

EXHIBIT 1



DEC 14 2016

MEMORANDUM FOR THE PRESIDENT

FROM: SALLY JEWELL *Sally Jewell*
THOMAS J. VILSACK *Thomas J. Vilsack*
SUBJECT: Recommendation for the Proposed Bears Ears National Monument

This memorandum is in response to your April 2, 2014, request for a recommendation regarding the exercise of your Executive authority to protect objects of historic or scientific interest on lands owned or controlled by the United States. We are pleased to present you this memorandum, which recommends that you designate certain Federal lands in San Juan County, Utah as the Bears Ears National Monument. We describe herein (a) the background for our recommendation, (b) the objects of historic and scientific interest proposed for protection under the Antiquities Act, and (c) the legal and management provisions proposed for the protection of these objects. After careful review of the record and a public meeting, we have concluded that the objects of scientific and historic interest located on the lands owned or controlled by the United States within the boundaries set forth on the accompanying map satisfy the criteria for establishment of a national monument pursuant to the Antiquities Act. Attached is a draft proclamation and map for the proposed Bears Ears National Monument.

BACKGROUND

In southeastern Utah, the iconic and magnificent mesas and canyonlands of the Bears Ears landscape have been a vital resource for native peoples for thousands of years. Among the most significant cultural landscapes in the United States, this area is known for its important historic and prehistoric resources, its unique geologic features, and its ecological significance. The area's abundant rock art, dwellings, ceremonial sites, granaries, and many other cultural resources reflect its long term historical and cultural significance to a variety of Native American peoples. In the past 200 years, the area has been traversed by Mormon pioneers, early archaeologists, and outlaws and subsequently settled by ranchers, miners, and homesteaders. The stark landscape of the Bears Ears area provides a home to a stunning variety of plant and animal life, including endemic species that inhabit rare habitat types such as hanging gardens and tinajas. The area's incredible geology has inspired scientists and explorers alike, and the resources found here provide an enduring testament to the natural and human history of this spectacular area.

The boundaries of the proposed national monument, as set forth in the attached map¹, encompass approximately 1,351,849 acres of Federal lands currently managed by the Department of the Interior's Bureau of Land Management (BLM) and the Department of Agriculture's United States Forest Service (USFS). Within the boundaries are approximately 109,106 acres of land held by the State and 12,652 acres of privately-owned land. Over 380,000 acres of the Federal lands within the boundaries are currently managed by BLM as Wilderness Study Areas (WSAs), specifically the Indian Creek, Bridger Jack Mesa, South Needles, Butler Wash, Dark Canyon, Cheesebox Canyon, Mule Canyon, Fish Creek Canyon, Grand Gulch, Road Canyon, and Mancos Mesa WSAs. In addition, the 2015 Monticello Resource Management Plan designated the Indian Creek, White Canyon, Dark Canyon, Cedar Mesa, Beef Basin, Canyon Rims, San Juan River, and Tank Bench Special Recreation Management Areas (SRMAs) as well as the Valley of the Gods, Lavender Mesa, San Juan River, Shay Canyon, and Indian Creek Areas of Critical Environmental Concern (ACECs). The Manti-La Sal National Forest administers the 46,353-acre Dark Canyon Wilderness just north of the Bears Ears formation, as well as the Cliff Dwellers Research Natural Research Area.

The Bears Ears area has been proposed for protection by members of Congress, Secretaries of the Interior, State and tribal leaders, and local conservationists for at least 80 years. Currently, there is significant local and national support for permanently protecting this area, whether through legislation or presidential proclamation under the Antiquities Act. Legislation that would designate two National Conservation Areas and a Wilderness area within the Bears Ears landscape – totaling approximately 1.4 million acres – was introduced by Rep. Rob Bishop (R-1-UT) and Rep. Jason Chaffetz (R-3-UT) in 2016 following 3 years of outreach to local communities and stakeholders. In September of this year, BLM Director Neil Kornze testified for the Administration before the House Natural Resources Committee in support of establishing conservation designations in this area, but could not support the specifics of the designating language or other provisions in the bill.

Native American tribes whose ancestral lands include the Bears Ears area have been instrumental in building support for permanent protection, led by the Bears Ears Inter-Tribal Coalition made up of the Hopi Tribe, Navajo Nation, Ute Indian Tribe of the Uintah Ouray, Ute Mountain Ute Tribe, and Zuni Pueblo. Numerous tribes with ties to the region, including the above tribes forming the Inter-Tribal Coalition, have passed resolutions and sent letters in support of using the Antiquities Act to designate a National Monument in the Bears Ears Area. The Utah Tribal Leaders Association, All Pueblo Council of Governors, Native American Rights Fund, and National Congress of American Indians have all formally expressed support for designation of a National Monument. Six out of seven Navajo Chapter Houses in Utah also support permanent protection of this important area, and more than 1,300 Native Americans from the Four Corners region sent in postcards in favor of a National Monument.

¹ The boundaries of the proposed monument are drawn on the map entitled "Bears Ears National Monument," which would be finalized, attached to, and made a part of, your proclamation. It is not practicable, as of this date, to describe the boundaries of the land reserved as part of the monument either by metes and bounds or by reference to designated subdivisions on official surveys shown on publicly recorded plats or maps. The Bureau of Land Management (BLM) will produce a description conforming to the BLM Specifications for Descriptions of Tracts of Land for Use in Land Orders and Proclamations as soon as practicable thereafter, should you decide to declare a national monument.

The Administration has received letters from many local elected officials in Utah supporting the permanent protection and conservation of this area through a National Monument designation, including the Utah Senate Minority Leader. More than 50 diverse national and local organizations including Friends of Cedar Mesa, Utah Diné Bikéyah, Grand Canyon Trust, Conservation Lands Foundation, The Wilderness Society, Southern Utah Wilderness Alliance, Access Fund, and Creation Justice Ministries also support a National Monument designation, as do 70 outdoor industry companies. Over 500 professional archaeologists signed a letter to the Administration supporting use of the Antiquities Act to protect the Bears Ears landscape, and the National Trust for Historic Preservation included the Bears Ears region in their 2016 list of America's 11 Most Endangered Historic Places, calling for a National Monument designation. A May 2016 poll conducted by Public Opinion Strategies found that 71 percent of Utah voters support the proposed monument, which was also endorsed by the Salt Lake Tribune and Los Angeles Times in 2016.

In July of this year, Secretary Jewell had the opportunity to explore these incredible lands, hiking to ancient cliff dwellings and petroglyph panels and learning firsthand what makes this area so unique. She was joined by Department of Agriculture Under Secretary for Natural Resources and Environment Robert Bonnie, Principal Deputy Assistant Secretary for Indian Affairs Larry Roberts, U.S. Forest Service Chief Thomas Tidwell, BLM Director Neil Kornze, National Park Service Director Jon Jarvis, and staff from the offices of Governor Herbert, Congressman Chaffetz, Congressman Bishop, Senator Lee, and Senator Hatch. At a public meeting held in Bluff, Utah, an overflow crowd of over 1,500 citizens came to share their views. The majority of speakers encouraged permanent protection for this iconic landscape, as did the majority of almost 600 written comments.

The vast majority of local, State, and Federal stakeholders and elected officials believe that the area should be protected. However, there is some opposition, including from the congressional delegation and many county and local elected officials, to the use of the Antiquities Act as the tool to achieve protection. In addition, some local community members have raised concerns that an increase in tourism and visitation without additional law enforcement and cultural and natural resource capacity could result in damage to the resources. As noted previously, one of the seven Navajo Chapter Houses in Utah is opposed to the monument primarily because of their erroneous belief that a monument would eliminate their ability to engage in traditional cultural and customary uses.

Communities have depended on the resources of the region for thousands of years. Understanding the important role of the green highlands in providing habitat for important subsistence plants and animals as well as capturing and filtering water from passing storms, the Navajo refer to such places as "Nahodishgish" or places to be left alone. Most recently, many 20th century residents acknowledged the need to protect, in particular, the watersheds and headwaters of their water sources, recognizing that overgrazing and overly aggressive timber harvesting was causing soil erosion and subsequent flooding. This led to early calls for protection of the forested lands above communities such as Monticello and Blanding. Wildfire, both natural and human-set have shaped and maintained forests and grasslands of this area for millennia. Tribal and other ranchers have long grazed their herds on the Manti-La Sal National Forest. Today, ecological restoration through the careful use of wildfire and management of

grazing and timber is working to restore and maintain the health of these vital watersheds and grasslands.

Every year, thousands of national and international visitors hike, backpack, canyoneer, mountain bike, hunt, and rock climb in the Bears Ears area. Remote canyons deep within designated Wilderness and Wilderness Study Areas provide a wilderness experience for those seeking solitude and primitive recreational experiences. Indian Creek is world famous for its outstanding opportunities for crack climbing and the San Juan River, which forms part of the southern boundary of the Bears Ears area, is popular among whitewater rafters. Today, cyclists and motorists can follow the path of 19th Century Mormon pioneers along the rugged Hole in the Rock trail. Scenic and treacherous, the drive up to Cedar Mesa from Valley of the Gods using the Moki Dugway is a popular trip for those willing to brave the steep grade and narrow switchbacks. The Valley of the Gods has also been used as a backdrop for Hollywood films and television. Hundreds of significant archaeological and cultural sites, such as Butler Wash Ruin, Mule Canyon Ruin, and Newspaper Rock offer visitors the opportunity to experience and better understand the area's long and storied Native American history. The Elk Ridge-Dark Canyon recreation area in the Manti-La Sal National Forest attracts many hikers and backpackers interested in viewing archaeological sites and experiencing the magnificent depths of the canyon. The Manti-La Sal National Forest's Elk Ridge and Abajo Mountains draw hunters from across the world for a chance to hunt a bull elk, or other big game such as deer, black bear, or mountain lions.

As described in more detail below, this area contains numerous objects of historic or scientific interest including geological features, fossils, vital habitat, archaeological resources, and significant sites from Native American, colonial, and American history. This memorandum and the draft proclamation describe scientific and historic objects that warrant protection as a national monument. The attached bibliography contains the principal sources of information relied upon in making this recommendation.

THE ANTIQUITIES ACT

Section 320301 of Title 54 of the United States Code, commonly known as "the Antiquities Act," provides, in relevant part, as follows:

- (a) **PRESIDENTIAL DECLARATION.**—The President may, in the President's discretion, declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on land owned or controlled by the Federal government to be national monuments.
- (b) **RESERVATION OF LAND.**—The President may reserve parcels of land as a part of the national monuments. The limits of the parcels shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.
- (c) **RELINQUISHMENT TO FEDERAL GOVERNMENT.**—When an object is situated on a parcel covered by a bona fide unperfected claim or held in private ownership, the parcel, or so much of the parcel as may be necessary for the proper care and

management of the object, may be relinquished to the Federal government and the Secretary may accept the relinquishment of the parcel on behalf of the Federal Government.

First exercised by President Theodore Roosevelt in 1906 to designate Devils Tower in Wyoming as a national monument, this authority is one of the most important tools used by presidents to protect areas of natural, scientific, and historic importance and achieve conservation goals. The areas designated under the Antiquities Act by 16 presidents since 1906 include some of the most inspiring natural and historic features in America, including the Grand Canyon and the Statue of Liberty. You have exercised this authority to expand 3 existing national monuments and to designate 24 new national monuments, including Organ Mountains-Desert Peaks National Monument managed by BLM in New Mexico, the San Gabriel Mountains National Monument managed by USFS in California, and the Berryessa Snow Mountain National Monument, which is managed jointly by BLM and USFS.

A. Objects of Historic or Scientific Interest

The human history of the Bears Ears area is as vibrant and diverse as the ruggedly beautiful landscape it encompasses. Abundant historic resources found here attest to the significance of this land to many peoples over several millennia. Objects left behind by this multi-layered history not only enhance the experience of visitors to the proposed monument, but represent a vital scientific resource for paleontologists, archaeologists, geologists, biologists, and historians and perhaps most importantly for many Native American tribes, a tie binding them to their ancestral lands.

People hunted and gathered on Cedar Mesa as early as 13,000 years ago, though relatively few material objects have been found to document their presence up to and during the Archaic period. One exception is the Lime Ridge Clovis Site in the far southeast portion of the Bears Ears landscape. Many tools and projectile points have been found at this well-documented lithic Clovis site. The Clovis hunters would have encountered a cooler, wetter climate from the one that humans experience in the Bears Ears landscape today. Trees and plants currently found only on high mountain slopes would have grown in the riparian areas where the Clovis people hunted and camped. In a narrative echoed by Native creation stories, archaeologists believe that these early people survived by hunting mammoths, ground sloths, and other now-extinct megafauna. Later Archaic occupation dating back up to 8,500 years has been documented at Old Man Cave on Cedar Mesa, the Green Mask site in Grand Gulch, and in other areas throughout the Bears Ears landscape. Scientists expect further scientific research to yield additional evidence of Archaic occupation.

Occupation by Ancestral Puebloan people can be clearly documented beginning approximately 2,500 years ago during the Basketmaker II period. From this time period, significant cultural sites in the area include pit houses, storage pits, lithic scatters, campsites, rock shelters, and pictographs, among others. Such objects can be found throughout the landscape but particularly in the Comb Wash area. Remnants of the farming lifestyle such as baskets and manos can be found among the homes and dispersed villages dating to the Grand Gulch phase on Cedar Mesa,

from around A.D. 200-400. The earliest known evidence of turkey domestication in the Southwest comes from this area.

Ancestral Puebloan peoples continued to occupy the area during the Basketmaker III period, from approximately AD 500 to 750. Increased evidence of maize- and bean-based agriculture along with domesticated turkey raising exists. Pottery appears in the remnants from this era, along with bows and arrows, which replaced atlatls as the primary weapon used in hunting. Pit houses, kivas, storage rooms, and dispersed villages can be found, particularly near the northern and eastern portions of central Cedar Mesa, which was occupied during the Mossbacks phase, dating between A.D. 620 and 725.

Little evidence has been found of human occupation during the Pueblo I period, between A.D. 750 and 900. A few sites, including the remains of some large villages, have been found in Comb Wash on the eastern side of Cedar Mesa, but the western portions of the Bears Ears landscape do not contain evidence that people lived or made their homes there during this period. The Cedar Mesa area was resettled during the Pueblo II period around AD 1050. Dwellings from this time period range from single family residences to expansive and complex multiple household dwellings such as Moon House in McLoyd Canyon. Cultural sites include camps, kivas, rock shelters, storage cists, pictographs, and grayware sites, along with types of storage and defensive locations not seen here before this time period. Painted pottery and villages built around great kivas or great houses distinguished the Windgate (1050-1090) and Clay Hills (1090-1150) phases from earlier groups of occupants in Cedar Mesa. Culturally important locations, including two Chaco-style great houses (the Et Al and Owen sites), kivas, and traces of roads, likely linked together the families and groups of people who lived in Cedar Mesa. The Et Al Network is one such linkage, connecting cultural sites on Cedar Mesa with those in the surrounding areas, including Cottonwood Canyon and Comb Ridge. Both sites were also likely connected to Fortified Mesa, which is believed to have been used as a defensive site overlooking much of Cedar Mesa.

Beginning around A.D. 1150, during the Pueblo III period, people increasingly moved into cliff dwellings within canyons; these sites offered improved defensive capabilities as warfare became more common among Ancestral Puebloan peoples throughout the Four Corners. In the last years of Ancestral Pueblo occupation at Cedar Mesa, people appear to have moved from the mesa top to the interiors of canyons, adopting still more defensive locations and designs. These changes in design appear to reflect increases in conflict among the Pueblo III occupants of Cedar Mesa. The area began to lose its human inhabitants in the mid-13th century, and by the Pueblo IV period beginning around 1290, no evidence of permanent residency is found on Cedar Mesa until several generations later.

Both paintings and petroglyphs figure prominently in the Bears Ears area, with images dating back at least 5,000 years. Archaic era rock art in the abstract-geometric and Glen Canyon Style 5, along with Basketmaker II art depicting stories and later art introducing new forms and motifs, can be found at significant sites throughout the Bears Ears landscape. In the 1800s and 1900s, Ute and Paiute peoples as well as Navajos created rock art, sometimes juxtaposed with older rock art. The Indian Creek area contains numerous significant rock art sites, including Newspaper Rock, a large and extremely well-preserved example of rock art featuring hundreds

of distinct petroglyphs – including some dating as far back as 1,500 years. The Green Mask site has both paintings and petroglyphs that have been well-preserved over millennia.

The Bears Ears landscape contains hundreds of documented cultural sites, including dozens that have been studied by archaeologists and some that have become popular as places for visitors to learn about Ancestral Puebloan culture. Among the many well-preserved Ancestral Puebloan sites are structures, towers, and rock art in Beef Basin, including towers connected to homes that are unusual in Ancestral Puebloan architecture. Comb Wash Overlook, in the Fish Creek Canyon WSA, contains stabilized and well-preserved structures, including four towers and a rock shelter. Bullet Canyon, a tributary of Grand Gulch, contains the extremely well-preserved and partially restored Perfect Kiva, hidden in an alcove, and Jailhouse Ruins, which features a two-level structure with multiple rooms. Cedar Mesa itself is the site of many important Ancestral Puebloan structures, including the Moon House, the Fallen Roof Ruin, and the House on Fire ruin. The Mule Canyon site on Cedar Mesa has above- and below-ground dwellings, a kiva, and a tower. Another famous and partially-reconstructed site is the Butler Wash Ruin, built around 1200 and containing living, storage, and ceremonial structures. Three Fingers Ruin, near the Elk Ridge area of the Manti-La Sal National Forest, is another ancient building constructed high in an alcove.

The Bears Ears region has been studied and deserves continued investigation by anthropologists and archaeologists. It has yielded and will continue to reveal some of the most promising information regarding the movement of peoples and the settlement and abandonment of broad landscapes within the Colorado Plateau as well as individual homes and structures. Many inferences regarding diet, agricultural practices, modes of construction, toolmaking methods, social structures, and other aspects of Ancestral Puebloan life have been garnered from studies in this landscape.

These sites have also helped to deepen the understanding of interactions between indigenous cultures in the area and the relationship of these cultures to the surrounding landscape. Scientific studies of the effects of climate change, drought, changes in vegetation, conflict, resource shortages, and other factors have been numerous. The Cedar Mesa and Elk Ridge areas have also fostered archaeological methodology studies regarding appropriate sampling regimes for cultural sites, the use of remote sensing, dating of materials, and analysis of material in middens.

The Bears Ears landscape has been the location of other significant events in more recent Native American history. Famed Navajo headman K'ayéíí was born around 1800 near the twin Bears Ears buttes. His band used the area's remote canyons to elude capture by the U.S. Army and avoid the fate that befell many other Navajo bands: surrender, the Long Walk, and forced relocation to Bosque Redondo. The canyons north of the San Juan River offered refuge to many Navajos attempting to evade capture by the Army. Another renowned 19th century Navajo leader, "Hastiin Ch'ihaajin" Manuelito, was also born near the Bears Ears. In 1868, Manuelito was among the Navajo leaders to sign the Treaty of Bosque Redondo Treaty, which established a reservation for the Navajo restoring much of their homeland. The remnants of activities in recent history, such as sheep-herding, farming, and hunting, as well as records of conflict, can be found throughout the area. Navajo hogans, rock art left by Ute, Navajo, and Paiute peoples, and pottery all record the lifeways of Native peoples in the 19th and 20th centuries.

The area's cultural importance to Native American tribes continues to this day. Bears Ears is used as a site for ceremonies, for collection of medicinal and ceremonial plants, and for visitation of sacred sites. Traditions of hunting, fishing, gathering, and wood cutting are still practiced by tribal members. The traditional ecological knowledge amassed by the Native Americans whose ancestors inhabited this region, passed down from generation to generation, offers critical insight into the historic and scientific significance of the area. Towering monoliths in the Valley of the Gods are sacred to the Navajo, for whom the towering spires represent ancient Navajo warriors frozen in stone. Throughout the region, many landscape features, such as Comb Ridge, Comb Wash, Bears Ears, the San Juan River, Cedar Mesa, and others, are closely tied to Native stories of creation, danger, protection, and healing.

The Bears Ears landscape was first explored by Euro-Americans during the 18th century. The Posada and Rivera expedition in 1761 and Escalante expedition in 1776 did not result in settlements by the Spanish. Much later, government expeditions sponsored by the United States traversed the landscape in 1859 and 1875; however, the Hayden Survey of 1874 did not identify any people of European ancestry living in this area. A Mormon expedition known as the San Juan Mission traversed this rugged country in 1880 on their journey to establish a new settlement in what is now Bluff, Utah, just southeast of the proposed monument. Their route, now called the Hole-in-the-Rock Trail, followed an old Native American route through Glen Canyon. Wagon tracks and features the settlers constructed to ease the passage of wagons on the slickrock slopes and through the Canyonlands are still visible in the Bears Ears area.

In the 1880s, ranching companies used the Bears Ears landscape to raise cattle, and prospectors began searching the area for gold, silver, and oil. Late in the 1880s, interest in archaeology began to drive increased exploration in the area for artifacts, including expeditions led by Richard and John Wetherill and John McLoyd. The Wetherills discovered and interpreted evidence that clarified the ancestral relationship between the Basketmaker and Pueblo cultures. This era also saw instances of looting and other practices considered today to be unethical and illegal. Remnants from early Euro-American residents of the area remain on the landscape today, including carved initials, names, and dates. Such inscriptions have helped to reconstruct the history of early archaeological expeditions and to locate the sites explored by these expeditions. Other traces of the early ranching occupants include the long-abandoned Oliver Ranch in lower John's Canyon, the Perkins Ranch in Comb Wash, and the Nielson Brothers ranch on Cedar Mesa. Cabins, historic corrals, and other traces of these and other historic ranches remain on the landscape.

Roads and trails used to access the remote ranches, mining claims, and homesteads in this area can still be seen in some places. In the 1880s, when ranching arrived in the region, cattle rustlers and other outlaws established a convoluted trail network known as the Outlaw Trail to avoid detection. This trail is said to have been used by Butch Cassidy and the Sundance Kid, among others. Outlaws also reportedly used the canyons north of Cedar Mesa, disappearing in aptly-named Hideout Canyon to avoid detection. Moki Dugway, an unpaved road with switchbacks that offers astounding views of the Valley of the Gods, was constructed by a mining company in the 1950s to haul ore from the Happy Jack Mine on Cedar Mesa to a mill near Mexican Hat, and now it forms part of State Route 261.

Many of these important cultural and historical sites have been listed on the National Register of Historic Places (Register). Hole-in-the-Rock Trail (1980), Newspaper Rock (1976), and the 2,025-acre Butler Wash Archaeological District (1981), along with the 4,240-acre Grand Gulch Archaeological District (1982), all appear on the Register.

Part of the Colorado Plateau, the Bears Ears landscape contains numerous important geological formations, including the stunning red, tan, and black rock layers for which much of eastern Utah is known. Beautiful and fascinating geologic features in the area range from sharp pinnacles to broad mesas, labyrinthine canyons to solitary hoodoos, and verdant hanging gardens to bare stone arches and natural bridges. Wind- and water-driven sediment deposition has contributed to a long geologic history documented in the rock layers visible in the area's canyons. These sedimentary beds, which include rocks dating back as far as the Carboniferous Period, contain evidence of folding into anticlines and synclines, along with igneous intrusions. Deposited more than 300 million years ago, the Hermosa Group contains the remains of an ancient waterway, including a reef environment with brachiopods, clams, echinoderms, and corals. Above that is the Permian-aged Cutler Group which contains the fossils of ancient fishes, gigantic amphibians, and the remains of synapsid reptiles that may have been ancestors to the earlier mammals. The Chinle and Moenkopi Formations date to the Triassic period and contain the fossils of extinct aquatic reptiles and some of the earliest dinosaurs known in North America. These rocks contribute to the colorful shale and sandstones visible throughout the landscape. The Chinle Formation and the Wingate, Kayenta, and Navajo Formations above it provide one of the best continuous rock records of the Triassic-Jurassic transition in the world, crucial to understanding how dinosaurs dominated terrestrial ecosystems and how our mammalian ancestors evolved.

The Bears Ears landscape encompasses a wide variety of geologic features, including sheer cliffs, stark buttes, tall ridges, and deep canyons. For long periods over 300 million years ago, these lands were inundated by tropical seas and hosted thriving coral reefs. These seas infused the area's black rock shale with salts as they receded. Later, the lands were bucked upwards multiple times by the Monument Upwarp, a broad anticline formed due to differential uplift during the Permian Period, which is the dominant structural geologic feature and forms Cedar Mesa itself. On the eastern side of the Bears Ears landscape, Comb Ridge represents an uplifted fault, a rare geologic feature within the Colorado Plateau. West of Comb Ridge lies Cedar Mesa, a broad flat dome bordered on its west by the Red House Cliffs, whose steeply terraced bluffs mark the eastern boundary of the network of gorges leading into Glen Canyon. The Grand Gulch area contains a brightly colored medley of canyons, pinnacles, pedestals, knobs, arches, and alcoves. To the north, Elk Ridge rises above Dark Canyon, where 3,000 feet of exposed rock layers dwarf visitors to this remote area. Jacob's Chair, a prominent butte, stands sentinel over this canyonlands landscape. The swirling patterns and sculpted rock walls of the Cheesebox Canyon area, coupled with its arches and natural bridges, make for both interesting geology and outstanding scenery. The Abajo Mountains tower further east, reaching elevations over 11,000 feet. To the north in the South Needles area, eroded sandstone features such as spires, knobs, buttes, arches, and pinnacles are spread throughout the area. In the far northern reaches of the Bears Ears landscape, the Indian Creek area contains two ephemeral waterfalls nearly 150 feet high.

On the south edge of the Elk Plateau, the iconic twin Bears Ears buttes rise 2,000 feet above Cedar Mesa. The Valley of the Gods, near the southernmost point of the Bears Ears landscape, contains iconic red rock structures rising from the valley floor. Visitors are drawn to the Natural Bridges area by the dramatic geologic features, remarkable archeological sites, hiking opportunities, and famously dark night skies. Carved into the curved sandstone are the three famous natural bridges from which it takes its name. In this arid landscape, these stream-carved bridges--which are among the largest in the world--are a reminder of the power of water to shape landscapes.

The Bears Ears area has long been a focal area for research by geologists and paleontologists. Sediment deposition, paleomagnetism, and erosion have all been studied here. Paleontologists have found numerous fossils concentrated at sites throughout the Bears Ears landscape, including Arch Canyon. The continuity of the paleontological record here holds enormous potential for better understanding the transition from early tetrapods, to early reptiles and synapsid reptiles, to the earliest mammals. Numerous ray-finned fish fossils from the Permian period have been discovered, along with other late Paleozoic era fossils including giant amphibians and synapsid reptiles, and important ancient plant fossils. In the sandstone of Cedar Mesa, fossil evidence has revealed large, mammal-like reptiles that burrowed into the sand to survive the blistering heat of the end of the Permian period, when the region was dominated by a seaside desert. Fossilized traces of marine and aquatic creatures such as clams, crayfish, fishes and aquatic reptiles have been found in Indian Creek's Chinle Formation, dating to the Triassic Period, while phytosaur and dinosaur fossils dating to the Triassic have been found along Comb Ridge. Archosaur fossils have also been identified in the more recent Wingate Sandstone in the Indian Creek area. Fossilized plants range from ferns and sphenopsids near Indian Creek to conifers near Lime Ridge. New species of plant-eating crocodile-like reptiles and mass graves of lumbering sauropods have been found, along with metoposaurus, crocodiles, and other dinosaur fossils. Fossilized trackways of early tetrapods have also been found in both Valley of the Gods and in Indian Creek, where paleontologists have also discovered exceptional examples of fossilized ferns, horsetails, and cycads. Researchers have also found traces of the mammoths, short-faced bear, ground sloths, apes and camels that later followed.

The diversity of the soils and microenvironments present in the Bears Ears landscape provide habitat for a wide variety of vegetation. The highest elevations, in the Elk Ridge area of the Manti-La Sal National Forest, contain trees such as ponderosa pine (*Pinus ponderosa*) and aspen (*Populus tremuloides*). Mesa tops include pinyon-juniper (*Pinus edulis-Juniperus*) woodlands, along with big sagebrush (*Artemisia tridentata*), low sage (*Artemisia arbuscula*), blackbrush (*Coeleogyne ramossissima*), rabbitbrush (*Chrysothamnus sp.*), bitterbrush (*Purshia tridentata*), four-wing saltbush (*Atriplex canescens*), shadscale (*A. confertifolia*), winterfat (*Krascheninnikovia lanata*), Utah serviceberry (*Amelanchier utahensis*), western chokecherry (*Prunus virginiana*), hackberry (*Celtis occidentalis*), barberry (*Berberis fremontii*), cliff rose (*Purshia mexicana*), and greasewood (*Sarcobatus vermiculatus*). Canyons contain diverse vegetation ranging from yucca and cacti, such as prickly pear (*Opuntia sp.*), claret cup (*Echinocereus triglochidiatus otacanthus*), and Whipple's fishhook (*Sclerocactus whipplei*), to mountain mahogany (*Cercocarpus sp.*), alder (*Alnus sp.*), sagebrush species, birch (*Betula sp.*), dogwood (*Cornus sp.*), and Gambel's oak (*Quercus gambelii*), to occasional stands of aspen. Grasses and herbaceous species such as bluegrass (*Poa sp.*), bluestem (*Agropyron smithii*), giant

ryegrass (*Elymus condensatus*), ricegrass (*Oryzopaea exigua*), needle and thread (*Stipa cornata*), yarrow (*Achillea lanulosa*), common mallow (*Malva rotundifolia*), balsamroot (*Balsamorhiza sagittata*), low larkspur (*Delphinium arizonicum*), horsetail (*Equisetum sp.*), and peppergrass (*Lepidium ramosum*) are also present.

The wooded and generally wetter elevations of the Manti-La Sal National Forest harbor a number of sensitive plant and locally important plant species including, Chatterly onion (*Allium geyeri* var. *chatterleyi*), pinnate spring parsley (*Cymopterus beckii*), Abajo peak draba (*Draba abajoensis*), Abajo daisy (*Erigeron abajoensis*), Kachina daisy (*Erigeron kachinensis*), Canyonlands lomatium (*Lomatium latilobum*), and water birch (*Betula occidentalis*) and oak-maple (*Quercus gambelii*-*Acer grandidentatum*) communities. More than 238 plant species are known in the 264-acre Cliffs Dwellers Pasture Research Natural Area on the Manti-La Sal.

Tucked in the Bears Ears landscape's winding canyons are vibrant riparian communities characterized by Fremont cottonwood (*Populus fremontii*), western sandbar willow (*Salix exigua*), yellow willow (*Salix lutea*), and box elder (*Acer negundo*). Numerous seeps provide year-round water and support delicate hanging gardens, moisture-loving plants, and relict species such as Douglas fir (*Pseudotsuga menziesii*), which generally prefer cooler, wetter climates. Hidden in shaded seeps and alcoves of the area's canyons are a few populations of the rare Kachina daisy (*Erigeron kachinensis*), which was first described in the Natural Bridges area and is endemic to the Colorado Plateau. A genetically distinct population of Kachina daisy was also found on Elk Ridge. The alcove columbine (*Aquilegia micrantha*) and cave primrose (*Primula specuicola*), also regionally endemic, can also be found in seeps and hanging gardens in the Bears Ears landscape. Wildflowers such as beardtongue (*Penstemon sp.*), evening primrose (*Oenothera sp.*), aster (*Aster sp.*), Indian paintbrush (*Castilleja sp.*), yellow (*Cleome lutea*) and purple (*Cleome serrulata*) beflower, straight bladderpod (*Physaria rectipes*), Durango tumble mustard (*Thelypodopsis aurea*), scarlet gilia (*Ipomopsis aggregata*), globe mallow (*Sphaeralcea sp.*), sand verbena (*Abronia sp.*), sego lily (*Calochortus nuttallii*), cliffrose (*Purshia mexicana*), sacred datura (*Datura wrightii*), monkey flower (*Mimulus sp.*), sunflower (*Helianthus sp.*), prince's plume (*Stanleya pinnata*), hedgehog cactus (*Echinocereus triglochidiatus*), and columbine (*Aquilegia sp.*), bring bursts of vibrant color to the landscape.

The diverse vegetation and topography of the Bears Ears area support a variety of wildlife species. Mule deer (*Odocoileus hemionus*) and elk (*Cervus canadensis*) can be found on the mesas and near canyon heads, which provide crucial habitat for both species. The Cedar Mesa and Manti-La Sal landscapes are home to bighorn sheep (*Ovis canadensis*), which were once abundant but still can be found in Indian Creek and the higher elevations of forests, which provides crucial habitat, and in the canyons north of the San Juan River.

Small mammals such as desert cottontail (*Sylvilagus auduboni*), black-tailed jackrabbit (*Lepus californicus*), prairie dog (*Cynomys sp.*), Botta's pocket gopher (*Thomomys bottae*), white-tailed antelope squirrel (*Ammospermophilus leucurus*), Colorado chipmunk (*Eutamias quadrivittatus*), canyon mouse (*Peromyscus crinitus*), deer mouse (*P. maniculatus*), pinyon mouse (*P. truei*), and desert woodrat (*Neotoma lepida*) find shelter and sustenance in the landscape's canyons and uplands, as well as Utah's only population of Abert's tassel-eared squirrels (*Sciurus aberti Navajo*). Rare shrews including a variant of Merriam's shrew (*Sorex merriami leucogenys*) and the dwarf shrew (*Sorex nanus*) can be found in this area.

Porcupine (*Erethizon dorsatum*) use their sharp quills and excellent climbing abilities to escape from predators. Carnivores including badger (*Taxidea taxus*), coyote (*Canis latrans*), striped skunk (*Mephitis mephitis*), ringtail (*Bassariscus astutus*), gray fox (*Urocyon cinereoargenteus*), bobcat (*Lynx rufus*), and the occasional mountain lion (*Felis concolor*) all make their homes here. Oral histories from the Ute also describe the historic presence of bison, antelope, and abundant bighorn sheep. Black bear (*Ursus americanus*) pass through the area, but are rarely seen, though they are common in oral histories and legends of this region. The now-endangered black footed ferret (*Mustela nigripes*) was once found throughout this area but has been extirpated.

Consistent sources of water in a dry landscape draw diverse wildlife species to the area's riparian habitats, including an array of amphibian species such as tiger salamander (*Ambystoma tigrinum*), red-spotted toad (*Bufo punctatus*), Woodhouse's toad (*Bufo woodhousii*), canyon tree frog (*Hyla arenicolor*), Great Basin spadefoot (*Spea intermontana*), northern leopard frog (*Rana pipiens*), and many-lined skink (*Plestodon multivirgatus*). Reptiles species include the small, secretive Utah night lizard (*Xantusia vigilis utahensis*), as well as the sagebrush lizard (*Sceloporus graciosus*), eastern fence lizard (*Sceloporus undulatus*), tree lizard (*Urosaurus ornatus*), side-blotched lizard (*Uta stansburiana*), plateau striped whiptail (*Aspidoscelis velox*), western rattlesnake (*Crotalus viridis*), night snake (*Hypsiglena torquata*), striped whipsnake (*Masticophis taeniatus*), and gopher snake (*Pituophis catenifer*).

A variety of bird species also make their homes in the Bears Ears region. Raptors such as the golden eagle (*Aquila chrysaetos*), peregrine falcon (*Falco peregrinus*), bald eagle (*Haliaeetus leucocephalus*), northern harrier (*Circus cyaneus*), red-tailed hawk (*Buteo jamaicensis*), ferruginous hawk (*Buteo regalis*), northern goshawk (*Accipiter gentilis*), American kestrel (*Falco sparverius*), turkey vulture (*Cathartes aura*), flammulated owl (*Otus flammeolus*), and great horned owl (*Bubo virginianus*) hunt their prey with deadly speed and accuracy. The largest contiguous critical habitat for the threatened Mexican spotted owl (*Strix occidentalis lucida*) is on the Manti-La Sal National Forest. Other bird species include the endangered southwestern willow flycatcher (*Empidonax traillii extimus*), Merriam's turkey (*Meleagris gallopavo merriami*), Williamson's sapsucker (*Sphyrapicus thyroideus*), common nighthawk (*Chordeiles minor*), white-throated swift (*Aeronautes saxatalis*), ash-throated flycatcher (*Myiarchus cinerascens*), violet-green swallow (*Tachycineta thalassina*), cliff swallow (*Hirunda pyrrhonta*), mourning dove (*Zenaida macroura*), band-tailed pigeon (*Patagionenas fasciata*), pinyon jay (*Gymnorhinus cyanocephalus*), sagebrush sparrow (*Artemisiospiza nevadensis*), canyon towhee (*Melospiza fusca*), rock wren (*Salpinctes obsoletus*), sage thrasher (*Oreoscoptes montanus*), three-toed woodpecker (*Picoides tridactylus*), and Lewis woodpecker (*Melanerpes lewis*).

As the skies darken in the evenings, visitors may catch a glimpse of some the area's at least 15 species of bats, including the big free-tailed bat (*Nyctinomops macrotis*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), spotted bat (*Euderma maculatum*), Allen's big eared bat (*Idionycteris phyllotis*), big free-tailed bat (*Nyctinomops macrotis*), fringed myotis (*Myotis thysanodes*), and silver-haired bat (*Lasionycteris noctivagans*). In tinajas, potholes filled with rainwater, many specialized aquatic species, including pothole beetles, nematodes, pothole mosquitos, and freshwater shrimp, can be found.

Eucosma navajoensis, an endemic moth that has only been described near Valley of the Gods, is unique to this area.

The Bears Ears area has long been a focus for ecological, evolutionary, paleontological, botanical, and wildlife studies. Studies of insect phylogeny, vegetation restoration, and the impacts of climate change have made this area invaluable to scientists for generations.

The protection of the Bears Ears area will preserve its cultural, prehistoric, and historic legacy and maintain its diverse array of natural and scientific resources, ensuring that the historic and scientific values of this area remain for the benefit of all Americans.

B. Land Area Reserved for the Proper Care and Management of the Objects to be Preserved

Section 320301(b) of Title 54, United States Code, authorizes the President to reserve parcels of land as a part of national monuments. That section further provides that “[t]he limits of the [reserved] parcels shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.”

Based on a thorough review of available information, the area to be reserved as part of the proposed monument has been delineated to meet the goals of effectively caring for and managing the designated objects in perpetuity. The proposed national monument includes the scientific and historic objects identified in the draft proclamation and described in the references identified in the attached bibliography. The area recommended for designation is based on the management and conservation needs of these objects. The scientific and historic resources of the proposed Bears Ears National Monument are present within and throughout the areas depicted on the attached map. The proposed monument’s resources derive their scientific and historical importance in part from the geological diversity and the ecological patterns among them. Preservation of the proposed monument area protects a landscape that provides context critical to the understanding and appreciation of both the historic and scientific resources found here.

Preservation of the national monument’s objects requires, among other things, protection of enough land to maintain the conditions that have made their continued existence possible. Furthermore, the scientific value of many of the objects within the proposed monument requires conservation of areas large enough to maintain the objects and their interactions. Similarly, diverse locations throughout the proposed monument have been travel corridors and home to prehistoric and historic peoples; the historical importance of these resources is defined in part by their relationship to one another and the landscape. For these reasons, our analysis indicates that reservation of a smaller area would be inconsistent with the proper care and management of the objects to be protected by this national monument.

LEGAL EFFECTS OF THE PROCLAMATION

The Antiquities Act authorizes designation as a national monument objects of historic or scientific interest “that are situated on land owned or controlled by the Federal Government” and reservation of parcels of land as part of such monuments. 54 U.S.C. § 320301(a), (b). The draft

proclamation reserves only Federal lands and would not affect non-Federal lands. The draft proclamation also provides that the Secretary of the Interior and the Secretary of Agriculture shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and traditional cultural properties in the proposed monument and provide access for members of Indian tribes for traditional cultural and customary uses, 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.

The proclamation of this monument would be subject to valid existing rights, including valid existing water rights. Thus, to the extent a person or entity has valid existing rights, the draft proclamation does not infringe upon those rights. The draft proclamation would reserve only the Federal lands and interests in lands and, as noted above, would incorporate any non-Federal lands or interests in lands only if, and upon such time as, ownership or control is acquired by the United States. Objects identified above that are within the proposed monument's boundaries but are not owned or controlled by the United States would become part of the monument upon acquisition of ownership or control by the United States.

Finally, the draft proclamation appropriates and withdraws the Federal lands and interests in lands within the boundaries of the proposed monument from entry, location, selection, sale, or other disposition under the public land laws or laws applicable to USFS, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing. The Secretaries would, however, be able to exchange lands or interests in lands if it furthers the protective purposes of the monument.

This withdrawal would prevent the location of new mining claims under the 1872 Mining Law, and prevents the Secretary of the Interior and the Secretary of Agriculture from exercising discretion under the mineral materials and mineral leasing acts and related laws to lease or sell Federal minerals within the boundaries of the monument or to dispose of any lands within the monument under the public land laws or laws applicable to the USFS other than by exchange that furthers the protective purposes of the monument.

ADMINISTRATION OF THE MONUMENT

A. Management by the Bureau of Land Management and U.S. Forest Service

The lands addressed by the draft proclamation are currently under the jurisdiction of the Department of the Interior's BLM and the Department of Agriculture's USFS. The BLM manages lands under its authority pursuant to its basic organic authorities, primarily the Federal Land Policy and Management Act of 1976 (FLPMA) and the Omnibus Public Lands Management Act of 2009 (OPLMA). The USFS manages lands according to its organic authorities and various management authorities, including the National Forest Management Act and the Multiple-Use Sustained-Yield Act. The draft proclamation retains the existing management responsibility for the lands in the respective agencies, but requires the agencies to

cooperate in management planning. The establishment of the monument would constitute an overlay on the management regime otherwise applicable to lands managed by BLM and USFS. As a result, management under existing authorities would be subject to the overriding purpose of protecting the monument objects. The proclamation would limit the management discretion that BLM and USFS would otherwise have by mandating protection of the historic and scientific objects within the national monument. In designating the area a national monument, the proclamation would make the BLM-managed portion of these Federal lands a component of the National Landscape Conservation System that was legislatively established by the OPLMA to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations. Under Section 2002 of OPLMA, BLM must manage the area in a manner that protects the values for which the national monument was designated.

The proclamation is largely consistent with BLM's current management of this area. The Monticello Resource Management Plan (2008) established numerous special management areas protecting the majority of the land. The administratively-designated Indian Creek (3,936 acres), Lavender Mesa (649), San Juan River (1,282 acres within the proposed boundary), Shay Canyon (119), and Valley of the Gods (22,865) Areas of Critical Environmental Concern (ACECs) within the Monticello planning area are managed to protect their natural, cultural and historical resources. The Hole-in-the-Rock Trail on the southern side of the planning area is likewise protected. Over 380,000 acres within 11 Wilderness study areas identified in the Monticello RMP are inside the proposed boundary, including Mancos Mesa (50,864 acres), Grand Gulch ISA Complex (105,190), Road Canyon (53,054), Fish Creek Canyon (46,077), Mule Canyon (6,165), Cheesebox Canyon (14,829), Dark Canyon ISA Complex (67,816), Butler Wash (24,238), Bridger Jack Mesa (6,330), Indian Creek (6,551), and South Needles (154). These WSAs are managed by BLM so as not to impair the suitability of such areas for future Congressional designation as Wilderness. The draft proclamation would not affect the WSA status of those lands.

The proclamation is also consistent with the Forest Service's current management of the area. The Manti La-Sal Land and Resource Management Plan was last updated in 1986. The Forest is currently in the early phases of public scoping for a revised management plan pursuant to the 2012 Forest Service Planning Rule. The proposed monument overlaps with the Monticello Unit of the Manti-La Sal and includes the 46,348 acre Dark Canyon Wilderness. The proposed monument area also includes approximately 75,000 acres of USFS inventoried roadless areas, and the 264-acre Cliff Dwellers Research Natural Area.

The draft proclamation requires the Secretary of the Interior, through BLM, and the Secretary of Agriculture, through USFS, to jointly prepare and maintain a management plan for the monument. The plan will be developed with maximum public involvement including, but not limited to, consultation with federally recognized tribes and state and local governments. The Secretaries, through BLM and USFS, would also consult with other Federal land management agencies in the local area, including the National Park Service, in developing the management plan.

In recognition of the importance of tribal participation to the care and management of the objects identified above, and to ensure that management decisions affecting the monument reflect tribal expertise and traditional and historical knowledge, the draft proclamation would establish a Bears Ears Commission (Commission) to provide guidance and recommendations on the development and implementation of management plans and on management of the monument. The Commission would consist 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. The Commission would partner with the Federal agencies by making continuing contributions to inform decisions regarding the management of the monument.

The Secretaries would 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. To that end, in developing or revising the management plan, the Secretaries would carefully and fully consider integrating the traditional and historical knowledge and special expertise of the Commission or comparable entity. If the Secretaries decided not to incorporate specific recommendations submitted to them in writing by the Commission or comparable entity, they would provide the Commission or comparable entity with a written explanation of their reasoning. The management plan would also set forth parameters for continued meaningful engagement with the Bears Ears Commission or comparable entity in implementation of the management plan.

To ensure input from the local community, the draft proclamation also establishes an advisory committee under FACA. The committee would provide information and advice regarding the development of the management plan and, as appropriate, management of the monument. Stakeholders serving on the advisory committee would include state and local governments, tribes, recreational users, local business owners, and private landowners.

B. Impact of Monument Designation on Existing or Planned Activities in the Area

Access and Motorized Vehicles

Much of the area has already been closed to the use of motorized vehicles except for roads and trails designated for their use. The Grand Gulch National Historic District (37,388 acres – all within a WSA), McLoyd Canyon-Moon House Recreation Management Zone (1,607 acres), Dark Canyon SRMA (30,820 acres – within a WSA), White Canyon SRMA (2,828 acres), Beef Basin SRMA (20,302 acres), Indian Creek ACEC (3,936 acres), Lavender Mesa ACEC (649 acres), and Valley of the Gods ACEC (22,865 acres) are closed to motorized use except on designated roads and trails. Eleven Wilderness Study Areas within the proposed monument, comprising over 380,000 acres of BLM-managed lands, are also closed to motorized and mechanized use. On the Forest Service-managed portion, there are approximately 65 miles of designated motorized trails and 133 miles of designated non-motorized trails open to foot and horse travel.

For purposes of protecting and restoring the objects identified above, the Secretaries shall prepare a transportation plan that designates the roads and trails where motorized and non-

motorized mechanized vehicle use will be allowed. Except for emergency or authorized administrative purposes, motorized and non-motorized mechanized vehicle use shall be allowed only on roads and trails designated for such use, consistent with the care and management of such objects. Any additional roads or trails designated for motorized vehicle use must be for the purposes of public safety or protection of such objects.

Activities on tribal, private, or state land

The proposed monument designation does not apply to or affect tribal land, private property, State property, or local government property. The proposed monument does not enlarge or diminish the jurisdiction or authority of the State of Utah over lands it owns. It does provide that if any lands or interests in lands within the proposed monument boundary are acquired by the United States they will become part of the monument upon acquisition of ownership or control by the United States. If such lands or interests in lands are not so acquired, the laws applicable to tribal, private, and State property, including access thereto, prior to establishment of the monument, will continue to apply.

To further the protective purposes of the monument, the draft proclamation directs the Secretary of the Interior to explore entering into a memorandum of understanding with the State that would set forth terms, pursuant to applicable laws and regulations, for an exchange of land currently owned by the State of Utah and administered by the Utah School and Institutional Trust Lands Administration within the boundary of the monument for land of approximately equal value managed by BLM outside the boundary of the monument. Such an exchange would allow the Federal Government to acquire lands important to the protection of objects in exchange for revenue-producing lands outside the boundary. The Secretary of the Interior would be required to report back to you within 30 days of issuance of the proclamation regarding the potential for such an exchange.

Livestock grazing

Livestock grazing occurs throughout the Bears Ears area, although some areas (133,318 acres) within the proposed monument have been closed to livestock grazing due to resource conflicts through previous land use planning decisions, including particular side canyons in Comb Wash, parts of Bridger Jack Mesa near relict vegetation, within the canyon in the Grand Gulch area of Cedar Mesa, Lavender Mesa, certain mesa tops in the White Canyon area, Pearson Canyon, near developed recreation sites, important wildlife habitat on the slopes of Peter's Canyon and East Canyon, Slickhorn Canyon, Rone Bailey Mesa, Dodge Canyon allotment, Rogers allotment, portions of West Butler Wash Canyons, Horsehead Canyon within the Montezuma Canyon allotment, and most of the Dark Canyon Area with the exception of 962 acres in Fable Valley that is limited to trailing on an annual basis and grazing use under emergency conditions. The Manti-La Sal includes primarily higher elevation grasslands that are sought after grazing allotments. There are nine active allotments and one inactive allotment totaling 288,533 acres.

Under the draft proclamation, laws, regulations, and policies followed by USFS or BLM in issuing and administering grazing permits or leases on lands under their jurisdiction would continue to apply with regard to the lands in the monument to ensure the ongoing consistency with the protection and management of the objects identified above.

Recreational uses

This area is popular for hunting and fishing, which will generally not be affected by the draft proclamation. Hunting and fishing will continue to be governed by applicable Utah laws.

Mineral and Energy Resources

The draft proclamation would close the area to mineral leasing, location of new mining claims, and sales of mineral materials. Much of the proposed monument has already been designated as a Wilderness Study Area, Wilderness, or Area of Critical Environmental Concern, so opportunities for development of mineral and energy resources are limited by existing law and policy.

The Bridger Jack Mesa WSA contains mining claims, with some potential for uranium, vanadium, and copper, and moderate potential for oil and gas resources. The Fish Creek Canyon WSA, Indian Creek WSA, Mule Canyon WSA, Road Canyon WSA, South Needles WSA, and Grand Gulch ISA Complex contain low to moderate potential for oil and gas resources but otherwise low mineral potential. The Butler Wash WSA, Dark Canyon ISA Complex, and Cheesebox Canyon WSA, contain no mining claims or oil and gas leases, and offer low potential for mineral development. The Grand Gulch National Historic District (37,388 acres) was recommended for withdrawal from mineral entry in BLM's 2008 Monticello Resource Management Plan, while all designated Wilderness and Wilderness Study Areas (11 WSAs; 380,000 acres) remained closed to mineral leasing and development. In the Monticello RMP, additional lands were identified to be managed for the protection of inventoried wilderness characteristics, as Areas of Critical Environmental Concern, or as Special Recreation Management Areas. These areas have been identified as unavailable for geothermal and coal leasing, closed to the disposal of mineral materials, and as avoidance areas for rights-of-way, in addition to leasing restrictions for oil and gas (11,540 acres in Dark Canyon and 38,012 acres of the Comb Ridge Recreation Management Zone with No Surface Occupancy; 13,657 acres in Grand Gulch and 22,865 acres in Valley of the Gods ACEC closed to leasing). Indian Creek ACEC (3,936 acres) and Lavender Mesa ACEC (649 acres) are also unavailable for mineral material disposal and an avoidance area for ROWs, and are available for mineral leasing only with NSO stipulations. There are 78 unpatented active uranium claims on the Forest Service portion.

Rights of Way

The draft proclamation would allow existing utility, pipeline, and telecommunications facilities to continue operation and BLM and USFS may renew authorizations for and authorize the replacement or modification of existing utility, pipeline, or telecommunications facilities within their existing authorization boundary, consistent with the care and management of the objects identified in the draft proclamation.

Wildland Fire

Wildfire is a natural part of this ecosystem and the area has had significant fires in recent years. The proposed monument designation will not interfere with future wildland fire management. Ecological restoration management activities may occur, including, for example, prescribed burns to improve plant and animal habitat or to help the land become more resilient in the face of climate change, fire, drought, insect predation, and disease. Such activities would be allowed to

the extent they are consistent with the care and management of the objects identified in the proclamation.

CONCLUSION

Creating the Bears Ears National Monument would be an exemplary exercise of Presidential authority under the Antiquities Act, well in keeping with past practice that has preserved many notable objects of historic and scientific interest, to the Nation's great and lasting benefit. We strongly recommend you sign the proclamation.

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