USA in Denver, Colorado (as a drafter) and in Houston, Texas as a drafter, an engineering technician and an as data manager. Is a member of the American Rock Art Research Association, the Dona Ana Archeology Society, the Archaeological Society of New Mexico and the Utah Rock Art Research Association.
- From 2006-2010 worked as an archivist for the El Paso Archaeological Society. Is currently the secretary for the Dona Ana Archaeology Society and is a past secretary for the Archaeological Society of New Mexico's Rock Art Recording Council (NMAS-RAC).
- November of 2010 worked with Rupestrian Cyber Services to record sites on Ft. Bliss as part of a project for Geo-Marine for the evaluation of four rock art sites.
- Is a member of the New Mexico Rock Art Recording Council has started working on her own projects in New Mexico.
- Worked with NMSU students to record a site on University land. Between 2015 and 2016 helped to bring 300 people to Las Cruces from the American Rock Art Research Association to study the rock art of the Las Cruces area in May of 2016.
- As part of that meeting she has organized 32 field trips to the rock art of our region. Many of those trips were to sites on the monument.

### **Fernando Clemente**

- Director and wildlife biologist for New Mexico Specialized Wildlife Services, a non-governmental organization that was established to maintain sustainable wildlife populations located in private and public lands, by providing and creating new opportunities for sustainable development for the present and future generations.
- President Friends of the Organ Mountains Desert Peaks B.S degree in Wildlife Science from New Mexico State University, eighteen years of experience in wildlife management and education, working with governmental agencies and private institutions: New Mexico Department of Game and Fish, Colegio de Postgraduados (Mexico), Clemente Taxidermy LLC, Wildlife Federation, World Wildlife Fund, and New Mexico State Parks. Affiliations with Wildlife Society, NMSU (vice president and secretary), Rocky Mountain Elk Foundation (chairman), New Mexico Taxidermy Association (secretary and southwest director) quails unlimited, ducks unlimited, turkey federation, Dona Ana County Associated Sportsman, etc.
- In the art of taxidermy is a recipient of national and state awards; as well member of the National Taxidermy Association and the New Mexico Taxidermy Association where he served on the board as Secretary and Southwest Director.

### **Ben Gabriel**

- Executive Director, Friends of Organ Mountains Desert Peaks 2014-Present
- Manager of NMSU Outdoor Recreation 2004-2014, founding the Outdoor Leadership Program, overseeing trips and clinics, rental and retail center and climbing facilities.
- Previous work experience in commercial and public recreation settings.
- B.S. Recreation Studies, Ohio University
- M.A. Higher Education Administration New Mexico State University
- Ben serves in the Organ Mountain Technical Rescue Squad since 2004.

### **Wayne Suggs**

- Owner Classic New Mexico Homes, home builder.
- Born and raised in Las Cruces, New Mexico.
- His work has appeared on the cover of New Mexico Magazine, multiple calendars, and in numerous publications.
- 2015 New Mexico Magazine Photography Grand Prize Winner. This book is filled with poignant short stories and poems that show the loves he feels for this area and his family.

To: Senator Merkley  
Jackson and Klamath County Board of Commissioners

10/31/2016

Topic: Proposed Cascade Siskiyou Monument Expansion - Comments

I am a retired BLM employee that spent 33+ years working in western Oregon. During my career I worked as a forester in Medford, and Roseburg which gave me a sound understanding of these particular forests in southwest Oregon. I have had a role as senior analyst in the development of every major forest management plan and associated policies since before the Northwest Forest Plan. In my retirement, as a consultant, I have kept current on issues related to the western BLM forest and have read both the draft and final BLM Resource Management Plans (RMPs) and associated Environmental Impact Statements (EISs). The comments below are my own.

I listened to the testimony via the web broadcast of the Jackson county hearing. I live outside of Springfield Oregon so travel to the hearings on such short notice was not feasible. I only add comments that I do not believe were covered by others. I do not support the expansion proposal.

One of the scientists gave a very carefully crafted statement that the BLM's "2008" RMP did not consider climate change. It inferred that BLM has not ever considered this issue. The 2008 EIS acknowledged that at the time the science was not conclusive about the effect a change in climate would have on the forest. There was conflicting science particularly on precipitation changes and it would be too speculative to address in the EIS given a reasonably foreseeable timeframe standard. The recent 2016 EIS and RMP did a far more in depth consideration on climate change and predictions on wildfire effects on the BLM lands.

Both of the 2008 and 2016 BLM EISs were done in conjunction with the US Fish and Wildlife Service. Neither of the EISs identified issues that would warrant or recommend expansion of the monument as a solution. The Federal Agencies have collectively been studying these specific lands to develop a management strategy since 2005. Those efforts were done with full public disclosure, as NEPA requires, publishing the science that was considered, implications of alternative management approaches, and provided multiple opportunities for the public to provide input. In contrast the very recent push to expand the monument has no comparable public disclosure of the implications of expanding the monument.

Both of the EISs concluded that driest portions of southwest Oregon, which covers the proposed monument area, have forest conditions that are over stocked and are in need of forest resiliency treatments. As BLM found harvest on a sustainable cycle with uneven aged management can improve fire resiliency today and maintain those conditions in the future. Harvest of some commercial trees is vital to permit openings for the next generation of forest to develop and make the non-commercial fuels treatments economically viable. Access is vital to be able to conduct these treatments over time. Sustained Yield Forestry as prescribed for these O&C lands can improve and sustain multiple forest values which Oregonians care about.





**To:** Magallanes, Downey[downey\_magallanes@ios.doi.gov]  
**Cc:** Caroline Boulton[caroline\_boulton@ios.doi.gov];  
timothy\_nigborowicz@ios.doi.gov[timothy\_nigborowicz@ios.doi.gov]  
**From:** Laura Rigas  
**Sent:** 2017-05-03T08:18:47-04:00  
**Importance:** Normal  
**Subject:** Re: Tom Cors  
**Received:** 2017-05-03T08:18:54-04:00

Thx!

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

On May 3, 2017, at 8:04 AM, Magallanes, Downey <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)> wrote:

You can tell him we should be following up with him today. Caroline is planning on reaching out. He has contacted her a bunch so he knows her.

On Wed, May 3, 2017 at 8:02 AM, Laura Rigas <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)> wrote:

Hi--

I'm at the Land Trust event and Tom Cors from The Nature Conservancy asked if the Secretary is able to visit his ranch next week. Who should I direct him to?

Thanks,  
L

Laura Keehner Rigas  
Communications Director  
U.S. Department of the Interior  
(202) 897-7022 cell  
@Interior

--

Downey Magallanes  
Office of the Secretary  
[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)  
202-501-0654 (desk)  
202-706-9199 (cell)

**To:** timothy\_williams@ios.doi.gov[timothy\_williams@ios.doi.gov]  
**From:** Downey Magallanes  
**Sent:** 2017-05-25T16:10:17-04:00  
**Importance:** Normal  
**Subject:** Fwd: Contact info for stakeholders in the Katahdin region  
**Received:** 2017-05-25T16:10:25-04:00

Sent from my iPhone

Begin forwarded message:

**From:** "Cashwell, Morgan (King)" <[Morgan\\_Cashwell@king.senate.gov](mailto:Morgan_Cashwell@king.senate.gov)>  
**Date:** May 25, 2017 at 4:07:20 PM EDT  
**To:** Downey Magallanes <[downey\\_magallanes@ios.doi.gov](mailto:downey_magallanes@ios.doi.gov)>  
**Subject:** **Contact info for stakeholders in the Katahdin region**

Hi Downey – I wanted to follow up on our conversations last week with some contact information for stakeholders in the Katahdin region we think would be helpful to reach out to in setting up meetings for Sec. Zinke’s trip. Please let me know if I can be helpful with any of these contacts or with logistics for the Secretary’s trip.

**1. Local elected officials:**

a. State elected officials:

- Steve Stanley - State Representative for the Katahdin region, Medway, Maine  
☎ Phone: (207) 746-5371  
☎ Email: [stanleyss@twc.com](mailto:stanleyss@twc.com);  
[Stephen.Stanley@legislature.maine.gov](mailto:Stephen.Stanley@legislature.maine.gov)
- Michael Carpenter - State Senator for northern part of Katahdin region, Houlton, Maine  
☎ Phone: (207) 532-2491  
☎ Email: [Mike.Carpenter@legislature.maine.gov](mailto:Mike.Carpenter@legislature.maine.gov)
- James Dill - State Senator for southern part of Katahdin region, Old Town, Maine  
☎ Phone: (207) 827-3498  
☎ Email: [James.dill@maine.edu](mailto:James.dill@maine.edu);  
[James.Dill@legislature.maine.gov](mailto:James.Dill@legislature.maine.gov)

b. Town officials:

- **Town of Millinocket contacts:**
  - ☎ Harold R. Davis (John), Town Manager
    - ☐ Phone: 207-723-7000
    - ☐ Email: [Manager@millinocket.org](mailto:Manager@millinocket.org)

Mr Chairman, Richard Angotti, Jr., Chairman

- Phone: 207-723-5947
- Email: [dangotti@mseco.com](mailto:dangotti@mseco.com)

○ **Town of E. Millinocket contacts:**

Mr Angela Cote, Town Assistant

- Phone: 207-447-0272

Mr Mark Scally, Chairman

- Phone: 207-447-0272

○ **Town of Patten contacts:**

Mr Ray Foss, Town Manager

- Office phone: 207-528-2215; Cell: 207-267-0060

- Email: [townofpatten@gmail.com](mailto:townofpatten@gmail.com)

Mr Richard Schmidt, Chairman

- Phone: 207-528-2774
- Email: [r.schmidt@katahdintrust.com](mailto:r.schmidt@katahdintrust.com)

○ **Town of Medway contacts:**

Mr Katherine Lee, Town Assistant

- Phone: 207-746-9531

Mr Bruce Jones, Chairman

- Phone: 207-731-9427

**2. Penobscot Nation:**

Allison Binney

Phone: (202) 887-4326

Email: [\\_abinney@akingump.com](mailto:_abinney@akingump.com)

**3. Local Chambers of Commerce:**

a. Gail Fanjoy, President, Katahdin Chamber of Commerce

- Phone: (207) 723-9466
- Email: [gfanjoy@kfimaine.org](mailto:gfanjoy@kfimaine.org)

b. Deb Nauman, CEO, Bangor Chamber of Commerce

- Phone: (207) 947-0307
- Email: [deb@bangorregion.com](mailto:deb@bangorregion.com)

c. Jane Torres, Greater Houlton Chamber of Commerce

- Phone: (207) 532-4216
- Email: [director@greaterhoulton.com](mailto:director@greaterhoulton.com)

**4. Natural Resources Council of Maine:**

Cathy Johnson, Senior Staff Attorney

Phone: (207) 430-0109

Email: [cjohnson@nrcm.org](mailto:cjohnson@nrcm.org)

**To:** Rusty Roddy[russell\_rodde@ios.doi.gov]  
**From:** Boulton, Caroline  
**Sent:** 2017-06-08T12:41:00-04:00  
**Importance:** Normal  
**Subject:** POCs  
**Received:** 2017-06-08T12:41:37-04:00  
[New England POCs.docx](#)

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## United States Department of the Interior

Points of Contact  
New England: 6.13-6.16

### **National Congress of American Indians (6/13)**

Jacqueline Pata  
[jpata@ncai.org](mailto:jpata@ncai.org)  
202-466-7767 (office)  
[REDACTED] (cell)

### **Bass Pro Shops (6/13)**

Martin G. MacDonald, Director of Conservation  
[mmacdonald@basspro.com](mailto:mmacdonald@basspro.com)  
(417) 873-5023 (office)  
[REDACTED] (cell)

### **Governor Chris Sununu Staff (6/13)**

Jane Hirsch, Director of Scheduling  
[Jane.hirsch@nh.gov](mailto:Jane.hirsch@nh.gov)  
603-271-2121 (office)  
[REDACTED] (cell)

### **Governor LePage Staff (6/13)**

Nicole Desjardins, Scheduler  
[Nicole.desjardins@maine.gov](mailto:Nicole.desjardins@maine.gov)  
207-287-3540 (office)

Lance Libby, Senior Policy Advisor

[Lance.libby@maine.gov](mailto:Lance.libby@maine.gov)  
207-287-3416 (office)  
[REDACTED] (cell)

### **Katahdin Woods and Waters National Monument (6/14)**

Tim Hudson, Superintendent  
[Tim\\_hudson@nps.gov](mailto:Tim_hudson@nps.gov)  
207-242-0186 (cell)

Lucas St. Clair

[REDACTED] (b)(6)  
207-518-9462 (office)  
[REDACTED] (cell)

### **Katahdin Chamber of Commerce (6/15)**

Gail Fanjoy  
[gfanjoy@kfimaine.org](mailto:gfanjoy@kfimaine.org)  
207-723-4433 (office)

### **Penobscot Nation (6/15)**

Michael Rossetti  
[mrossetti@akingump.com](mailto:mrossetti@akingump.com)  
202-887-4311 (office)  
[REDACTED] (cell)

### **Maine Woods Coalition (6/15)**

Anne Mitchell  
[mainewoodscoalition@gmail.com](mailto:mainewoodscoalition@gmail.com)  
207-685-4545 (office)  
[REDACTED] (cell)

### **L.L.Bean (6/15)**

### **Fishermen (6/16)**