

May 21, 2017

Secretary Ryan Zinke  
Secretary of the Interior  
Monument Review  
Department of the Interior  
Washington, DC 20240

Dear Honorable Secretary Zinke,

I am writing you today concerning Bears Ears National Monument the comments I make that follow, also apply to the other National Monuments currently under review by the Department of the Interior and yourself. Present Trump has directed you to consider seven items in your National Monument Review. I will address each of these as related to the Bears Ears National Monument designation.

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”;

- i. Enactment of the Antiquities Act required 25 years of work by individuals and organizations concerned about the preservation of American archeological sites. It obligates federal agencies that manage the public lands to preserve for present and future generations the historic, scientific, commemorative, and cultural values of the archaeological and historic sites and structures on these lands (USDI NPS 2016). The boundary of the monument is largely based on the Utah Public Lands Initiative (PLI) (H.R. 5780). Bears Ears National Monument is currently nearly 600,000 acres smaller than originally proposed. Yet, Bears Ears still provides protection to the sensitive archaeological resources and Native American Traditional Cultural Properties.

Whether designated lands are appropriately classified under the Act as “historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest” ;

- ii. The Bears Ears area has been called the "Sistine Chapel" of the West for its ancient carving sites (petroglyphs) and paintings sites (pictographs), and over 100,000 known archaeological sites. This number does not include undocumented archeological sites and Native American Traditional Cultural Properties. Some 10,000 years of human history resides at Bears Ears, a place that local native peoples consider significant historically, culturally, spiritually, and for current usage.

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;

- iii. The Monument would not affect valid existing oil, gas, and mining leases or operations. However, the National Monument would prohibit new mineral leases, mining claims, prospecting or exploration activities, and oil, gas, and geothermal leases. All public uses, including livestock grazing would continue.

The effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;

- iv. Tourism to the National Monument is expected to increase, regardless of the final decision on the National Monument. Bears Ears National Monument would require the development of management plans, with robust public involvement, including consultation with state, local, and tribal governments. All traditional cultural uses as well as the modern uses such as camping, hiking, backpacking, climbing, building camp fires, picking pine nuts, mountain biking, bring pets, horseback riding and ATV use are planned to continue.

Concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;

- v. The boundary of the National Monument is largely based on the Utah Public Lands Initiative (PLI) (H.R. 5780), which was introduced by Reps. Bishop and Chaffetz after extensive consultations with stakeholders and the Interior Department and USDA. Congressional Representatives Rob Bishop and Jason Chaffetz of Utah, who have also proposed to protect this area. Their Utah PLI (H.R. 5780), which Governor Herbert also supported, proposed to conserve roughly the same area as the Bears Ears National Monument by designating two new National Conservation Areas and a Wilderness (USDI BLM 2016). The Bears Ears region has been central to the culture and religion of the Navajo, Hopi, Zuni, Ute Indian tribes, as well as the Ute Mountain Ute people. There are concerns that the Monument designation will hurt the funding for Utah's public schools provided by state-owned lands. However, the land exchange following Grand Staircase-Escalante National Monument designation generated more than \$310 million for Utah schools and counties. The Grand Staircase-Escalante exchange benefited not only Utah's school system, it benefited counties in which state trust lands were both traded and acquired.

The availability of Federal resources to properly manage designated areas;

- vi. A study by Headwaters Economics in 2011 and 2014 concluded that national monuments are consistent with economic growth. San Juan County's labor market was practically at a standstill in the fourth quarter of 2016. Other economic indicators experienced contraction; taxable sales showed a year-to-date loss. Losses in mining and construction were mostly offset by increases in leisure/hospitality and government (Department of Workforce Service, State of Utah 2017). Federal funding of the National Monument will/should come as a result of the public interest in the area.

Such other factors as the Secretary deems appropriate. 82 FR 20429-20430 (May 1, 2017);

- vii. The National Monument calls for the establishment of a Tribal Commission to provide information and recommendations to allow for the integration of tribal expertise and traditional knowledge into management. The National Monument also calls for an Advisory Council made up of a variety of interested local stakeholders to assist in the development and implementation of management plans for the Monument. As an example, Canyons of the Ancients National Monument draws about 30,000 visitors a year. The Canyons of the Ancients' multi-use management plan still allows for grazing and oil and gas development on parts of the monument, just as it did before the designation.