



U.S. Department of the Interior
Bureau of Land Management

Bears Ears National Monument: Record of Decision and Approved Monument Management Plans Indian Creek and Shash Jaa Units

February 2020



BLM Mission

It is the mission of the Bureau of Land Management to sustain health, diversity, and productivity of the public lands for use and enjoyment of present and future generations.

**BEARS EARS NATIONAL MONUMENT:
RECORD OF DECISION AND
APPROVED MONUMENT MANAGEMENT PLANS
INDIAN CREEK AND SHASH JÁA UNITS**

Prepared by:

**U.S. Department of the Interior
Bureau of Land Management
Bears Ears National Monument
Monticello, Utah**

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RECORD OF DECISION

1 INTRODUCTION

The Bears Ears National Monument (BENM, or Monument) was established by Presidential Proclamation 9558 on December 28, 2016. On December 4, 2017, Presidential Proclamation 9681 clarified and modified the boundaries of the BENM. The revised BENM boundary includes two separate units, known as the Indian Creek and Shash Jáa Units, that are reserved for the proper care and management of the objects and values of historic and scientific interest within their boundaries. The two BENM units together are referred to as the Planning Area in this document.

The Federal lands within the BENM are managed by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS). Presidential Proclamation 9558 directed the BLM and USFS to jointly prepare a management plan for the Monument. All of the Federal lands contained within the Indian Creek Unit are administered by the BLM; therefore, the BLM has prepared a Monument Management Plan¹ (MMP) for the Indian Creek Unit. The Federal lands contained within the Shash Jáa Unit are administered by the BLM and USFS; therefore, the BLM and USFS have jointly prepared an MMP for the Shash Jáa Unit.

This Record of Decision (ROD)/Approved MMPs document was prepared under the BLM planning regulations (43 Code of Federal Regulations [CFR] Part 1600) implementing the Federal Land Policy and Management Act (FLPMA) (43 United States Code [USC] 1701 et seq.) and other applicable laws. An Environmental Impact Statement (EIS) was prepared to support the BLM's development and selection of the Approved MMPs in compliance with the National Environmental Policy Act (NEPA) (42 USC 4321–4347), as amended.

The BLM and USFS issued a Notice of Intent to prepare the MMPs and associated EIS for the BENM on January 16, 2018. The BLM and USFS released the Draft MMPs/EIS for a 90-day public review and comment period on August 15, 2018. After reviewing and responding to public comments and making corresponding edits to the MMPs and EIS, the BLM and USFS released the Proposed MMPs/Final EIS (BLM and USFS 2019a) for a 30-day protest period, a 60-day Governor's consistency review, and a 60-day public comment period regarding the proposed closure of recreational target shooting at campgrounds, developed recreation sites, rock writing sites, and structural cultural sites within the BENM on July 26, 2019. This ROD concludes this planning effort.

2 PURPOSE AND NEED FOR THE PLANS

The purpose of the MMPs is to provide a comprehensive framework for the BLM's allocation of resources and management of the public lands within the BENM pursuant to the multiple-use and sustained yield mandates of FLPMA, and the specific direction in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. The purpose of the MMPs is to provide for the proper care and management of Monument objects and values including the "object[s] of antiquity" and "objects of historic or scientific interest" identified in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681.

The need for the MMPs is established by Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, and FLPMA. Presidential Proclamation 9558 states, "For purposes of protecting and restoring the objects identified above, the Secretaries shall jointly

¹ In this document, the BLM uses the term "Monument Management Plan" synonymously with the term "Resource Management Plan" as defined in 43 CFR Part 1600 and in the BLM's Land Use Planning Handbook (H-1601-1).

prepare a management plan for the monument and shall promulgate such regulations for its management as they deem appropriate.” FLPMA requires that the BLM “develop, maintain, and when appropriate, revise land use plans” (43 USC 1712 (a)).

3 DECISION

The decision is hereby made to approve the MMPs for the BLM-administered lands within the Indian Creek and Shash Jáa Units of the BENM. The Approved MMPs are nearly identical to the Proposed MMPs that were presented in the Proposed MMPs/Final EIS on July 26, 2019 (BLM and USFS 2019a). The decisions included in this ROD and attached Approved MMPs amend the existing *Bureau of Land Management Monticello Field Office Record of Decision and Approved Resource Management Plan* (hereafter referred to as the Monticello RMP), as amended (BLM 2008), by removing the BENM from the Monticello RMP Decision Area and replacing the management from the Monticello RMP with the management described in the MMPs for the BLM-administered lands within the Monument. This ROD serves as the BLM’s final decision establishing the resource management decisions outlined in the MMPs and is effective on the date it is signed. This ROD does not have any effect on the management of USFS-administered lands in the Shash Jáa Unit of the BENM.

The MMPs provide a comprehensive framework for the BLM’s allocation of resources and management of the public lands within the BENM pursuant to the multiple-use and sustained yield mandates of FLPMA and subject to the specific direction in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. The MMPs also provide for the proper care and management of Monument objects and values including the “object[s] of antiquity” and “objects of historic or scientific interest” identified in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. These objects and values are also identified in Appendix A of the Approved MMPs.

The decisions and management actions contained in the MMPs are expressed as goals, objectives, allowable uses, and management decisions anticipated to achieve desired outcomes. Although decisions identified in the MMPs are final and effective when this ROD is signed, implementing on-the-ground activities may require additional implementation-level planning and environmental review. The BLM will conduct NEPA analyses, as necessary, for such implementation-level decisions.

3.1 What the ROD and MMPs Provide

The Approved MMPs include planning-level management decisions designed to provide for the proper care and management of Monument objects and values in the form of goals, objectives, land use allocations, and management decisions and actions.

Goals are the broad statements of desired outcomes and are usually not quantifiable.

Objectives are specific desired conditions, usually quantifiable and measurable, and may have time frames for achievement.

Land use allocations identify uses that are allowable, restricted, or prohibited in specific locations on public lands. For example, a land use allocation will identify what lands are open, closed, or limited to off-highway vehicle (OHV) use.

Note that all acreages presented in the MMPs are estimates, even when they are presented to the nearest acre.

Management decisions and actions are provisions that help meet the established goals and objectives, including measures or criteria that will be applied to guide day-to-day activities on public lands.

3.1.1 *Summary of the Approved MMPs Management Decisions*

The Approved MMPs were developed in consideration of public comments, input from the BENM Monument Advisory Committee, and cooperating agency and American Indian Tribal feedback. The Approved MMPs include the following major decisions to provide for the proper care and management of Monument objects and values while allowing for multiple uses, as appropriate:

- Establish a process for engagement of the Shash Jáa Commission and ongoing collaboration and coordination with American Indian Tribes in the management of the BENM through an American Indian Tribal Collaboration Framework (Appendix H of the Approved MMPs).
- Provide for an implementation-level cultural resources management plan to be developed within 2 years of the completion of these MMPs, which would be subject to additional consultation, including under Section 106 of the National Historic Preservation Act (NHPA). The cultural resources management plan will provide site-specific, implementation-level direction to effectively manage recreation and other uses while providing for the proper care and management of monument objects and protecting the integrity of significant cultural resources.
- Provide for a Cultural Resources Monitoring Framework (Appendix D of the Approved MMPs) that provides inventory criteria and thresholds for undertaking management actions in response to monitoring.
- Make all lands in the BENM unavailable for disposal. Acquisition of lands within the Planning Area will be pursued on a willing seller/willing buyer basis where the federal acquisition will provide for the protection, preservation, or enhancement of the objects and values for which the Monument was designated.
- Retain the existing designated utility corridor in the Shash Jáa Unit, and designate all lands within the BENM as open, avoidance, and exclusion areas for rights-of-way (ROWS).
- Identify lands as available or unavailable for livestock grazing; continue to authorize current, active, permitted grazing use where consistent with other decisions, unless monitoring data or other factors indicate a need for change.
- Designate lands as limited or closed to OHV use. These designations will guide future implementation-level travel management planning including mechanized and other modes of travel where the BLM will designate travel routes within the Monument.
- Designate Special Recreation Management Areas (SRMAs) and Extensive Recreation Management Areas (ERMAs) with Recreation Management Zones (RMZs) with specific recreation objectives, desired recreation setting characteristics, and a management framework for each (see Appendix I). Additionally, there are recreation-specific management actions associated with each SRMA, ERMA, and RMZ.
- Provide for an implementation-level recreation area management plan/business plan to be developed for the BENM within 3 years following the cultural resources management plan to guide future decisions related to camping and other related uses.
- Manage lands within the BENM as Visual Resource Management (VRM) Class I or Class II.
- Designate lands as open or closed to private and commercial woodland harvest.

- Apply best management practices (BMPs) (Appendix E of the Approved MMPs) and stipulations (Appendix F of the Approved MMPs) to discretionary surface-disturbing activities.
- Implement a Monitoring Strategy (Appendix C of the Approved MMPs) to monitor the impacts of land use plan decisions on Monument objects and values over the life of the plans.
- Close recreational target shooting in the BENM at campgrounds, developed recreation sites, rock writing sites, and structural cultural sites.

3.1.2 *Modifications and Clarifications*

The Approved MMPs include minor modifications and clarifications from the Proposed MMPs. These minor modifications and clarifications were made in response to protests, recommendations provided to the BLM during the Governors' consistency review, public comments received regarding the proposed closure of recreational target shooting in certain areas, and internal reviews. The text of some management actions was revised to provide minor clarifications or to correct factual mistakes. These modifications and clarifications are hereby adopted by this ROD.

The following modifications and clarifications were made to the Approved MMPs:

- To address an issue raised during the protest period (pages 67–69 of the protest resolution report [BLM and USFS 2019b]), the cultural resources goal regarding the identification of a location for a ceremonial ground and Tribal learning center has been revised and divided into two separate bulleted goals in the Approved MMPs. These goals are to 1) identify an appropriate location for a Tribal learning center and ceremony grounds to facilitate educational opportunities within Tribal communities with youth groups, elders, or other similar groups, and 2) facilitate American Indian Tribal use of sacred sites or other sites within the Monument for ceremonies and gatherings as identified by Tribes. In addition, management action CUL-16 was added to the Approved MMPs and states “When identified by Tribes as necessary for ceremonies and gatherings, implement actions to minimize potential conflicts with other resource uses that could interfere with ceremonies and gatherings. Sensitive cultural information will be kept confidential and safeguarded from release to the extent allowed by law.”
- As a result of the Governor's consistency review (see Section 7.3.3), management action REC-12 in the Approved Indian Creek MMP and management action REC-16 in the Approved Shash Jáa MMP were revised to make the management of human waste more consistent with Alternative D analyzed in the MMPs/EIS. Rather than requiring all human waste to be carried out of the Monument units, the revision allows human waste to be buried 4–6 inches deep, 200 feet from any water source, and outside of developed recreation facilities. If human waste becomes a problem, the BLM could require human waste to be carried out. This change makes the Approved MMPs more consistent with the *State of Utah Resource Management Plan* (State of Utah 2018) and *San Juan County General Plan*, as amended by the *San Juan County Resource Management Plan* (San Juan County 2017), while still providing the BLM the option to take further steps if human waste becomes a problem within the Monument.
- As a result of input received during the public comment period and of concerns identified by consulting parties during Section 106 consultation regarding the proposed target shooting closures in the Monument (see Sections 7.1.1 and 7.3.2), management action REC-12 in the Approved Indian Creek MMP and management action REC-16 in the Approved Shash Jáa MMP were revised to clarify that target shooting would be prohibited at all rock writing sites rather than just at petroglyph sites. This change was made because the intent is to

preserve all rock writings (e.g., petroglyphs, pictographs, and historic inscriptions) from potential damage caused by target shooting.

- Management action MCA-1 in the Approved MMPs was revised to include “as appropriate” to clarify that BMPs and stipulations would be applied at a site-specific level where determined appropriate.
- Management action CUL-7 in the Approved MMPs was revised to add that an exception to this may be made to allow campfires in archaeological sites for American Indian traditional, medicinal, and ceremonial purposes.
- Management action LAR-1 in the Approved MMPs was revised to remove discussion of unmanned aerial vehicles systems (UAVSs/drones) from a bulleted list that was not intended to apply to UAVSs/drones. The UAVSs/drones discussion was also removed from LAR-1 because this issue is covered in LAR-8, which requires UAVSs/drone use in the Monument to be consistent with U.S. Department of the Interior Operational Procedures Memorandum - 11 and Federal Aviation Administration Civil Operations Part 107.
- Management action GRA-6 in the Approved MMPs was revised to remove reference to Road Canyon because the Road Canyon portion of the Comb Wash side canyons unavailable to grazing is not within the Monument.
- Management action REC-6 in the Approved Shash Jáa MMP was revised to add Lower Fish Canyon to the group size limits that apply to Mule Canyon south of Utah State Route 95 (SR-95). This change was made because Lower Fish Canyon is in the same geographic area as Mule Canyon and was overlooked in the previous version of the management action.
- Management action REC-20 in the Approved Shash Jáa MMP was revised to clarify that overnight use will not be allowed in the McLoyd Canyon-Moon House RMZ. The management action was previously written such that only vehicle-supported camping would not be allowed in the RMZ. This change was made to be consistent with the existing management outlined in the Monticello RMP because the intent of that management action is not to allow all forms of camping in the RMZ.
- Management action RIP-12 in the Approved MMPs was revised to refer to “existing trailing corridors” rather than “existing stock driveways.” This change was made because stock driveways are formal designations that do not occur in the Monument.
- Management action RIP-16 in the Approved MMPs was revised to include Nonfunctioning riparian areas as well as Functioning at Risk riparian areas. This change was made because the agencies are required to take action if the riparian areas are Functioning at Risk or Nonfunctioning.
- Management actions for special designations found in the Recreation section of the MMPs/EIS (Section 2.4.7 of the MMPs/EIS) were relocated to the Special Designations section of the Approved MMPs (Section 2.11 of the Approved MMPs).
- Management action SSP-3 in the Approved MMPs was revised to include both habitat and vegetation management actions. This change was made because the intent of the management action is to make sure both habitat and vegetation management actions are coordinated with other resource programs, not just vegetation management actions.
- Management actions for special designations that were cited in the MMPs/EIS from the Monticello RMP have been restated in the Approved MMPs so that the public and agency staff will not need to reference the Monticello RMP when implementing or using the Approved MMPs.
- Management action FOR-3 in the Approved MMPs was revised to include approved habitat treatment project areas as areas where the BLM will allow woodland harvest in addition to

approved fuels treatment projects (unless otherwise prohibited). Habitat treatment projects were added because the intent of the management action is to allow the harvest of downed wood whether it was downed as a result of fuels treatments or habitat treatments.

- Management action FOR-4 in the Approved MMPs was revised to clarify that wood cutting is excluded in areas of active vegetation treatment rather than areas of active timber sales. This change was made to make applicable terminology consistent throughout the Approved MMPs. Also, Appendix K of the MMPs/EIS (*Comparison of Forest Products Removal between Forest Service and Bureau of Land Management on Lands Falling under the Boundary of the Bears Ears National Monument, May 2018*) was summarized and incorporated into management action FOR-4 in the Approved MMPs rather than included as a separate appendix.
- Management action FOR-13 in the Approved Indian Creek MMP and management action FOR-14 in the Approved Shash Jaa MMP were revised to clarify that “woodland product harvest” is excluded from the areas cited, not “woodland product use.” This change was made because the intent of the management action is to exclude the harvest of woodland products from these areas, not to exclude the use of woodland products that are brought from other areas (e.g., wood purchased or harvested elsewhere for use in campfires).
- Management action CUL-6 in the Approved MMPs was revised to state that camping would not be allowed within cultural resources (including archaeological resources), not just historic and prehistoric structures. This change was made as a result of the consultation process under Section 106 of the NHPA in order to better provide for the proper care and management of the Monument objects and values related to cultural resources.

The changes and corrections noted above do not substantially change the analytical conclusions described in the Proposed MMPs/Final EIS. Therefore, the BLM concludes that the preparation of a supplemental EIS is not required and an opportunity for public comment is not necessary because no significant changes were made to the proposed plans.

3.2 What the ROD and MMPs Do Not Provide

The Approved MMPs do not contain management decisions for the public lands that are not within the boundaries of the BENM established by Presidential Proclamation 9558, as modified by Presidential Proclamation 9681.

The MMPs do not contain decisions related to locatable, saleable, and leasable minerals. Proclamation 9558 withdrew all Federal lands within the BENM from location and entry under the Mining Law of 1872 and from the disposition of leasable and salable minerals under the Mineral Leasing Act of 1920 and all other applicable laws. Therefore, no mineral exploration or development can occur except on valid existing rights. There are no authorized mineral leases, exploration, development, or production operations on Federal lands within the BENM.

The Approved MMPs do not violate valid existing rights; affect terms of existing leases, existing Special Recreation Permits, or other existing permits issued by the BLM; create new wilderness or Wilderness Study Areas; designate specific routes or trails; nor contain decisions for lands that are not administered by the BLM. In addition, certain actions are not appropriate at this level of planning and are not included in this ROD. For example:

- **Statutory requirements:** The decision does not change the BLM’s responsibility to comply with applicable laws, rules, and regulations.
- **National policy:** The decision does not change the BLM’s obligation to conform to current or future policy.
- **Funding levels and budget allocations:** These are determined annually at the national level and are beyond the control of State, District, or Field Offices.

Implementation decisions are management actions tied to a specific location; they generally constitute the BLM's final approval allowing on-the-ground actions to proceed and require appropriate site-specific planning and NEPA analysis. Such decisions may be incorporated into implementation plans (activity or project plans) or may be stand-alone decisions. The Approved MMPs do not contain implementation-level decisions. Implementation decisions and management actions that require additional, site-specific project planning will require further environmental analysis, as well as appropriate levels of coordination with the Monument Advisory Committee, American Indian Tribes, and Shash Jáa Commission or comparable entity, as well as additional consultation under Section 106 of the NHPA.

4 ALTERNATIVES CONSIDERED

To meet the purpose of and need for the MMPs, all action alternatives must be compatible with the proper care and management of the Monument objects and values outlined in Proclamation 9558, as modified by Proclamation 9681. Multiple uses may be allowed to the extent that they are consistent with the proper care and management of Monument objects and values. The alternatives considered in the EIS addressed the issues identified through scoping that were within the scope of the development of the MMPs. The BLM has determined that all action alternatives that were retained for detailed analysis in the MMPs/EIS would have provided for the proper care and management of Monument objects and values as required by Proclamation 9558, as modified by Proclamation 9681.

In addition to the five alternatives analyzed in the MMPs/EIS, several other alternatives were considered but were not analyzed in detail (see Section 2.3 of the MMPs/EIS). Summaries of the alternatives considered in detail are provided below.

4.1 Alternative A: No Action Alternative

Alternative A, the No Action Alternative, represented existing management mandated by current land use plans for the Planning Area and consisted of management decisions in the Monticello RMP and *Land and Resource Management Plan: Manti-La Sal National Forest* (hereafter referred to as the Manti-La Sal LRMP), as amended (USFS 1986), to the extent that those decisions are compatible with Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. Where the Presidential Proclamations modified existing management decisions, the described management actions reflected the Presidential Proclamation direction. The Presidential Proclamations also withdrew all Federal lands within the Monument from mineral entry and location, subject to valid existing rights, so no minerals actions were included in Alternative A. A complete description of the management actions associated with Alternative A is contained in the Monticello RMP and in the Manti-La Sal LRMP.

4.2 Alternative B: Environmentally Preferred Alternative

Alternative B would have applied prescriptive land and resource use restrictions and would have identified areas within the Planning Area for additional long-term protections of resource values. As with the other alternatives, this alternative provided specific direction for the management of SRMAs and RMZs. In general, this alternative provided guidance on the requirements for subsequent site-specific management actions, which would ensure consistency but would be more prescriptive regarding how resources and resource uses could be managed at the site-specific implementation level.

4.3 Alternative C

Alternative C would have provided for the proper care and management of Monument objects and values by emphasizing adaptive management. This alternative provided for protections of key areas and resources while allowing for flexibility in the management of resource uses. This alternative would have required the monitoring of resource impacts and the implementation of more restrictive management actions if resource impacts exceeded acceptable thresholds. This alternative was less prescriptive, as compared to Alternative B, regarding how uses and activities would be managed at the site-specific implementation level while still providing enough direction to make the review of future site-specific management actions easier and more consistent.

4.4 Alternative D

Alternative D would have provided for the proper care and management of Monument objects and values while applying fewer land and resource use restrictions and allowing for more discretion for multiple uses and review of management actions on a case-by-case basis, as compared to Alternatives B and C. In general, this alternative would have been less prescriptive about how uses and activities are managed at the site-specific implementation level. However, this alternative would have required additional environmental reviews of individual proposals and actions to establish appropriate uses and restrictions needed to provide for the proper care and management of Monument objects and values, and to ensure consistency and compliance with overall management requirements.

4.5 Alternative E

Alternative E was developed in response to comments received from the public, stakeholder groups, State and local government entities, American Indian Tribes, as well as input from the Monument Advisory Committee on the Draft MMPs/EIS. Alternative E included elements of Alternatives A, B, C, and D. Similar to Alternative D, Alternative E provided for the proper care and management of Monument objects and values while applying fewer land and resource use restrictions and allowing for more discretion for multiple uses and review of management actions on a case-by-case basis at the site-specific implementation level, as compared to Alternatives B and C. Similar to Alternative D, this alternative would require additional review of proposals during implementation to ensure consistency and compliance with overall management requirements.

5 MANAGEMENT CONSIDERATIONS IN SELECTING THE APPROVED MMPS

FLPMA, as amended, governs the BLM's management of public lands. FLPMA provides that the BLM "shall manage the public lands under principles of multiple use and sustained yield ... except that where a tract of such public land has been dedicated to specific uses according to any other provisions of law it shall be managed in accordance with such law" (43 USC 1732(a)). The lands within BENM have been dedicated to specific uses according to other provisions of law. In accordance with the Antiquities Act of 1906, Presidential Proclamation 9558, as modified by Proclamation 9681, designated the BENM and reserved the lands comprising the Shash Jáa and Indian Creek Units to provide for the proper care and management of the Monument's objects and values. The designating Presidential Proclamations further direct the BLM to provide for the proper care and management of Monument objects through compliance with applicable legal authority, such as FLPMA, to protect the Monument's objects and values. In accordance with BLM Manual

6220, the BLM may allow multiple uses within BENM to the extent they are consistent with the applicable designating authority—in this case Proclamation 9558, as modified by Proclamation 9681—as well as with other applicable laws and with the applicable land use plan.

The Approved MMPs comply with the specific management direction found in Proclamation 9558, as modified by Proclamation 9681. In the absence of a requirement to manage the Monument in a particular way under the Presidential Proclamations and FLPMA, the BLM sought to balance protection of the Monument's objects and values with its desire to allow the public to enjoy and make beneficial use of the lands and resources. The BLM selected the goals, objectives, and management actions that make up the Approved MMPs by considering specific management direction in the designating Presidential Proclamations in conjunction with the BLM's responsibility to manage BLM-administered lands to facilitate multiple use and sustained yield. Rather than applying the most restrictive management to protect Monument objects and values, the Approved MMPs adopt a holistic approach that recognizes important relationships and interdependencies among the Monument's resources, while ensuring protection of the Monument objects and values in a manner that avoids and minimizes conflicts between resources and uses. In doing so, the MMPs also comply with the management requirements in Section 2002 of the Omnibus Public Lands Management Act of 2009 (Public Law 111-11), which includes a number of general goals for the management of BLM National Conservation Lands, but makes clear that the agency's management responsibilities for a national monument are not enhanced beyond the requirements of the Antiquities Act, the designating proclamations, FLPMA, and other applicable laws.

The Approved MMPs also complied with the specific direction in Proclamation 9558, as modified by Proclamation 9681, to provide for maximum public involvement during the planning process. The BLM conducted extensive coordination and consultation with American Indian Tribes and provided multiple opportunities for the State and local government, interested stakeholders, and other members of the public to provide input during the planning process. The BLM will continue to solicit input from these and other entities as the agencies implement the plans. The BLM also established a Monument Advisory Committee, which provided input and advice regarding the agencies' development of the management plans. Finally, recognizing the importance of Tribal participation in this planning process, the BLM made multiple attempts to meaningfully engage the Shash Jáa Commission during the development of the management plans in an effort to integrate traditional and historical knowledge and special expertise of Tribes. Because committee members indicated a preference to engage with the BLM through the Bears Ears Inter-Tribal Coalition and on an individual basis, the BLM integrated Tribal knowledge and expertise through other means, including government-to-government consultation and coordination including face-to-face meetings with the BLM State Director, District Manager, and Field Manager.

In developing the goals, objectives, and management actions, the BLM considered the location and distribution of Monument objects and values, their sensitivity to other uses, and the anticipated nature and intensity of existing and future resource uses. In some instances, providing for the proper care and management of Monument objects and values required placing site-specific restrictions or prohibitions on certain resources and uses. In other instances, the BLM developed stipulations, BMPs, monitoring protocol, and other management contained in the Approved MMPs that will be applied by the Authorized Officer to the future management of the BENM, including any proposed activities within the BENM, to provide for the proper care and management of Monument objects and values. All future actions authorized, carried out, or funded by the BLM within the BENM are subject to site- or activity-specific environmental review, including documentation that demonstrates a proposed action is consistent with the proper care and management of the Monument objects and values.

Additional details regarding management considerations in selecting the Approved MMPs are provided below.

Archaeological, Heritage, and Cultural Resources

The Approved MMPs establish overarching goals and objectives that guide management of the BENM's cultural resources in order to provide for the proper care and management of the archaeological, heritage, and cultural resource objects and values. The agencies conducted substantial outreach related to archaeological, heritage, and cultural resources when developing the Approved MMPs, and the management actions contained in the plans reflect information that the agencies received from American Indian Tribes, the local community, consulting parties, and other interested stakeholders. The management actions also reflect the agencies' desire to balance protection of the Monument's archaeological, heritage, and cultural resources objects and values with allowing the public to enjoy and make beneficial use of BENM's lands and resources.

The plans provide various cultural resource management actions that further the MMPs' objectives and guide appropriate levels of scientific, educational, and recreational uses of cultural resources. Specifically, the development and implementation of a cultural resource management plan within 2 years of this ROD will establish more specific direction for education and interpretation of cultural resources, facilitate opportunities to provide for traditional uses and other purposes (see Appendix G), and also establish criteria to address potential conflicts with site-specific actions. Timely completion of the cultural resources management plan and its implementation will provide additional, site-specific measures to protect cultural resources in concert with the plan-level management restrictions discussed below.

The Approved MMPs recognize the importance of Tribal participation in providing for the proper care and management of the objects by ensuring close and consistent collaboration with Tribes during the implementation of the MMPs (see Appendix H), relying on Tribal expertise and traditional ecological knowledge to manage the monument, and providing access to Monument resources for ceremonial and traditional uses. For instance, management action VEG-8 allows private seed gathering and plant collection for American Indian traditional, medicinal, and ceremonial purposes. Another management action sustains current Tribal uses of cottonwood and willows for ceremonies through a free-use permit system to balance use with the proper care and management of ecological objects and values. The BLM will implement actions to minimize conflicts with other uses in order to provide for continued American Indian Tribal use of sacred sites or other sites for ceremonies and gatherings.

Certain management actions are restrictive in nature and are aimed at proactively managing resources and uses to prevent loss and damage to the cultural resource objects and values. For instance, in consideration of the impacts that grazing and dispersed recreation can have on cultural resources, management actions CUL-5 through CUL-8 limit the use of pets and pack animals near cultural resource locations, generally prohibit camping and campfires in cultural sites, and restrict the use of ropes and climbing aids to access cultural sites. Additionally, management action LAR-7 prohibits casual use landing and take-off of UAVs/drones in all cultural resource sites. Management actions REC-12 (Indian Creek) and REC-16 (Shash Jáa) prohibit target shooting at rock writing sites and structural cultural sites. The BLM considered a more expansive shooting closure but determined that the management actions outlined in REC-12 (Indian Creek) and REC-16 (Shash Jáa) protect the most visited parts of the Monument. Furthermore, the BLM can, in the future, expand target shooting closures through regulatory tools, if necessary, to protect monument objects and values.

Visitation trends indicate that Monument objects, in particular certain cultural sites, will likely continue to receive high use. In the Approved MMPs, the BLM allocates a number of these highly visited cultural sites as Public Use (Developed) to ensure their long-term preservation and provide for on-site interpretation. These include House on Fire, Newspaper Rock, Moon House, Doll House, Shay Canyon, and Butler Wash (see CUL-12 of the MMPs for a complete list). To maintain the cultural and heritage experience in the Monument of these sites, the Approved MMPs establish appropriate levels of use for some of the sites, including Moon House (see REC-20 in the Shash Jáa

MMP). The BLM will proactively manage the Public Use (Developed) sites such that they withstand higher visitation or by setting limits for the appropriate level of use (see Appendix G) to further longevity and enjoyment for future generations. By emphasizing popular cultural (developed) sites in the Monument that are better suited to higher public use, many of the recreating publics' expectations are met and their experiences are satisfactory. This can benefit sensitive sites that are not as well-known and are more remote by facilitating lower visitation and providing a more primitive backcountry experience for a much smaller portion of the public.

Additionally, management of other resources and uses are specifically designed and intended to protect the archaeological, heritage, and cultural resources objects and values. For instance, there will be no OHV open areas in the Monument. Both units restrict OHV use to designated routes and otherwise close certain areas to OHV use, which avoids potential damage to sites from cross-country OHV use. The BLM considered making additional portions of the Monument closed to OHV use but ultimately determined that the site-specific analysis that occurs during implementation-level travel management planning will allow the BLM to ensure that OHV use is consistent with the proper care and management of Monument objects in a more targeted fashion than broad OHV area closures at the land use planning stage. By applying ROW avoidance and exclusion allocations, as well as VRM Class I and II, in the Shash Jaa Unit, the agencies can maintain the integrity of cultural sites and landscapes by restricting the associated surface-disturbing activities and placement of modern structures on the landscape. In the Indian Creek Unit, the BLM will avoid siting ROWs in active floodplains, riparian areas, springs, and public water reserves, which is more restrictive than the No Action Alternative. Cultural resources are often located near natural water sources, and avoiding ROWs in these areas will reduce impacts to cultural sites. Similar to OHV use, the BLM considered prohibiting ROWs in additional portions of BENM but concluded that the management of Monument objects through agency discretion, project siting, and other stipulations that can occur when the agency is considering site-specific proposals. Moreover, managing the entirety of BENM as VRM Class I and Class II will generally limit the size and scope of developments and structural improvements that occur within the Monument, which further obviated the need to prohibit ROWs throughout the entire planning area.

Archaeological, heritage, and cultural resources objects and values also benefit indirectly from the management of other resources and uses. For instance, REC-11 requires development of a recreation area management plan/business plan within 3 years after completion of the cultural resources management plan. By developing the cultural resources management plan first, the recreation area management plan will be informed by the direction and criteria established for cultural resources. Both the recreation area management plan/business plan and the cultural resources management plan will be informed by information obtained through additional consultation, including consultation with Tribes and members of the public pursuant to Section 106 of the NHPA. Additionally, the establishment of SRMAs and RMZs for specific outcomes will organize recreation activities to address area-specific threats and demands, including potential impacts as a result of the observed increase in visitation. The McLoyd Canyon-Moon House RMZ will be managed to maintain controlled yet primitive opportunities through enforcing group sizes, limiting the number of daily visitors, and requiring waste be packed out.

The BLM is committed to monitoring cultural resources in the Monument to demonstrate that objects and values are managed in accordance with the MMPs' goals and objectives (Appendix C and Appendix D). The plans identify specific circumstances for when the agencies will take action to address indications of damage to cultural sites. Specifically, the agencies will consider closing specific routes designated as open to OHV use if monitoring indicates travel on those routes contribute to the damage of cultural resources (TM-6). The agencies will apply an adaptive approach to address potential degradation or loss of cultural resources from uses of access points, trails, or climbing routes (CUL-14), which will aid the agencies' objective of balancing protection of

cultural objects while providing for the world-class recreational opportunities identified in the designating proclamations.

Geological Features and Landscapes

In designing goals and objectives that provide for the proper care and management of the objects and values for which the Monument was designated, the BLM considered ways to minimize and avoid activities and occurrences that could cause adverse, large-scale impacts to BENM's geology and landscape. Accordingly, the Approved MMPs contain management actions such as vegetation treatments and active fire management that provide a means to prevent large wildfires that could transform lands by denuding the landscape and causing accelerated erosion. Similarly, the Approved MMPs will manage the entirety of BENM as VRM I or II to retain the existing character of the Monument's landscape and ensure that any changes will be low and generally will not attract attention. Additionally, management actions will provide visitor services for education and interpretation for key features and locations in the Monument and are expected to increase public knowledge and appreciation of the landscape and contribute to its preservation.

Paleontological Resources

Paleontological objects and values in the Monument are protected through various management actions that restrict surface-disturbing activities such as prohibiting ROWs in certain areas; prohibiting OHV use in certain areas; as well as the withdrawal from mineral entry provided in the Proclamation 9558, as modified by Proclamation 9681. As discussed in Section 5.1, the BLM determined that agency discretion at the implementation-level phase provides the BLM with the flexibility necessary to ensure that OHV use and ROWs are consistent with the proper care and management of Monument objects without having to impose additional area-wide prohibitions at the land use planning stage. The Approved MMPs promote scientific, educational, and interpretative uses of paleontological resources. For specific paleontological sites, such as the dinosaur trackways in Shay Canyon and Butler Wash, the BLM applies additional measures and restrictions including identifying the areas as unavailable to grazing or available only to trailing to protect those resources. Specifically, an additional Butler Wash side canyon was made unavailable to grazing because of a high potential for significant fossils. Additionally, the Approved MMPs place new prohibitions on the collection of petrified wood and paleontological resources without a permit so that fossils remain in the Monument to provide opportunities for interpretation and research. Monitoring the condition of paleontological resources in the Monument (Appendix D) will contribute to appropriate management actions to provide that the MMP goals and objectives are met. Management actions PAL-10 and PAL-11 will be implemented in conjunction with monitoring results to minimize or avoid loss or damage to paleontological resources.

Biological and Ecological Resources and Processes

The BENM comprises diverse plant communities, animal populations, and ecosystems. Places like Lavender Mesa and Bridger Jack Mesa in the Indian Creek Unit have relict plant communities. There are sensitive riparian areas and perennial and intermittent streams within the BENM that are important to research and study because they provide context to cultural and historic uses and sustain important plant and wildlife habitats. These MMPs identify several goals, objectives, and management actions to provide for the proper care and management of these resources and processes. Lavender Mesa is unavailable to livestock grazing, campfires, OHV use, and private and commercial use of woodland products. On Bridger Jack Mesa, ROWs and OHV use are prohibited, the types of allowable Special Recreation Permit events are limited, and camping is restricted to designated sites. ROWs will be avoided in active floodplains, riparian areas, springs, and public water reserves within the Indian Creek Unit, and the entirety of the Shash Jáa Unit is either an avoidance or exclusion area for ROWs, except the existing utility corridor. These types of management actions provide landscape-level protections to plants, animal communities, and

ecosystems to reduce segmentation of the land to protect and maintain wildlife habitat connectivity. Moreover, agency discretion and additional environmental analysis will allow the BLM to protect plant communities, animal populations, and ecosystems on a more localized level when site-specific projects are proposed. Various management actions provide seasonal use restrictions to provide more site-specific protections to sensitive areas and species. For example, management action SSP-5 prohibits commercial overnight use in designated Mexican spotted owl nesting areas.

The MMPs identify RMZs with area-specific management actions, such as limiting group sizes and seasonal OHV closures, to protect biological and ecological resources and processes among other Monument objects and values. The plans prohibit camping within 200 feet of isolated springs and water improvements to provide wildlife with adequate space to access those sources without disruption. The MMPs provide continued access to rock climbing in BENM, especially on the world-renowned cliffs of the Indian Creek Unit, but temporarily close areas near raptor nests if climbing may result in nest abandonment and require the BLM to post or otherwise provide educational information to reduce climbing and canyoneering impacts on active raptor nests. Additionally, the MMPs restrict woodland harvest but allow for the active management of hazardous fuels to restore ecosystems and reduce the threat of wildfires, which can have deleterious effects on biological and ecological processes and allow for encroachment of invasive species. UAVS/drone use is restricted in areas likely to disrupt certain wildlife species. These types of management decisions, along with BLM monitoring protocol and BMPs for specific authorizations, provide a framework and commitment to maintain properly functioning conditions, biological diversity, resource sustainability, and mitigate threats to biological and ecological resources.

Recreation Opportunities

The Shash Jaa and Indian Creek Units of the BENM have the potential to provide world-class recreation opportunities to support increased tourism. Many of the goals, objectives, and management decisions identified in the MMPs provide for the proper care and management of the recreation values as appropriate for the respective unit. For instance, the establishment of SRMAs, ERMAs, and RMZs provide for a range of recreation opportunities and experiences in primitive to frontcountry areas, while focusing on the recreation values provided in certain areas. The Shash Jaa Unit offers cultural and heritage tourism opportunities for activities like hiking, backpacking, equestrian, and OHV access to both historic and prehistoric sites, whereas the Indian Creek Unit is a rock climbing destination. The MMPs provide direction for certain recreational activities in each SRMA and RMZ such as group size limits, Special Recreation Permit thresholds, determination of camping availability, and development of recreation facilities. The specific management of these SRMAs and RMZs will be identified with the development of recreation area management plans within 5 years of the signing of this ROD (see REC-7) and will further mitigate conflicts with other objects and values and address any recreation-related issues.

As visitation to the BENM increases, the Approved MMPs offer several management actions to offset potential impacts to resources by prohibiting target shooting in developed recreation sites and urging the development of interpretation, information, and education to promote responsible recreation behaviors in culturally and ecologically sensitive areas. The BLM has regulatory tools available, such as the imposition of closures and restrictions pursuant to 43 CFR 8364.1, if it becomes necessary to further protect resources from impacts associated with recreational activities, including recreational target shooting. Additionally, a travel management plan is required to be developed to identify appropriate access to various recreation opportunities throughout the Monument.

The BLM will manage visual resources throughout the BENM as either VRM Class I or Class II while still allowing reasonable recreation infrastructure as needed and appropriate to support visitation and will offer world-class recreation opportunities and experiences. To manage the dark night skies resource, the MMPs identify BMPs for maintaining dark skies, even when some development is

needed to manage other identified objects and values. Additionally, the MMPs require a lightscape management plan where an extensive amount of long-term lighting is proposed. Additionally, to maintain the natural quiet in the Monument, the target shooting closures within certain areas of the BENM, along with limiting OHV use to designated routes, helps preserve the natural quiet within the BENM.

Economic Opportunities

The Approved MMPs facilitate economic opportunities in the local communities supported by tourism, which includes guided tours and dispersed recreation, as well as economic opportunities provided by grazing. The MMPs provide continued livestock grazing opportunities to maintain its economic value and to protect other resources. The BLM is afforded the flexibility to manage livestock grazing at a site-specific level and to consider grazing practices and the proper care and management of other Monument objects and values. Additionally, the MMPs allow for development of off-site water sources to improve grazing distribution and protect riparian objects and values while maintaining opportunities to graze in the Monument (GRA-4). As the MMPs are implemented, the BLM will monitor livestock grazing activities and the condition of resources, particularly objects and values, to provide that the MMP goals and objectives are met (see GRA-2, Appendix C, and Appendix D). The MMPs demonstrate a balance between grazing opportunities and protection of other objects and values.

6 MITIGATION MEASURES

The MMPs contain a substantial number of measures to avoid and/or minimize environmental harm in an effort to balance allowing the public to enjoy and make beneficial use of the Monument with providing for the proper care and management of BENM's objects and values. Multiple management actions were designed to avoid and/or minimize impacts on resources and resource uses and provide for the proper care and management of Monument objects and values within the BENM. As described in Appendix E of the Approved MMPs, BMPs were developed to maximize beneficial results and minimize conflicts and negative environmental impacts from management actions. As described in Appendix F of the Approved MMPs, stipulations will be applied to discretionary surface-disturbing activities to help reduce impacts on Monument objects, values, and resources. Monitoring will be conducted by the BLM as described in Appendix C of the Approved MMPs, and the BLM will use monitoring results to inform management of the BENM at the implementation level. The BLM will enforce management actions and mitigation where applicable.

7 PUBLIC INVOLVEMENT, CONSULTATION, AND COORDINATION

7.1 Public Involvement

The BLM has involved the public and has coordinated with affected parties during the development of the MMPs/EIS. These efforts include public scoping; identifying and designating cooperating agencies; consulting with applicable Federal agencies and State, local, and Tribal governments; meeting with and accepting input from the Monument Advisory Committee; accepting comments on the Draft MMPs/EIS and the proposed recreational target shooting closures in certain areas of BENM; and providing for a protest period on the Proposed MMPs/Final EIS.

The scoping period began on January 16, 2018, and extended through April 11, 2018. Public scoping meetings were held in the communities of Bluff and Blanding, Utah. In all, 165,466 submissions were received from the public during the scoping period. In addition to the scoping meetings, the BLM and USFS conducted an economic strategies workshop in Monticello, Utah, on

June 6, 2018. The purpose of the workshop was to discuss the issues related to the local economies and social conditions of the counties, towns, and cities in and around the Planning Area.

The BLM and USFS published the Notice of Availability (NOA) for the Draft MMPs/EIS in the *Federal Register* on August 17, 2018. The publication of the NOA began a 90-day public comment period that ended on November 15, 2018. Additionally, the BLM hosted three open house-style public meetings to provide the public with an opportunity to ask questions and submit comments on the Draft MMPs/EIS in writing or verbally. The meetings were held in Blanding, Bluff, and Montezuma Creek, Utah. The BLM and USFS received 250,484 comment submissions during the public comment period for the Draft MMPs/EIS. The BLM and USFS responded to all substantive comments received on the Draft MMPs/EIS in Appendix O of the Proposed MMPs/Final EIS.

The NOA for the Proposed MMPs/Final EIS was published on July 26, 2019, initiating a 30-day protest period, a 60-day Governor's consistency review period, and a 60-day public comment period regarding the proposed closure of recreational target shooting in certain areas within the BENM.

The BLM maintains an ePlanning webpage that contains an electronic version of the ROD and Approved MMP and all of the maps referenced in the Approved MMP, as well as the Draft MMP/EIS, Proposed MMP/Final EIS, and other documents pertinent to this land use planning process. The project's ePlanning webpage is as follows: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=140965>.

7.1.1 Public Comment Period for Proposed Target Shooting Closure

In accordance with the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, the BLM held a 60-day public comment period from July 26 through September 24, 2019, regarding the proposed closure of recreational target shooting at campgrounds, developed recreation sites, rock writing sites, and structural cultural sites within the BENM. The BLM accepted comments on the proposed recreational shooting closure through email and by mail at the BLM Canyon Country District Office in Moab, Utah.

In all, 3,156 submissions were received during this period; of those, six submissions addressed issues related to the proposed closure and 3,150 submissions did not raise issues related to the closure of recreational target shooting at campgrounds, developed recreation sites, rock writing sites, and structural cultural sites within the BENM. A summary of the comments related to the proposed target shooting closure, the BLM's responses, explanations for how the BLM resolved any significant issues raised by the comments, and demonstrations of how that resolution led to the closures is provided in Table 1.

Table 1. Public Comments on Proposed Target Shooting Closure

Comment Number	Name/ Organization	Comment	BLM Response
1	American Rock Art Research Association (ARARA)	ARARA certainly supports protecting rock art sites from damage from shooting. As you know, this is one of the most common, and more difficult to repair, kinds of damage plaguing these irreplaceable sites.	Comment in support of the BLM's proposed recreational target shooting closure has been noted.
2	ARARA	I am unable to find any reference to target shooting or the proposed closures in the proposed MMP document posted online, except in one alternative (Alt. E) pertaining only to the Indian Creek Unit. The "Dear Reader" letter and the Federal Register notice imply that "petroglyph" sites would be closed to target shooting throughout the Monument. Given this discrepancy, it is difficult to assess the plan's adequacy; however, the plan as presented here is not adequate to protect rock art sites in the Indian Creek and Shash Jáa units.	Management actions related to recreational target shooting can be found for all action alternatives in Tables 2-8 and 2-9 of the Proposed MMPs/Final EIS for both the Indian Creek and Shash Jáa Units. The recreational target shooting closures carried forward into the Approved MMPs can be found in decisions REC-12 (Indian Creek Unit) and REC-16 (Shash Jáa Unit).
3	ARARA	First, the notice in the Federal Register and the letter accompanying the MMP document refer only to "petroglyphs." The area of potential effect contains a great deal of rock art, including both petroglyphs (incised, ground, pecked, or engraved into the rock) and pictographs (images created by adding pigment to the rock). It is possible that other forms, such as images made by removing lichen, may also be present. All rock art merits special protection unless and until it is found to be ineligible for the National Register.	The Approved MMPs and this ROD have been revised to reference "rock writing sites" in place of "petroglyphs" and "petroglyph" sites where appropriate.
4	ARARA	Second, with only 8.2% of BLM and 34% of USFS lands in the Shash Jáa unit having been surveyed for archaeological sites, how do you know where the rock art sites are so that you can prohibit shooting near them? Those figures include all surveys—even those that do not conform to current standards. And many archaeological surveys are not designed to locate rock art sites, particularly those sites that are faded or repatinated, small, or tucked into niches or crevices in the rocks. Some survey standards (for example, minimum transect distances) are fine for sites on the ground, but may prevent the survey crew from locating all or most rock art sites in an area. It is difficult to imagine how any closure plans based on such incomplete data could be adequate to protect all potentially NRHP-eligible sites. While the large, visible, spectacular sites are well known, historic significance rests upon factors other than size and visibility. Small, secluded sites provide information about poorly understood cultural practices and thus deserve protection until they can be properly mapped, recorded, and evaluated. ARARA's position is that no target shooting should be allowed until the units are properly surveyed for rock art.	An alternative in which the entire Monument would be closed to recreational target shooting was considered and analyzed in the MMPs/EIS. The recreational target shooting closures included in the Approved MMPs would apply to all rock writings, regardless of whether they have been documented through an archeological survey. In selecting the recreational target shooting decisions included in the Approved MMPs, the BLM considered the current amount and distribution of recreational target shooting that occurs in the BENM; the potential for conflicts between recreational target shooting and maintenance of public safety; the potential for conflicts between recreational target shooting and Monument objects and values; the BLM's multiple-use mandate prescribed by FLPMA; direction provided by Federal law, including the John D. Dingell, Jr. Conservation, Management, and Recreation Act; direction provided by Presidential Proclamation 9558, as modified by Presidential Proclamation 9681; and agency-wide policy direction. The John D. Dingell, Jr. Conservation, Management, and Recreation Act directs the BLM, when making decisions related to closing public lands to recreational target shooting, to designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws. Because developed recreation sites, campgrounds, rock writings, and structural cultural sites are generally the most visited parts of BENM, and because of existing laws and regulations, the BLM determined it was necessary to implement a target shooting closure in those places immediately. In the absence of specific

Comment Number	Name/ Organization	Comment	BLM Response
			<p>information indicating that target shooting is adversely impacting other Monument objects and values, it was determined that a blanket prohibition on shooting throughout the Monument is not needed. If monitoring shows that target shooting is adversely impacting Monument objects and values, the BLM has tools at its disposal to expand the target shooting restriction to cover additional areas.</p> <p>In consideration of these factors, the agency has determined the recreational target shooting closure in the Approved MMPs to be the smallest area required for protection of public safety and consistency with the proper care and management of Monument objects and values.</p> <p>Where problem areas occur regarding recreational target shooting, the BLM would post signs notifying visitors of restrictions and would consider implementing supplemental rules. The BLM may consider additional recreational target shooting closures without amending the MMPs if determined necessary to provide for the proper care and management of Monument objects and values.</p>
5	ARARA	<p>Third, prohibiting target shooting from large, well known rock art sites is absolutely necessary for the sites' protection; however, such a policy may have the effect of concentrating target shooting in areas where the rock art is less visible, if recorded at all. Given the richness of this area in standing archaeology sites, rock art sites, and TCPs, a better alternative would be to prohibit shooting in the Monument altogether. If shooting will be allowed, what is the plan for monitoring sites for damage? Do you have sufficient personnel and resources to visit each site every few years? Do you have funds to hire a conservator to repair damage to sites? Until those things are in place, target shooting should be prohibited.</p>	<p>There is little reason to believe that the closures will concentrate target shooting in other areas of the Monument in a manner that would have adverse effects on historic properties. The restrictions do not close large portions of the Monument and thereby expose other areas to more concentrated target shooting. Instead, the closures are meant to protect specific resources within the Monument units, and, because target shooting is allowed in all other parts of the Monument, the restrictions are unlikely to concentrate target shooting in other specific areas of the Monument. Therefore, the potential to adversely affect cultural resources in those areas is not significantly different than if the target shooting closure did not exist. Moreover, because there are ample public lands located closer to population centers that are available for target shooting, there are no areas within or near BENM that are consistently being used currently for target shooting.</p> <p>The BLM has included a monitoring strategy (Appendix C) and cultural resources monitoring framework (Appendix D) in this ROD/Approved MMPs. The monitoring strategy would be used by the BLM to monitor the effects of resource uses on Monument objects and values, including rock writing sites. The agencies will monitor rock writing sites as time and resources allow.</p> <p>The Monticello Field Office has a site stewardship program that monitors a number of rock writing sites within BENM.</p>

Comment Number	Name/ Organization	Comment	BLM Response
6	Wendy Miller	This email is in support of the closure of the specified areas for target shooting within the Bears Ears Monument: ie, campgrounds, recreational sites, and petroglyph and structural cultural sites and the trails leading to them.	Comment in support of the BLM's proposed recreational target shooting closure has been noted. The BLM may consider additional recreational target shooting closures without amending the MMPs if determined necessary to provide for the proper care and management of Monument objects and values.
7	Wendy Miller	I also support no hunting in any of these areas as well to avoid accidental shootings of people.	As provided for in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, hunting, trapping, and fishing within the Monument are regulated by the State of Utah. The BLM will coordinate, as appropriate, with the State of Utah Division of Wildlife Resources regarding any potential impacts from these activities on public safety and Monument objects and values.
8	Wendy Miller	I live at Pack Creek Ranch in Moab near an area where target shooting on BLM land is allowed which I'm not in favor of. I think target shooting should be confined to a small area removed far away from normal human activity both at the Bears National Monument, as well as on BLM land surrounding the Ken's Lake area.	Pack Creek and Ken's Lake are outside the Monument, and for this reason, they are out of the scope of this planning effort. See also response to comment number 4.
9	Carolyn Dailey	I would like to go on the record that I support the closure of the specified areas for target shooting within the Bears Ears Monument: ie, campgrounds, recreational sites, and petroglyph and cultural sites and the trails leading to them. No one wants to be hearing guns fired when they are enjoying the peaceful outdoors!	Comment in support of the BLM's proposed recreational target shooting closure has been noted. The BLM may consider additional recreational target shooting closures without amending the MMPs if determined necessary to provide for the proper care and management of Monument objects and values.
10	Carolyn Dailey	I also support no hunting in any of these areas as well!	See response to comment number 7.
11	Carolyn Dailey	I live in Pack Creek in Moab near an area where target shooting on BLM land is allowed. It is noisy and scary and freaks both me and my dogs out whenever I try to walk them at nearby Ken's Lake and people come to shoot their guns. I think target shooting should be confined to a small area removed far away from normal human activity both at the Bears National Monument, as well as on BLM land surrounding the Ken's Lake area.	See response to comment number 8.
12	The Wilderness Society, Southern Utah Wilderness Alliance, Grand Canyon Trust, Center for Biological Diversity, Western Watersheds Project, Sierra Club, WildEarth Guardians, National Parks Conservation Association, Coalition to Protect America's National Parks (TWS et al.)	The undersigned groups support the BLM's decision to prohibit target shooting at campgrounds, developed recreation sites, petroglyph sites, and structural cultural sites within the planning area. See Bears Ears National Monument Proposed Monument Management Plan (Proposed MMP) at 2-14, 17. This is an important step towards properly protecting monument objects, including cultural resource sites, paleontological resources, soundscapes, wildlife, and outdoor-recreation opportunities.	Comment in support of the BLM's proposed recreational target shooting closure has been noted.
13	TWS et al.	As stated in our previous comments, we believe the Monument must be entirely closed to target shooting to adequately protect monument objects, ensure public safety, and comply with applicable laws. See TWS et al.,	An alternative in which the entire Monument would be closed to recreational target shooting was considered

Comment Number	Name/ Organization	Comment	BLM Response
		<p>Protest of BENM Proposed Monument Management Plan p. 11, submitted Aug. 26, 2019; TWS et al., comments for the Draft BENM Management Plan p. 38, submitted Nov. 15, 2018. As such, BLM should expand its proposed closures to encompass the entire planning area.</p> <p>Title IV of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (The Dingell Act) recognizes that some public lands must be closed to target shooting “for reasons of public safety, administration, or compliance with applicable laws.” Public Law 116-9 § 4103(a)(1).</p>	<p>and analyzed in the MMPs/EIS. Any alternative selected by the BLM must provide for the proper care and management of Monument objects and values identified in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681.</p> <p>See also responses to comments 14 through 19.</p>
14	TWS et al.	<p>A. BLM must protect Monument resources, objects, and values over discretionary uses, such as recreational target shooting.</p> <p>The BLM’s foundational statute, the Federal Land Policy and Management Act (FLPMA), commands that where “a tract of such public land has been dedicated to specific uses according to any other provisions of law it shall be managed in accordance with such law.” 43 U.S.C. § 1732(a). As a national monument, the planning area is protected as part of the National Landscape Conservation System (NLCS). BLM is directed to manage the lands “in a manner that protects the values for which the components of the system were designated.” 16 U.S.C. § 7202(c)(2).</p> <p>The Monument was created pursuant to the Antiquities Act of 1906, 54 U.S.C. § 320301 et seq., to protect a variety of resources, objects, and values, including: cultural sites, paleontological resources, soundscapes, wildlife, and recreation opportunities described in Proclamation 9558, 82 Fed. Reg. 1139 (Dec. 28, 2016). The BLM’s mandate is to manage the area primarily for this purpose. BLM must manage the planning area to preserve the monument objects, and target shooting, as discussed throughout these comments, threatens these values and has the potential to destroy or degrade monument objects. Therefore, compliance with the Antiquities Act and Proclamation 9558 (regardless of modification by Proclamation 9681, which we maintain is illegal) requires the BLM to expand its proposed target-shooting closure to the entire Monument area.</p> <p>The Bears Ears landscape was initially protected in large part for its “[a]bundant rock art, ancient cliff dwellings, ceremonial sites, and countless other artifacts [which] provide an extraordinary archaeological and cultural record.” Proclamation 9558. The undersigned groups support the prohibition on shooting at petroglyphs and structural cultural resource sites. The limited shooting closures proposed by the BLM are inadequate to comply with FLPMA and should be expanded to cover the entire planning area, as provided by the Dingell Act, to fully protect the area’s cultural, prehistoric, and historic legacy. See Public Law 116-9 § 4103(a)(1).</p>	<p>Presidential Proclamation 9558 makes it clear that the BLM has discretion in determining the appropriate management for lands within the BENM to provide for the proper care and management of Monument objects and values. Presidential Proclamation 9558 states, “For purposes of protecting and restoring the objects identified above, the Secretaries shall jointly prepare a management plan for the monument and shall promulgate such regulations for its management as they deem appropriate.”</p> <p>See also responses to comments 4, 12, and 13.</p>

15	TWS et al.	<p>B. BLM must survey and prioritize areas with cultural resources as mentioned in the Proclamation and pursuant to the National Historic Preservation Act (NHPA).</p> <p>As Proclamation 9558 notes, “It is also the less visible sites ... that tell the story of the people who lived here. Historic remnants of Native American sheepherding and farming are scattered throughout the area.” These sites, and the landscape that supported the Native peoples who created them, must also be protected from the detrimental impacts of target shooting.</p> <p>The limited closures under consideration would leave the many unidentified or unmarked cultural resource sites entirely unprotected. Only 8.2% of the BLM-administered lands in the Shash Jaa´ Unit have been surveyed for cultural resources; projecting from the 991 known archeological sites within this area, “there could be an estimated 12,023 sites on BLM-administered lands in the Shash Jaa´ Unit.” See Proposed MMP 3-6. The Indian Creek Unit, which contains 103 known archeological sites, could have more than 600 more unidentified cultural sites. <i>Id.</i> at 3-7. Given the risk of looting and vandalism, many of the previously identified sites are unmarked, adding to the difficulty of administering the current shooting closure. The BLM’s plan could leave over 90% of the area’s cultural resources unprotected.</p> <p>Recreational target shooting occurs predominately along routes available to motorized use, not just at campsites and developed recreation sites. In addition to closing campsites and developed recreation sites to target shooting, the agency should analyze potential impacts from target shooting to resources throughout the entire monument.</p> <p>The adverse effects to historic properties manifest itself in two ways:</p> <ol style="list-style-type: none"> 1. If a site is present within some distance (30 meters) of a road available for motorized use, pulling off the road and setting up a target area often results in an intensive, albeit localized, impact area. The intensive nature of the use would invariably lead to some loss of cultural integrity to the site that is irretrievable. Section 106 of the NHPA requires that BLM to identify and evaluate the significance of historic properties based on National Register criteria. Most historic properties are considered potentially eligible and qualify under Criterion D. As such, recreational target shooting in close proximity to roads available to motorized use are likely adversely affect historic properties (i.e., any damage is potential loss of information content). BLM is obligated to avoid, minimize or mitigate the adverse effects. A mitigation and monitoring protocol that runs the risk of irretrievable damage to historic properties is not appropriate mitigation in this context. 2. Certain sites such as petroglyph or pictographs as well as standing structures such as an old cabin, are a magnet for bullets. People like to shoot at targets and they don’t necessarily restrict themselves to the targets they bring with them. We highly recommend that the BLM acknowledge in the EIS that these resources are at risk up to a ¼ mile from a road and prioritize these areas for management of recreational target shooting as well as law enforcement. <p>BLM should commit to a Class III inventory 30 meters on either side of the centerline before recreational shooting along the road or a portion of the road can be considered. Once cleared, a second analysis should be made evaluating the existence of standing historic structures within ¼ mile of the road along with a Class III survey of any rock outcrops or hillsides within ¼ mile of the road.</p> <p>As acknowledged by the U.S. 9th Circuit Court of Appeals, BLM must survey for cultural resources along roads available for use in national monuments because of the potential impacts to those resources caused by the use of those roads. <i>Montana Wilderness Ass’n v. Connell</i>, 725 F.3d 988 (9th Cir. 2013). The same holds true here due to the impacts from recreational shooting to cultural resources resulting from road access. With regard to the Upper Missouri River Breaks National Monument, the court held that “BLM failed to make a reasonable effort to identify historical and cultural resources” and “[b]ecause we hold that the NHPA requires Class III surveys solely with respect to roads, ways and airstrips, the government’s concerns about the costs of surveying the entire 375,000-acre Monument do not apply.” <i>Id.</i> at 1009.</p>	<p>An alternative in which the entire Monument would be closed to recreational target shooting was considered and analyzed in the MMPs/EIS. The recreational target shooting closures included in the Approved MMPs would apply to all rock writing sites, regardless of whether they have been documented through an archeological survey.</p> <p>Because developed recreation sites, campgrounds, rock writings, and structural cultural sites are generally the most visited parts of BENM, and because of existing laws and regulations, the BLM determined it was necessary to implement a target shooting closure in those places immediately. In the absence of specific information indicating that target shooting is adversely impacting other Monument objects and values, it was determined that a blanket prohibition on shooting throughout the Monument is not needed. If monitoring shows that target shooting is adversely impacting monument objects and values, the BLM has tools at its disposal to expand the target shooting restriction to cover additional areas.</p> <p>Additionally, the target shooting closure in the Approved MMPs is an increase in the protection of cultural resources as it relates to target shooting when compared to the 2008 Monticello RMP. The BLM and its partners closely monitor cultural resources, and, if deemed necessary because of adverse impacts to the Monument’s objects and values, the BLM could expand the target shooting restrictions under 43 CFR 8364.1 and/or a plan amendment.</p> <p>The MMPs provide area-wide land use allocations and restrictions while providing for casual use opportunities; however, the MMPs do not authorize site- or route-specific implementation-level actions. The EIS was developed to analyze the impacts of the MMPs contained an appropriate planning-level analysis of the target shooting restrictions contained within the MMPs. Appropriate inventories, public involvement, and consultation would be conducted to support site-specific actions authorized, funded, or carried out by the BLM. The BLM will monitor and, where appropriate, enforce the management established in the MMPs during implementation of the plans.</p> <p>For future implementation-level actions, as noted in Section 3.5.2.1 of the MMPs/EIS, “[t]he requirements of the NHPA (Public Law 89-665 and 54 USC 300101 et seq., as amended) and its implementing regulations (typically referred to as the Section 106 process) to identify historic properties, evaluate them for adverse effects, and resolve any adverse effects would be applied at an implementation-level (site-specific) basis for all lands in the Planning Area.” These inventories and analyses would be conducted, as appropriate per policy and Section 106 agreements, during the development of future implementation-level plans, such as a travel management plan, recreation area</p>
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Comment Number	Name/ Organization	Comment	BLM Response
			management plan/business plan, and cultural resources management plan. In an effort to inform agency decision-making, including the development of the activity-level cultural resources management plan and travel management plan, the BLM has already begun surveying for cultural resources.
16	TWS et al.	<p>C. The agencies must prioritize protection of paleontological resources in the Monument pursuant to Proclamation 9558.</p> <p>"The paleontological resources in the Bears Ears area are among the richest and most significant in the United States." Proclamation 9558. However, the planned shooting closures would do nothing to protect them. The BLM acknowledges that target shooting presents a risk to paleontological resources, many of which were primary reasons for the Monument's designation and are identified as monument objects requiring protection. Proposed MMP 3-34. While the agencies considered alternatives that would have prohibited shooting near paleontological resources, the preferred alternative does not, and the agencies offer no explanation for their decision not to protect these important monument objects. <i>Id.</i> To fully comply with its existing mandate, the BLM and USFS should expand the target-shooting closure.</p>	See response to comment 14.
17	TWS et al.	<p>D. The agencies must prioritize protection of the natural soundscapes in the Monument pursuant to Proclamation 9558.</p> <p>Target shooting within the planning area would also compromise its "rare and arresting quality of deafening silence." See Proclamation 9558. The area's natural quiet is a crucial aspect of the landscape. Target shooting in "one of the most intact and least-roaded areas in the contiguous United States" is clearly inconsistent with the Monument's "identified value of natural quiet, as specified in the Proclamation." See Proposed MMP 3-41. The noise from target shooting is also disruptive to the wide variety of wildlife species the area supports, which are themselves protected as monument objects. See Proclamation 9558. While the BLM acknowledges that target shooting could "result in adverse noise disturbances to wildlife species," Proposed MMP 3-98, and "adversely impact migratory birds," <i>Id.</i> at 3-101, it does not explain how its limited closures will protect wildlife, violating its responsibilities under National Environmental Policy Act (NEPA), FLPMA, and the Antiquities Act.</p>	See response to comment 14.
18	TWS et al.	<p>The agencies must prioritize protection of quiet recreation opportunities in the Monument pursuant to Proclamation 9558.</p> <p>In addition to the "numerous objects of historic and of scientific interest" within the planning area, Proclamation 9558 recognizes its "world class outdoor recreation opportunities, including rock climbing, hunting, hiking, backpacking, canyoneering, whitewater rafting, mountain biking, and horseback riding." The listed activities—which do not include target shooting—are all congruent with the BLM's commitment to "the proper care and management of natural quiet that enhances recreational experiences." See Proposed MMP 2-13. Target shooting is not. Rock climbing, hiking, backpacking, canyoneering, and whitewater rafting do not take place primarily at campgrounds and developed recreation sites; closing these limited areas to target shooting does nothing to prevent potential conflicts. In these situations, the BLM has decided that "management actions would generally favor maintenance and enhancement of the [activities listed in the Proclamation]." See Proposed MMP 2-13. Thus, the BLM's stated goals—which include "providing for recreational and visitor services while ensuring the proper care and management of cultural resources" and "[m]anag[ing] recreation to protect human health and safety"—support expanding the target-shooting closures to the entire monument. <i>Id.</i></p>	See response to comment 14.
19	TWS et al.	<p>F. The agencies must prioritize public safety in the Monument.</p> <p>The Dingell Act specifically recognizes the need to manage public land for public safety, which may entail target-shooting closures. Public Law 116-9 § 4103(a)(1). The undersigned groups support the agencies' decision to prohibit target shooting in campgrounds and developed recreational areas, a necessary first step in managing for visitor safety. However, many of the "world class outdoor recreation opportunities" the area offers occur outside of these protected zones. A wider closure area is needed to make the public lands safer for the public. The Proposed MMP notes that "[w]here problem areas occur regarding target shooting, the agencies would post signs notifying visitors of restrictions and would consider implementing supplemental rules." See Proposed MMP 2-14 and 2-17. Unfortunately, such potential problem areas would only be identified <i>after</i> a problem occurs—and problems related to target shooting can have serious consequences. To avoid irreparable damage to monument</p>	See response to comment 14.

Comment Number	Name/ Organization	Comment	BLM Response
		objects, protect public health and safety, and fully comply with existing laws, the BLM should expand its proposed shooting closures to encompass the entire planning area.	
20	Becky Lawlor	I wanted to comment that I am in favor of a target shooting closure in campgrounds, developed recreation sites, petroglyphs, and structural cultural resource sites such as cliff dwellings on BLM-administered lands within the Bears Ears Monument. This seems like a common-sense rule both for the safety of other humans and to protect these culturally valuable sites from damage.	Comment in support of the BLM's proposed recreational target shooting closure has been noted.
21	Coalition for American Heritage	<p>The Coalition for American Heritage submits the following comments regarding the proposed target shooting closure at locations within the Bears Ears National Monument. While we support the intent of the proposed closure as a means of protecting sensitive cultural and sacred sites and objects, we also must point out that this action is part of a series of inappropriate and illegal steps taken by the administration with regards to National Monuments. The Coalition for American Heritage ("Coalition") is an advocacy coalition that protects and advances our nation's commitment to heritage preservation. The Coalition collectively represents more than 350,000 cultural resource management professionals, academic archaeologists and anthropologists, and other subject-matter experts with an interest in historic preservation.</p> <p>The proposed closure of target shooting at campgrounds, developed recreation sites, petroglyph sites, and structural cultural sites on Bureau of Land Management (BLM) lands within the Bears Ears National Monument would be welcome progress in providing greater protection for threatened heritage resources that are by their very nature irreplaceable. Nevertheless, we cannot help but remind the BLM that, as we pointed out in comments filed in November 2018 on the proposed management plans for the Shash Jáa and Indian Creek National Monuments, it is our contention that Presidential Proclamation 9681—which shrank the Bears Ears and Grand Staircase-Escalante National Monuments—was issued without any authority granted to the President under the Antiquities Act. It is our further belief that the federal courts will overturn Proclamation 9681 in lawsuits filed against the administration by concerned stakeholders. SAA is an amicus supporter of those suits.</p> <p>When the administration's actions are rendered invalid by the judiciary, the Bears Ears and Grand Staircase-Escalante National Monuments will be restored. Once that occurs, we urge the BLM to implement the target shooting closure it has outlined in the current proposal, as our shared cultural past deserves protection from all types of human-caused damage, including target shooting, be it deliberate or accidental. Until the court's opinion is known, the Coalition encourages BLM to maintain target shooting closures at sensitive cultural and sacred sites in order to protect our national heritage.</p>	<p>Comment in support of the BLM's proposed recreational target shooting closure has been noted. The BLM may consider additional recreational target shooting closures without amending the MMPs if determined necessary to provide for the proper care and management of Monument objects and values. The BLM is conducting planning for the BENM according to the boundaries described in the Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, because there has been no judicial determinations that Presidential Proclamation 9681 is unlawful.</p>

7.2 Protest Resolution

On July 26, 2019, the U.S. Environmental Protection Agency published a *Federal Register* NOA for the Proposed MMP/Final EIS (84 *Federal Register* 36099), beginning a 30-day protest period that ended on August 25, 2019. Pursuant to the BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process and had an interest that may be adversely affected by the decisions in the MMPs was allowed to submit a protest of proposed planning decisions within 30 days of when the NOA of the Proposed MMPs/Final EIS was published in the *Federal Register*. Note that the BENM Proposed MMPs did not contain any implementation decisions subject to appeal.

Resolution of protests is delegated to the BLM Assistant Director for Resources and Planning on behalf of the Director of the BLM, whose decision on the protest is the final decision of the U.S. Department of the Interior (43 CFR 1610.5-2(b)). The Assistant Director received 35,981 protest letters timely filed during the 30-day protest period. In accordance with 43 CFR 1610.5-2(a), 35,977 of these letters were dismissed either because the commenter did not have standing or because the letter did not contain valid protests. The remaining four protest letters were valid and contained protest issues that required a response from the BLM.

The BLM Assistant Director's decisions on the protests are summarized in the *Bureau of Land Management and Forest Service Protest Resolution Report Bears Ears National Monument Proposed Monument Management Plans and Final Environmental Impact Statement* (BLM and USFS 2019b), which is available on the BLM website at: <https://www.blm.gov/programs/planning-and-nepa/public-participation/protest-resolution-reports>.

The BLM Assistant Director concluded that the BLM Utah State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input in developing the proposed plan. Each protesting party was notified of the Assistant Director's findings and the disposition of their protests. The BLM Assistant Director resolved the protests without making significant changes to plans; however, the Approved MMPs include minor modifications and clarifications from the Proposed MMPs as explained in Section 3.1.2 Modifications and Clarifications.

7.3 Consultation and Coordination

7.3.1 Cooperating Agencies

Federal regulations direct the BLM to invite eligible Federal agencies, State and local governments, and Federally recognized American Indian Tribes to participate as cooperating agencies when drafting an EIS. The agencies and Tribes listed in Table 2 were invited to participate in the preparation of the MMPs/EIS as cooperating agencies. Other agencies requested cooperating agency status as part of their scoping comments.

Table 2. Invited Cooperating Agencies and Tribes

Agencies and Tribes Invited to be Cooperating Agencies	Agencies and Tribes that Accepted	Agencies and Tribes Invited to be Cooperating Agencies	Agencies and Tribes that Accepted
Blanding City	X	Pueblo of San Ildefonso	
Monticello City	X	Pueblo of Sandia	

Agencies and Tribes Invited to be Cooperating Agencies	Agencies and Tribes that Accepted	Agencies and Tribes Invited to be Cooperating Agencies	Agencies and Tribes that Accepted
Confederated Tribes of the Goshute Indian Reservation		Pueblo of Santa Ana	
Grand County Council		Pueblo of Santa Clara	
Hopi Tribe		Pueblo of Santo Domingo (Kewa)	
Kaibab Band of Paiute Indians	X	Pueblo of Taos	
National Park Service	X	Pueblo of Tesuque	
Navajo Nation		Pueblo of Ysleta del Sur	
Northwest Band of the Shoshone Nation		Pueblo of Zia	
Paiute Indian Tribe of Utah		Pueblo of Zuni	
Pueblo of Acoma		San Juan County	X
Pueblo of Cochiti		Skull Valley Band of Goshute Indians	
Pueblo of Isleta		Southern Ute Tribe	
Pueblo of Jemez		State of Utah	X
Pueblo of Laguna		State of Utah School and Institutional Trust Lands Administration	X
Pueblo of Nambe		Ute Indian Tribe of the Uintah and Ouray Reservation	
Pueblo of Ohkay Owingeh		U.S. Forest Service	X
Pueblo of Picuris		Ute Mountain Ute Tribe	
Pueblo of Pojoaque		White Mesa Community of the Ute Mountain Ute Tribe	
Pueblo of San Felipe	X		

The BLM worked closely with the cooperating agencies to develop alternatives and guide the analysis contained in the EIS. This process included a review of the issues raised during scoping, cooperating agency workshops held during the alternatives development process, and reviews of the analysis contained in the Draft EIS and Final EIS. Cooperating agency involvement was initiated during the scoping process and has continued through the publication of the Proposed MMPs/Final EIS and preparation of the Approved MMPs/ROD.

7.3.2 National Historic Preservation Act Section 106 Consultation

At the beginning of the scoping process, the BLM and USFS notified the public that they would coordinate their public consultation obligations under the NHPA (54 USC 300101 et seq.) through this NEPA process as provided for in 36 CFR 800.2(d)(3). The BLM consulted with the State Historic Preservation Office (SHPO) as per the regulations implementing the NHPA at 36 CFR Part 800. The SHPO, through the Public Lands Policy Coordinating Office (PLPCO), participated in development of the MMPs/EIS as a cooperating agency. This afforded the SHPO with the opportunity to review internal documents that preceded publication of the Draft and Final MMPs/EIS, including the alternatives and environmental analysis. Information submitted by the SHPO through PLPCO was incorporated into the MMPs/EIS as appropriate.

During the scoping process, numerous commenters requested to be consulting parties. The BLM, in consultation with the SHPO, determined that it would undertake additional consultation with consulting parties, as identified in Table 3. On December 14, 2018, the BLM and USFS sent a letter

inviting the organizations and local governments to participate as consulting parties. In the letter, the BLM and USFS also asked for additional information about the potential effects on historic properties that the consulting parties had not already provided. The BLM and USFS also provided a list of Public Use sites provided in the Draft MMPs/EIS, about which the BLM and USFS wanted further input. In a letter sent on January 30, 2019, the BLM and USFS invited the consulting parties to a meeting on February 28, 2019. The BLM and USFS also invited the Tribes to the consulting parties meeting on February 28, 2019, in addition to the government-to-government consultation meeting on February 27, 2019.

Table 3. Consulting Parties

Utah Rock Art Research Association	San Juan County Historical Society
Friends of Cedar Mesa	Edge of the Cedars State Park and Museum
Utah Professional Archaeological Council	Utah School and Institutional Trust Lands Administration
National Trust for Historic Preservation	San Juan County
Utah Diné Bikéyah	Public Lands Policy and Coordinating Office
Hole in the Rock Foundation	City of Blanding
Monticello City	Town of Bluff
Utah Statewide Archaeological Society	

Eleven consulting parties and two Tribes attended the February 28, 2019, meeting in person or over the telephone. Those parties included all or parts of the Utah Professional Archaeological Council, the Utah Rock Art Research Association, Friends of Cedar Mesa, the National Trust for Historic Preservation, Utah Diné Bikéyah, Edge of the Cedars State Park and Museum, the Utah Public Lands Policy and Coordination Office, the Hole in the Rock Foundation, the San Juan County Historical Society, the Town of Bluff, and San Juan County. The Tribes represented were the Pueblo of Santa Clara and the Pueblo of Laguna. At this meeting, the BLM and USFS provided an overview of the information detailed in the letter. The consulting parties, Tribes, and agencies discussed the Public Use sites, historic properties, and potential impacts from the management actions in the BENM. The BLM received formal comments concerning historic properties from consulting parties after the meeting. The BLM also sent a letter to certain consulting parties clarifying their status as consulting parties and clarifying the Section 106 process for the MMPs/EIS.

The BLM sent consulting parties and the Utah SHPO a letter on June 10, 2019, updating them on the BENM MMPs/EIS planning process. The BLM included notes from the February 28, 2019, meeting as an attachment to that letter. In the letter, the BLM invited consulting parties to another meeting concerning historic properties for the BENM MMPs on July 30, 2019. At the meeting on July 30, 2019, the agencies provided an overview of the Proposed MMPs/Final EIS, which was published July 26, 2019. The agencies informed those in attendance that the finding of effect letters would be sent to consulting parties, Tribes, and SHPO in the next few weeks.

On August 2, 2019, the BLM mailed letters to the Utah SHPO and consulting parties (Table 3) describing the agency's findings of effect on historic properties. The letters described the BLM and USFS's consultation efforts, public participation efforts, and cultural resources identification efforts. Based on these efforts, the BLM and USFS made a finding of no adverse effect on historic properties. The BLM and USFS's finding of no adverse effect is based, in part, on the management prescriptions made within areas that have historic properties that are focused on preventing damage to such resources either through limitations or restrictions on public use or through other measures aimed at educating the public about impacts their activities can have on historic properties. Additionally, for those activities that require future approval by the agencies, the proposed MMPs provide direction to ensure future compliance with the requirements of Section 106 of the NHPA, which would allow for review of the potential effects of the specific activities prior to approval. The BLM and USFS received a letter from the Utah SHPO on August 9, 2019,

concurring with the agencies' determinations of eligibility and finding of no adverse effect. Three consulting parties objected to the agencies' finding of no adverse effect on August 30, 2019.

The agencies requested that the Advisory Council on Historic Preservation (ACHP) review the agencies' finding of no adverse effect on September 9, 2019. On October 4, 2019, the ACHP sent a letter to the agencies that raised concerns about the consultation efforts, questioned the support for the agencies' finding of no adverse effect, and encouraged the agencies to prepare a programmatic agreement. On December 12, 2019, the ACHP sent a letter to the agencies indicating that, based on information shared in the agencies' November 25, 2019, letter and during the December 3, 2019, meeting, the ACHP believed that the agencies carried out a reasonable and good faith effort to identify historic properties and that the agencies' no adverse effect finding was reasonable and adequately supported. The ACHP's letter further indicated that the Section 106 review for the planning effort could be concluded without a memorandum of agreement or programmatic agreement. The BLM and USFS sent a letter to the ACHP and consulting parties on December 13, 2019, that acknowledged the ACHP's December 12, 2019 letter, provided a summary of how the ACHP's comments were considered, provided rationale for the agencies' decision, and concluded the Section 106 consultation process. As a result of input from consulting parties and the ACHP, the agencies revised their management decisions related to target shooting to include all rock writing sites rather than just petroglyph sites. Additionally, the agencies modified management decisions related to camping to prohibit camping in cultural resources, not just historic and prehistoric structures. These changes are further explained in Section 3.1.2 Modifications and Clarifications.

7.3.3 Governor's Consistency Review

The BLM's planning regulations require that BLM RMPs be "consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, State and local governments, and Indian tribes, so long as the guidance and resource management plans also are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands" (43 CFR 1610.3-2(a)). In accordance with the regulations, the BLM was aware of and gave consideration to State, local, and Tribal plans and provided for State, local, and Tribal involvement throughout the development of the MMPs. The BLM found that the Proposed MMPs are generally consistent with the state and county plans (Section 1.7 of the Proposed MMPs/Final EIS).

The Governor's consistency review ran for 60 days from July 26, 2019, to September 24, 2019. On September 23, 2019, the Governor of Utah submitted a letter to the BLM identifying potential inconsistencies between the MMPs and state and local plans. Refer to the Modifications and Clarifications section (Section 3.1.2) of the ROD for a description of changes to the MMPs as a result of issues raised in the letter. On December 2, 2019, the BLM provided a written response to the Governor, addressing each of the issues raised in the consistency review.

7.3.4 American Indian Tribal Consultation and Coordination

Federal law requires the BLM and USFS to consult with American Indian Tribes during the planning/NEPA process. On approximately April 20, 2018, the BLM and USFS sent invitations to potentially interested American Indian Tribes inviting them to participate in a consultation meeting held in Bluff, Utah (Table 4). On May 10, 2018, BLM Utah leadership, including State Director Ed Roberson and Canyon Country District Manager Lance Porter, hosted an initial Tribal consultation meeting with the Tribes that were able to attend. Of the Tribes invited to participate, 11 Tribal members representing seven Tribes attended the May 10 meeting. The meeting format was arranged to allow for Tribal members to meet individually with the BLM and USFS in the morning and for a joint meeting with all those present in the afternoon. Several BLM staff attended this

meeting, including the State Director, District Manager, Project Manager, and several resource specialists. The USFS District Ranger and two members of the planning team from the Manti-La Sal National Forest also attended the meeting. The Tribal representatives present chose to forego the individual morning meetings and decided to meet as a group for the day. Tribes that were present were the Kaibab Band of Paiute Indians, Paiute Indian Tribe of Utah, Pueblo of Acoma, Pueblo of Laguna, Pueblo of San Felipe, Pueblo of Tesuque, and Ute Mountain Ute Tribe. Tribes requested that their concerns be acknowledged and considered during this planning process. Tribes also expressed concerns with the reduction of the Monument and the timeline for the planning effort. Tribes asked for continued consultation, including a visit to an All Pueblo Council of Governors meeting in Santa Fe, New Mexico. In response to their request, BLM State Director Ed Roberson committed to attend and present the BENM planning effort to the council.

Table 4. American Indian Tribes Invited to Participate in Government-to-Government Consultation

All Pueblo Council of Governors*	Pueblo of Pojoaque
Colorado River Indian Tribes	Pueblo of San Felipe
Confederated Tribes of the Goshute Indian Reservation	Pueblo of San Ildefonso
Hopi Tribe	Pueblo of Sandia
Kaibab Band of Paiute Indians	Pueblo of Santa Ana
Navajo Nation	Pueblo of Santa Clara
Navajo Utah Commission*	Pueblo of Santo Domingo (Kewa)
Navajo Nation, Oljato Chapter	Pueblo of Taos
Navajo Nation, Red Mesa Chapter	Pueblo of Tesuque
Northwest Band of the Shoshone Nation	Pueblo of Ysleta del Sur
Paiute Indian Tribe of Utah	Pueblo of Zia
Pueblo of Acoma	Pueblo of Zuni
Pueblo of Cochiti	San Juan Southern Paiute Tribe
Pueblo of Isleta	Skull Valley Band of Goshute Indians
Pueblo of Jemez	Southern Ute Tribe
Pueblo of Laguna	Ute Indian Tribe of the Uintah and Ouray Reservation
Pueblo of Nambe	Ute Mountain Ute Tribe
Pueblo of Ohkay Owingeh	White Mesa Community of the Ute Mountain Ute Tribe
Pueblo of Picuris	

* Consultation letters were sent to the Navajo Utah Commission and the All Pueblo Council of Governors as a courtesy; this does not constitute government-to-government consultation.

The BLM and USFS drafted an American Indian Tribal Collaboration Framework (Appendix F of the Approved MMPs) to provide structure and meaning to future collaboration and consultation with the Shash Jáa Commission or comparable entity and interested Tribes after the signing of ROD and the adoption of the MMPs. This collaboration framework was shared with the Shash Jáa Commission/Bears Ears Inter-Tribal Coalition and the interested Tribes as an attachment to a letter dated July 13, 2018. The July 13 letter included an invitation to the Shash Jáa Commission and invited interested Tribes to participate in a conference call held on July 25, 2018. Representatives from the Pueblos of Acoma and San Felipe, the Kaibab Band of Paiute Indians, the Paiute Indian Tribe of Utah, the USFS, and the BLM participated in the call. A follow-up email for this conference call was sent to the Shash Jáa Commission and interested Tribes on July 30, 2018, that included the American Indian Tribal Collaboration Framework. The email also included a reminder of meetings for government-to-government consultation and the Shash Jáa Commission that were on August 29 and 30, 2018.

In advance of the August 29, 2018, meeting for all Tribes, the BLM met with the Pueblo of San Felipe privately on August 29, 2018, to discuss cooperating agency status. At the all-Tribes meeting

later that day, the BLM met with representatives from the Ute Mountain Ute Tribe and the Bears Ears Inter-Tribal Coalition. The invitation for the meeting was included in letters sent on July 13, 2018, to the 32 Tribes for government-to-government consultation and to the Shash Jáa Commission/Bears Ears Inter-Tribal Coalition. In that letter, a meeting was offered to the Shash Jáa Commission/Bears Ears Inter-Tribal Coalition for August 30, 2018. However, the representatives for the Bears Ears Inter-Tribal Coalition verbally notified the BLM that they would not attend the meeting.

On August 17, 2018, the BLM notified the 32 Tribes of the availability of the Draft MMPs/EIS for comment. The letter included guidance for locating the Draft MMPs/EIS and other documents on the BLM's ePlanning website and how to comment on the Draft MMPs/EIS.

In the fall of 2018, the BLM held multiple consultation meetings with Tribes that expressed interest in the BENM and development of the MMPs. The BLM met with the Kaibab Band of Paiute Indians near Fredonia, Arizona, on September 20, 2018. The BLM met with representatives from the Pueblo of Acoma on October 9 and 10, 2018, to discuss the BENM planning effort and other topics in the Monticello Field Office. The BLM met with the Ute Indian Tribe of the Uintah and Ouray Reservation and the Ute Mountain Ute Tribe in Montrose, Colorado, on October 11, 2018, with the intention of discussing the BENM, but the Tribes informed the BLM that they were advised not to discuss the BENM. On October 17, 18, and 19, the BLM, including State Director Ed Roberson, went to New Mexico to present to the All Pueblo Council of Governors and consult with Tribal representatives at the Pueblo of Laguna, the Pueblo of Acoma, and the Pueblo of San Felipe.

In a letter dated December 14, 2018, the Tribes were invited to a government-to-government consultation meeting on January 9, 2019, and a consulting party meeting on January 10, 2019. These meetings were not held as scheduled as a result of the lapse in appropriations for the BLM. In a letter dated January 30, 2019, the Tribes were notified that the meetings were rescheduled; that a government-to-government consultation meeting would be held on February 27, 2019; and that a consulting party meeting would be held on February 28, 2019.

On February 27, 2019, 15 Tribal representatives from the Ute Mountain Ute, Navajo Nation-Navajo Utah Commission, Ute Indian Tribe of the Uintah and Ouray Reservation, Pueblo of Santa Clara, Pueblo of Laguna, Pueblo of San Felipe, Pueblo of Acoma, Southern Ute Tribe, and the Kaibab Band of Paiute Indians attended or participated via telephone in a consultation meeting to discuss the potential impacts to cultural resources resulting from management actions within the Monument.

On April 15, 2019, the BLM sent letters to American Indian Tribes and Navajo Nation chapter houses requesting face-to-face meetings in order to provide updates and continue Tribal consultation and coordination efforts for the planning effort. Follow-up emails reiterating this request were sent by the BLM on May 3, 2019. In response, Monticello Field Manager Gary Torres and BENM Native American Coordinator Cameron Cox traveled to New Mexico to meet with the Pueblos of San Felipe and Tesuque on May 22 and 23, 2019, and the Pueblos of Acoma and Laguna on June 20, 2019. As part of this effort, State Director Ed Roberson and Canyon Country District Manager Lance Porter provided an informal briefing on the planning process to the Bears Ears Inter-Tribal Coalition in Durango, Colorado, on June 20, 2019.

Following publication of the Proposed MMPs/Final EIS, State Director Ed Roberson and Canyon Country District Manager Lance Porter visited the All Pueblo Council of Governors on August 9, 2019, to discuss BENM MMP planning efforts. Additionally, BLM Monticello Field Manager Gary Torres presented at the All Pueblo Council of Governors meeting on September 26, 2019, in Bluff, Utah.

Additional communication and government-to-government consultation between all interested Tribes, the BLM, and the USFS are ongoing. As part of the desire to build strong relationships with American Indian Tribes, the BLM and USFS will continue to attend informal face-to-face meetings and participate in informal telephone conversations with various Tribal leaders and representatives to discuss the content and implementation of the MMPs. Additional formal government-to-government consultation and informal conversations are expected to continue among the interested Tribes, the BLM, and the USFS throughout the implementation of the MMPs.

7.3.5 *Shash Jáa Commission*

Proclamation 9558 established the Bears Ears Commission, which is composed of one elected officer each from the Hopi Tribe, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah and Ouray Reservation, and Pueblo of Zuni, as designated by the officers' respective Tribes. Proclamation 9558 directed the BLM and USFS to "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."

In anticipation of the planning process, the BLM and USFS attended Bears Ears Commission meetings soon after the Commission formed following the designation of BENM by Proclamation 9558. BLM staff attended meetings on April 21, May 19, and October 27, 2017. BLM and USFS staff hosted a 2-day fieldtrip on June 28–30, 2017, to visit high-priority cultural sites and proposed recreation facility sites. A follow-up fieldtrip with Bears Ears Commission and staff members and San Juan County staff was held on November 14, 2017.

Proclamation 9681 renamed the Bears Ears Commission the Shash Jáa Commission and modified Proclamation 9558 to clarify that the Shash Jáa Commission shall apply only to the Shash Jáa Unit and shall also include the elected officer of the San Juan County Commission representing District 3 acting in that officer's official capacity. On March 16, 2018, the BLM and USFS sent letters to the Hopi Tribe, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah and Ouray Reservation, and Pueblo of Zuni inviting Tribal leaders to participate in an organizational meeting of the Shash Jáa Commission. The elected officer of the San Juan County Commission representing District 3 was also invited to attend. On April 6, 2018, State Director Ed Roberson and Canyon Country District Manager Lance Porter hosted a meeting of the Shash Jáa Commission in Moab, Utah, but no leaders from the five Tribes identified in Proclamation 9558 nor the representatives from the San Juan County Commission attended. On the afternoon of April 6, 2018, the five Tribes identified in the Proclamation (also referred to as the Bears Ears Inter-Tribal Coalition) notified the BLM and USFS in writing that they would not attend Shash Jáa Commission meetings. The Bears Ears Inter-Tribal Coalition further indicated that they would work with the BLM and USFS through government-to-government consultation. The five American Indian Tribes that were to be represented on the Shash Jáa Commission also have been invited to participate in the development of the MMPs/EIS as cooperating agencies. The BLM and USFS are also consulting with the Tribes as required by the NHPA and will continue to encourage the Tribes and San Juan County to participate in the Shash Jáa Commission or comparable entity.

The BLM and USFS drafted an American Indian Tribal Collaboration Framework to provide structure and meaning to future collaboration and consultation with the Shash Jáa Commission and interested Tribes as the BLM and USFS implement the MMPs. This collaboration framework was shared with the Shash Jáa Commission and the interested Tribes as an attachment to a letter dated July 13, 2018. The July 13, 2018, letter included an invitation to the Shash Jáa Commission and interested Tribes to participate in a conference call held on July 25, 2018, and to attend a consultation meeting on August 30, 2018. Representatives from the Pueblos of Acoma and San

Felipe and from the Kaibab Band of Paiute Indians, the Paiute Indian Tribe of Utah, the USFS, and the BLM participated in the call. A follow-up email for this conference call was sent to the Shash Jáa Commission and interested Tribes on July 30, 2018, that included the American Indian Tribal Collaboration Framework. The email was also sent to Tribal governments and representatives of the Navajo Nation, Hopi Tribe, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni (Tribes that make up the Bears Ears Inter-Tribal Coalition). The email included a reminder of the meeting that was to be held on August 30, 2018.

Representatives of the Bears Ears Inter-Tribal Coalition attended a meeting that was scheduled for all Tribes on August 29, 2018. At the end of the meeting on August 29, representatives from the Bears Ears Inter-Tribal Coalition verbally stated to Mr. Porter, Canyon Country District Manager, that they would not be attending the Shash Jáa Commission meeting on August 30, 2018. Mr. Porter and other BLM representatives attended the August 30 meeting, but no Tribal leaders or representatives attended.

Since August 2018, the BLM and USFS attempted to engage representatives of organizations that comprise the Shash Jáa Commission and remind them of the opportunity to participate in the Commission. During this and other outreach completed by the BLM and USFS, the entities that make up the Shash Jáa Commission have not indicated an interest in convening a meeting of the Shash Jáa Commission.

The BLM and USFS are closely engaging with Tribes through government-to-government consultation and as cooperating agencies and will continue to attempt to engage with the Shash Jáa Commission during the implementation of the MMPs in recognition of the importance of Tribal participation in the proper care and management of the objects within the BENM and to ensure that management decisions affecting the Monument reflect and are informed by Tribal expertise and traditional and historical knowledge.

7.3.6 Monument Advisory Committee

Presidential Proclamation 9558 provides that “The Secretaries, through the BLM and USFS, shall establish an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App) to provide information and advice regarding the development of the management plan and, as appropriate, management of the monument.” The Monument Advisory Committee’s charter was signed on August 24, 2018, and memorialized a 15-member committee that includes State and local government officials, Tribal members, representatives of the recreation community, local business owners, and private landowners in compliance with Proclamation 9558. A call for nominations was published in the *Federal Register* on August 30, 2018. The Secretary of the Interior appointed the Monument Advisory Committee’s members on April 11, 2019, and a notice of public meeting for the Monument Advisory Committee was published in the *Federal Register* on May 3, 2019. The first Monument Advisory Committee meeting was held on June 5 and 6, 2019. During the meeting on June 5 and 6, 2019, the Monument Advisory Committee heard presentations about and discussed the MMPs, took public comment, and provided the BLM and the USFS input on issues related to the development of the MMPs and management of resources within the Monument. This input included recommendations addressing cultural resources, fire management, lands and realty, lands with wilderness characteristics, livestock grazing, target shooting, and recreation. Many of the Monument Advisory Committee recommendations relate to implementation-level agency actions and will be applied by the BLM at the implementation level. The BLM and USFS used and incorporated recommendations in the development of Alternative E and the Proposed MMPs/Final EIS as summarized below.

Monument Advisory Committee recommendations resulted in revisions to several sections of the MMPs. Section 2.2 (Cultural Resources) of the MMPs was revised to address input regarding

cultural landscapes, identification of a Tribal learning center and ceremonial ground, identification of Public Use sites, and future coordination with the Monument Advisory Committee, Tribes, and other parties. Section 2.3 (Fire Management) of the MMPs was revised to address input regarding chaining. Clarifications were made in Section 2.4 (Lands and Realty) and Section 2.5 (Lands with Wilderness Characteristics) of the MMPs. Section 2.6 (Livestock Grazing) of the MMPs was revised to address input regarding range improvements and to clarify when mitigation may be used to address grazing impacts. Section 2.8 (Recreation and Visitor Services) of the MMPs was revised to address input regarding target shooting and climbing.

The Monument Advisory Committee will continue to meet and advise the BLM regarding the management of the BENM throughout the implementation of the MMPs.

7.3.7 Section 7 Consultation Under the Endangered Species Act

The BLM and USFS initiated informal consultation with the U.S. Fish and Wildlife Service (USFWS) regarding the development of the MMPs in the spring of 2018. The BLM, as the lead Federal agency in the development of the EIS for the BENM MMPs, sent a formal letter to the USFWS with a proposed list of species to be analyzed in the Biological Assessment/Biological Evaluation (BA/BE) in July 2018, and the USFWS subsequently concurred with this list. The BA/BE analyzes the potential impacts from the implementation of management actions authorized under the BENM MMPs on plant, fish, and animal species listed as threatened or endangered under the Endangered Species Act.

Throughout the planning process, the USFWS provided information to the agencies, including recommended conservation measures, which were incorporated into both the MMPs/EIS and the BA/BE. Additionally, the BLM and USFS incorporated changes in the analysis of impacts on threatened and endangered species in the BA/BE and developed new or revised conservation measures suggested by the USFWS, which were incorporated into the Approved MMPs.

The BLM and USFS submitted the BA/BE to the USFWS to initiate formal Section 7 consultation on July 23, 2019. The USFWS issued a Biological Opinion, completing the Section 7 consultation process on September 23, 2019. The USFWS's Biological Opinion determined that the MMPs, which included BMPs, stipulations, and a monitoring strategy, are not likely to jeopardize the continued existence of the species consulted on and are not likely to destroy or adversely modify designated critical habitat. The USFWS also provided recommended conservation measures that would apply to listed and sensitive species in habitats where the species are known to occur or likely to occur. The BLM reviewed the recommended conservation measures and determined they are already identified as goals, objectives, and/or management actions in the Approved MMPs; are addressed in BLM policy; or apply to implementation-level actions that are not evaluated at this time. These conservation measures will be implemented, as appropriate, when site-specific implementation-level decisions are authorized.

8 AVAILABILITY OF THE APPROVED MMPS

Copies of the ROD and Approved MMPs document may be obtained by viewing or downloading the document from the BLM website located at <https://go.usa.gov/xVjXQ>.

Copies of the ROD and Approved MMPs are also available by request from the following locations:

- BLM Monticello Field Office, 365 North Main Street, Monticello, Utah, 84535
- BLM Canyon Country District Office, 82 Dogwood Avenue, Moab, Utah 84532
- BLM Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, Utah 84101

9 APPROVAL

In consideration of the above, the BENM MMPs are hereby approved by the following signatory:

A handwritten signature in blue ink, appearing to read "Anita Bilbao", written over a horizontal line.

Anita Bilbao, BLM Utah Acting State Director

A handwritten date in blue ink, "FEBRUARY 6, 2020", written over a horizontal line.

Date

APPROVED MONUMENT MANAGEMENT PLAN: INDIAN CREEK UNIT

1 INTRODUCTION

The Bears Ears National Monument (BENM, or Monument) was established by Presidential Proclamation 9558 on December 28, 2016. On December 4, 2017, Presidential Proclamation 9681 clarified and modified the boundaries of the BENM. The revised BENM boundary includes two separate units known as the Shash Jaa and Indian Creek Units that are reserved for the proper care and management of the objects of historic and scientific interest within their boundaries (Appendix A).

Prior to the completion of this Approved Monument Management Plan (MMP), the Federal lands within the Indian Creek Unit were managed by the Bureau of Land Management (BLM) under the *Bureau of Land Management Monticello Field Office Record of Decision and Approved Resource Management Plan* (hereafter referred to as the Monticello RMP), as amended (BLM 2008). The BLM has prepared this Approved MMP pursuant to the BLM land use planning regulations (43 Code of Federal Regulations [CFR] Part 1600) and the National Environmental Policy Act (NEPA) of 1969.

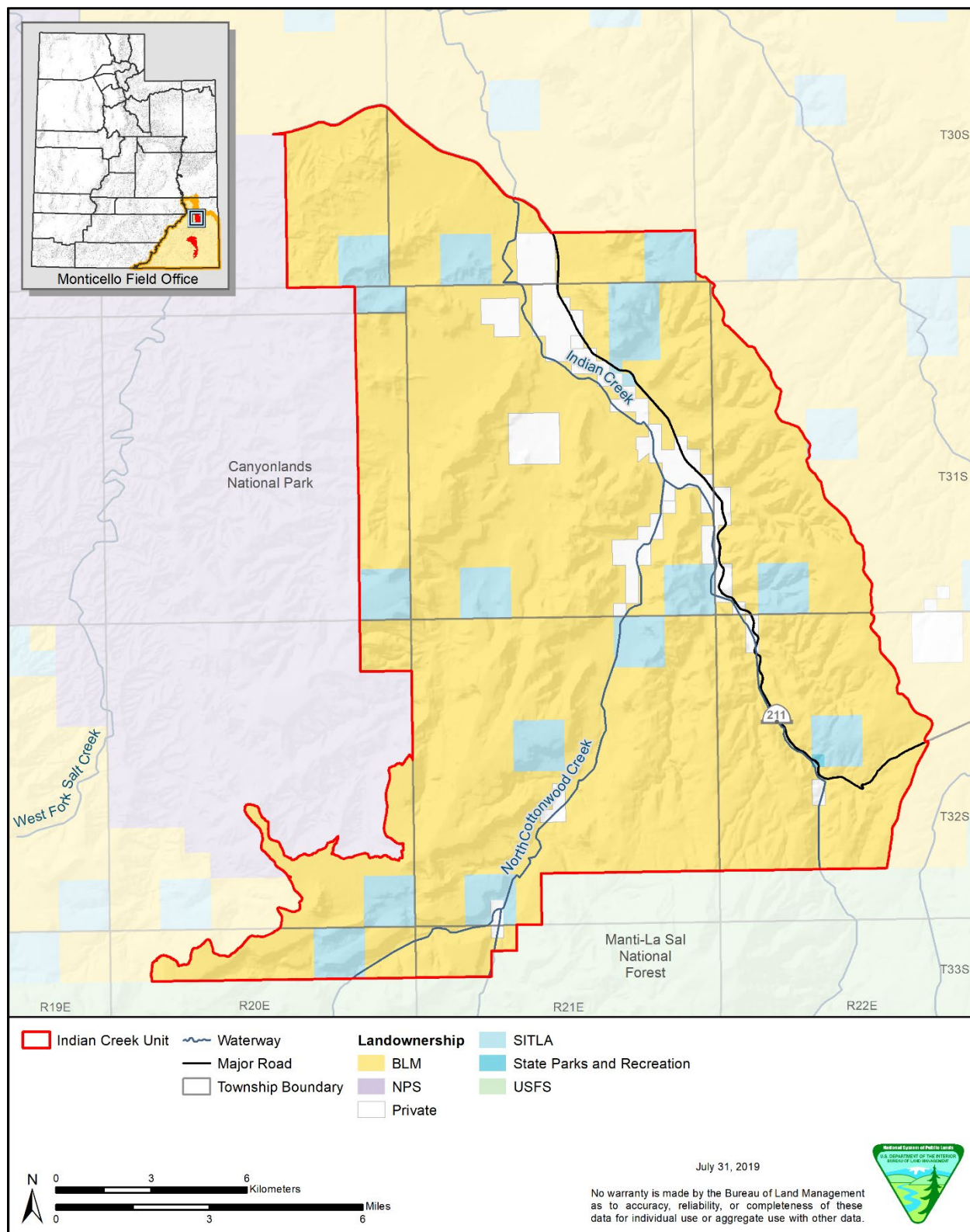
The Approved MMP for the Indian Creek Unit of the BENM replaces the 2008 Monticello RMP and is now the base land use plan for public lands administered by the BLM's Monticello Field Office within the boundaries of the Indian Creek Unit of the BENM. The Approved MMP for the Indian Creek Unit adopts the management described in the Proposed Plan and Management Common to All Alternatives section presented in the Proposed BENM MMPs/Final EIS (BLM and U.S. Forest Service [USFS] 2019), with adjustments as described in the *Modifications and Clarifications* section of the Record of Decision.

1.1 Indian Creek Unit Description

The Indian Creek Unit contains 71,896 acres of BLM-administered lands in San Juan County, Utah (Map 1). The Indian Creek Unit is accessed by Utah State Route 211, which is also the primary access to the Needles District of Canyonlands National Park. The Unit is bounded by the Manti-La Sal National Forest to the south, Canyonlands National Park to the west, Lockhart Basin to the north, and the Harts Point Road to the east. Indian Creek flows through and bisects the Unit. Indian Creek Canyon begins as a narrow canyon in the southeastern portion of the Unit and opens into a broad valley bottom that is rimmed by Wingate Sandstone cliffs. Lavender Mesa and Bridger Jack Mesa are in the southern portions of the Indian Creek Unit. North and South Six Shooter Peaks are prominent features in the Indian Creek valley. Newspaper Rock, a well-known petroglyph panel, is in the southern end of the Unit in the main canyon of Indian Creek. Dugout Ranch, now owned by The Nature Conservancy, is located within the Indian Creek Unit and is home to the Canyonlands Research Center.

Primary existing land uses in the Indian Creek Unit include recreation and livestock grazing. The recreation activities include rock climbing, hiking, camping, dispersed camping, scenic driving, cultural tourism, and off-highway vehicle (OHV) riding. Rock climbing is the most popular recreational use in the area. Scientific research is being conducted on soil and vegetation resources in the area. The Indian Creek Unit contains the Lavender Mesa and Shay Canyon Areas of Critical Environmental Concern (ACECs), the Indian Creek Special Recreation Management Area (SRMA), the Bridger Jack Mesa Wilderness Study Area (WSA), and Utah State Route 211 (Indian Creek Corridor Scenic Byway).

Map 1. Bears Ears National Monument - Indian Creek Unit



1.2 Consideration of Other Plans and Policies

The BLM recognizes the importance of state, tribal, and local plans. By law, regulation, and policy, the BLM will be “consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, State and local governments, and Indian tribes, so long as the guidance and resource management plans also are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands” (43 CFR 1610.3-2(a)). The following plans and strategies should be considered through coordination with the applicable government agency during implementation of the Indian Creek MMP:

- San Juan County Master Plan (San Juan County 2008)
- San Juan County Resource Management Plan (San Juan County 2017)
- *Utah Wildlife Action Plan* (Utah Division of Wildlife Resources [UDWR] 2015)
- *State of Utah Resource Management Plan* (State of Utah 2018)

2 MANAGEMENT DECISIONS

This section of the Approved MMP for the Indian Creek Unit presents the goals and objectives, land use allocations, and management actions established for public lands in the Indian Creek Unit managed by the BLM. These management decisions are presented by program area. A Monitoring Strategy (Appendix C) is also included for each program to describe how the program decisions will be evaluated to determine effectiveness in achieving MMP objectives or making progress toward them. A separate Cultural Resources Monitoring Framework (Appendix D) has also been developed.

Data used in development of the Approved MMP for the Indian Creek Unit are dynamic. The data and maps used throughout the Approved RMP are for land use planning purposes and will be refined as site-specific planning and on-the-ground implementation occur. Updating data is considered plan maintenance and will occur over time as the MMP is implemented (see Section 3, Management Plan Implementation). Please note that all acreages presented in the Approved MMP are estimations, even when presented to the nearest acre.

The management actions are organized alphabetically by program area with the following titles. For ease of identification into the future, each program area has an identified abbreviation and each decision in that program is numbered in coordination with the abbreviation:

Management Common to All Decisions—**MCA**

Cultural Resources—**CUL**

Fire Management—**FIRE**

Lands and Realty—**LAR**

Lands with Wilderness Characteristics—**LWC**

Livestock Grazing—**GRA**

Paleontological Resources—**PAL**

Recreation and Visitor Services—**REC**

Riparian and Wetland Resources—**RIP**

Soil and Water Resources—**SOLW**

Special Designations—**SPEC**

Special Status Species—**SSP**

Travel and Transportation Management—**TM**

Vegetation—**VEG**

Visual Resource Management—**VRM**

Wildlife and Fisheries—**FWL**

Woodlands and Forestry—**FOR**

2.1 Management Common to All Resources (MCA)

MCA-1

Apply best management practices (BMPs) (Appendix E) and stipulations (Appendix F) to discretionary surface-disturbing activities, as appropriate.

MCA-2

Implement a Monitoring Strategy (see Appendix C) to monitor the impacts of land use plan decisions on Monument objects and values over the life of the plans.

2.2 Cultural Resources (CUL)

2.2.1 *Goals and Objectives*

- Identify and evaluate cultural resources, especially within areas of increased visitation and visibility.
- Identify and evaluate potential traditional cultural properties (TCPs), American Indian sacred sites, cultural landscapes, and traditionally significant vegetation and forest products.
- Identify an appropriate location for a Tribal learning center and ceremony grounds to facilitate educational opportunities within Tribal communities with youth groups, elders, or other similar groups.
- Facilitate American Indian Tribal use of sacred sites or other sites within the Monument for ceremonies and gatherings as identified by Tribes.
- Manage cultural resources in collaboration with American Indian Tribes as stated in Presidential Proclamation 9558, as amended by Proclamation 9681, for present and future generations in ways consistent with their scientific, educational, recreational, and traditional American Indian uses.
- Manage cultural resources to ensure that the region's historical features and irreplaceable components are adequately protected consistent with the protection, preservation, and enhancement of Monument objects and values.
- Manage natural resources important to American Indian Tribes for cultural uses.
- When permitted collection of archaeological objects for protection or scientific research occurs, the BLM will curate those objects in local museums and/or provide them for local exhibit when possible.
- Educate recreational users on methods to avoid and reduce impacts to sensitive cultural resources.
- Provide for interpretation and education of the public about cultural resources important to the objects and values of the Monument.
- Provide for use by American Indians and affected communities of potential TCPs, American Indian sacred sites, cultural landscapes, and traditionally significant vegetation and forest products.

- Collaborate with American Indian Tribes to educate Special Recreation Permit (SRP) holders and participants about the cultural history of the Monument, backcountry site visitor etiquette, and stewardship.
- Collaborate with the State of Utah, San Juan County, and American Indian Tribes on the administration of the BENM, including coordinating law enforcement efforts.

2.2.2 *Management Actions*

CUL-1

The BLM will allocate cultural resources to Scientific Use, Traditional Use, Public Use (Developed), or Public Use (Undeveloped) categories, as appropriate. Appendix G provides the criteria for allocating sites and management for those allocations.

CUL-2

An activity-level cultural resources management plan will be developed within 2 years of the completion of this MMP in coordination with Tribes, the Monument Advisory Committee, consulting parties, cooperating agencies, and other interested stakeholders. The cultural resources management plan will provide site-specific, implementation-level direction to effectively manage recreation and other uses while protecting the integrity of significant cultural resources. This plan will include the following:

- Standard methods for identifying and evaluating cultural resources, including TCPs, American Indian sacred sites, cultural landscapes, and traditionally significant vegetation and forest products
- A detailed monitoring and mitigation plan for cultural resource sites allocated to Public Use (Developed or Undeveloped)
- Coordination with the Monument Advisory Committee, Tribes, cooperating agencies, and recreational and volunteer groups to assist with monitoring, education, and interpretation
- An interpretation plan that identifies types of sites meeting education goals, including suitability of sites allocated to Developed Public Use and consideration of sites to add or drop from the Developed Public Use allocations
- Site-specific criteria for addressing SRP applications requesting visitation to cultural resource sites
- Identification of criteria for sites and areas in need of stabilization and protective measures (e.g., fences and/or surveillance equipment)

CUL-3

Protective measures will be established and implemented for sites, structures, objects, and traditional use areas that are important to Tribes with historical and cultural connections to the land to maintain the viewsheds and intrinsic values, as well as the auditory, visual, and aesthetic settings of the resources. Protection measures for undisturbed cultural resources and their natural settings will be developed in compliance with regulatory mandates and American Indian Tribal consultation (Appendix H).

CUL-4

The BLM will proactively reduce hazardous fuels or mitigate the potential hazard around archaeological and cultural sites that are susceptible to destruction by fire from prescribed or wildfire. Management response to fire will follow guidelines described in Section 2.3 and in current implementation level fire management planning documents.

CUL-5

Recreation use of domestic pets and pack animals will not be allowed in cultural resource locations listed on or eligible for the National Register of Historic Places (NRHP) with the exception of historic roads and trails. Where problems occur, the BLM will evaluate posting signs to notify visitors of restrictions.

CUL-6

Camping will not be allowed within cultural resources (including archaeological resources).

CUL-7

Campfires will not be allowed in archaeological sites. An exception to this may be made to allow campfires in archaeological sites for American Indian traditional, medicinal, and ceremonial purposes.

CUL-8

Ropes and climbing aids will not be allowed to access cultural sites (including archaeological resources) unless used for scientific purposes with a permit, for Tribal administrative access, or for emergencies.

CUL-9

Cultural sites may be closed to visitation when they are determined to be at risk or pose visitor safety hazards.

CUL-10

As funding is available, the BLM will conduct Class III cultural resource inventories in a manner that complies with Section 110 of the National Historic Preservation Act and Section 14 of the Archaeological Resources Protection Act. Priorities for inventory include the following (in this order):

- Group 1: Areas that receive heavy public use and/or those that lack intensive inventory in relation to current standards
- Group 2: Areas that need records clarification or updating
- Group 3: Areas with little or no previous inventory

These inventory priorities may change in response to changing conditions; uses and input from researchers, educators, and Tribes; or other changed circumstances such as changes in travel management implementation guidelines. Inventory and site documentation will conform to the standards listed in BLM Manual 8100; the BLM will also allow the use of additional field recording protocols in response to research goals and designs, special management, and/or other needs as identified in the future.

CUL-11

Collaborate with American Indian Tribes to allocate cultural resources to uses. Within Recreation Management Zone (RMZs) that have a frontcountry focus (Appendix I), work with the Tribes to allocate other public sites that will be categorized as either Developed Public Use or Undeveloped Public Use for sites that allow a sense of discovery. Within RMZs that have a backcountry focus, sites will generally be categorized as Scientific Use, Traditional Use, Public Use (Undeveloped). These allocations will be consistent with recreational outcome-based goals and objectives for these RMZs. Additional criteria for future allocation of sites are provided in Appendix G.

CUL-12

The BLM will allocate the following cultural sites as Public Use (Developed) because they are currently managed as Public Use sites and are currently subject to high visitation:

- Newspaper Rock
- Shay Canyon

CUL-13

The BLM will continue to consult with Tribes, the Monument Advisory Committee, and the public, as appropriate, to add or remove sites to this list as necessary. Criteria for future allocation of sites are provided in Appendix G.

CUL-14

All access points, trails, and climbing routes will continue to be open. However, if monitoring information indicates impacts to cultural resources, the BLM will consult and resolve any identified adverse effects to historic properties as per 36 CFR Part 800. Resolving management actions could include the following:

- Educate visitors on potential impacts to cultural resources and how to “tread lightly” and/or self-regulate to avoid impacting these resources.
- Work with visitors, organizations, and SRP holders to increase volunteer monitoring and to educate users.
- If impacts continue, the BLM will close or reroute access points, trails, and climbing routes to avoid or reduce impacts to cultural resources or, if closure or routing is not practicable, implement mitigation to avoid significant impacts to site integrity.

CUL-15

- Shay Canyon
 - Hiking will be limited to designated trails and hiking trails will continue to be open to casual use.
 - Management and development of hiking paths and trails will be consistent with maintaining Monument objects and values, including protection of cultural resources.
 - The BLM will provide education or interpretation to inform recreational users of the importance of not impacting cultural resources.
 - If monitoring indicates impacts to cultural resources, the BLM may harden, reroute, or close trails as necessary to protect sites.

CUL-16

When identified by Tribes as necessary for ceremonies and gatherings, implement actions to minimize potential conflicts with other resource uses that could interfere with ceremonies and gatherings. Sensitive cultural information will be kept confidential and safeguarded from release to the extent allowed by law.

2.3 Fire Management (FIRE)

2.3.1 *Goals and Objectives*

- Maintain or increase existing level of vegetation treatments. Treatment priorities will be identified to make progress in moving areas in Vegetation Condition Class (VCC) III to II, and VCC II to I.
- For vegetation cover types in proper functioning condition (PFC), use fire management as necessary to maintain that PFC.

2.3.2 *Management Actions*

FIRE-1

Wildland fire will be utilized to protect, maintain, and enhance resources, and, when possible, will be allowed to function in its natural ecological role.

FIRE-2

Hazardous fuels reduction treatments will be used to restore ecosystems; protect human, natural, and cultural resources; and reduce the threat of wildfire to communities.

FIRE-3

Protection of human life will be the primary fire management priority. Establishing a priority among protecting human communities and community infrastructure, other property and improvements, and natural and cultural resources will be based on human health and safety, the values to be protected, and the costs of protection. Fire management decisions and actions will consider the following:

- Protection of cultural resources and/or cultural landscapes
- Maintaining existing healthy ecosystems
- High-priority subbasins or watersheds, including watersheds that are impaired or that support important natural or cultural resources
- Habitat needs of threatened, endangered, or special status species
- Protection of recreation sites
- Protection of property

FIRE-4

Management of wildfires to meet resource objectives is authorized in the Monument. Consideration of ongoing management decisions and other natural changes will direct periodic reassessment of Desired Wildland Fire Condition (DWFC) and determination of potential areas for wildland fire use. Operational management of wildland fire use is described in the *Moab District Fire Management*

Plan (BLM 1998 as amended). The fire management plan identifies fire management units that may have the potential for wildland fire use.

FIRE-5

Wildfires may be managed to meet resource objectives except when the following resources and values may be negatively impacted and there are no reasonable resource protection measures to protect such resources and values:

- Areas known to be highly susceptible to post-fire cheatgrass (*Bromus tectorum*) or invasive weed invasion
- Important terrestrial and aquatic habitats
- Riparian habitat
- Non-fire-adapted vegetation communities
- Sensitive cultural resources
- Areas of soil with high or very high erosion hazard
- Administrative sites
- Developed recreation sites
- Communication sites

FIRE-6

Fuels treatments will be focused on the DWFC of restoring VCC regimes to ecosystems when feasible, so that future wildfires can be more easily managed. Unless otherwise prohibited, fuels management decisions may include the following activities:

- Mechanical treatments such as mowing, chopping, or chipping/grinding (with a brush cutter), chaining, tilling, cutting, or extraction
- Prescribed fire, including broadcast, underburn, and handpile burning
- Chemical spraying or biological treatments such as insects or goats/sheep/cattle
- Seeding, including aerial or ground application (manual or mechanical)
- Manual treatments, such as thinning, piling, lop and scatter, utilizing manual tools and chainsaws, and planting

FIRE-7

A Normal Year Fire Stabilization and Rehabilitation Plan for the Moab Fire District is in place to meet the Emergency Stabilization & Reclamation (ES&R) program needs and to comply with up-to-date ES&R program policy and guidance. The Normal Year Fire Stabilization and Rehabilitation Plan is a programmatic implementation plan authorizing treatment options specific to vegetative communities and dependent upon post-wildland fire conditions and other site-specific considerations. Treatment actions that are designed according to the type and severity of wildfire impacts and priorities include, but are not limited to, areas where the following criteria apply: it is necessary to protect human life and safety as well as property; unique or critical cultural and/or historical resources are at risk; it is determined soils are highly susceptible to accelerated erosion; perennial grasses and forbs (fire-tolerant plants) are not expected to provide soil and watershed protection within 2 years; there is a need to establish a vegetative fuel break of less flammable

species (greenstrips); unacceptable vegetation, such as noxious weeds, may readily invade and become established; shrubs and forbs are a crucial habitat component for wintering mule deer or other special status species; or stabilization and rehabilitation are necessary to meet MMP objectives.

FIRE-8

Fire suppression in wilderness areas, WSAs, and lands managed for the protection of wilderness characteristics will be through “light-on-the-land” techniques or minimum impact suppression tactics as per BLM Manuals 6320, 6330, and 6340.

FIRE-9

Fuels management decisions will be allowed throughout the Indian Creek Unit with the following restrictions:

- Cultural sites within planned treatment areas will be pretreated with a variety of methods to reduce fuels before the use of prescribed fire.
- Prescribed fire will not be used to treat camping or other high use areas during times of high use.

FIRE-10

All prescribed burns will require coordination with agency biologists to ensure compliance with the Migratory Bird Treaty Act and the Endangered Species Act.

FIRE-11

Mechanical treatments will be allowed only in those areas where the BLM have determined that it will be consistent with the proper care and management of Monument objects and values.

2.4 Lands and Realty (LAR)

2.4.1 *Goals and Objectives*

- Acquire and maintain access to public lands to improve management efficiency, facilitate multiple use, and promote the public's enjoyment of these lands in coordination with other Federal agencies, State and local governments, and private landowners.

2.4.2 *Management Actions*

LAR-1

Minimum impact filming criteria: Filming will be allowed in all areas, provided the following criteria are met:

- The project will not adversely impact sensitive habitat or species.
- The project will not adversely impact American Indian sacred site(s) nor adversely affect NRHP-eligible sites.
- The project will not involve use of pyrotechnics more than a campfire in an appropriate setting.

- Filming will be allowed in all areas, provided impacts to land, air, or water can be avoided, mitigated, or reclaimed and all regulatory requirements can be met (e.g., Wilderness Act, Endangered Species Act [ESA], etc.)
- The project will not involve use of explosives.
- The project, if it involves use of livestock or exotic animal species, will provide certified weed-free feed for those animals and will include provisions for containment and/or capture of animals.
- The project will not involve extensive restriction of public access.
- Limited filming would be allowed in areas with the following sensitive resources, provided that impacts to these sensitive resources can be avoided, mitigated, or reclaimed:
 - Historic, cultural, or paleontological sites
 - American Indian sacred sites
 - Sensitive soils
 - Air quality
 - Sensitive species or habitat
 - Relict environments
 - Wetlands, floodplains, or riparian areas
 - Water quality
 - Wildlife habitat
 - ACECs
 - Wilderness, WSAs, and lands managed to protect wilderness characteristics
- Use of heavy equipment will be allowed, provided that any resource damage can be avoided, mitigated, or reclaimed.
- Criteria for use of aircraft (helicopter, fixed wing, hot air balloons, excluding unmanned aerial vehicles systems [UAVSs/drones]) will be as follows:
 - No landing or refueling will be conducted within WSAs and designated wilderness areas.
 - Use of aircraft in an area with wildlife concerns will be allowed if a survey or inventory by an approved biologist demonstrates that animals are not present or, if animals are present, aircraft use is not proposed for more than 1 day and does not exceed the frequency of two projects per 30-day period.
 - Use of aircraft in areas with high recreational use, WSAs, or areas close to residences is proposed for no more than 2 days and does not exceed the frequency of three 2-day projects per 30-day period.
 - Aircraft use proposed within 0.5 mile of any designated campground will be during low-use times (i.e., weekdays and not during major holidays between 8:00 a.m. and 6:00 p.m.)
 - No landing, taking off, or dropping or picking up any material or supplies with a flying apparatus, or operating aircraft within designated wilderness. Film permittees will observe Federal Aviation Administration flight advisory(s) for flying over designated wilderness.

LAR-2

Additional minimum-impact filming criteria for WSAs on BLM-administered lands:

- If the WSA is designated as Wilderness during on-going filming, the filming will cease until the BLM determines whether, and under what criteria, filming may continue.
- The project will not involve use of more than 20 livestock in these locations. Impacts from livestock can be avoided, mitigated, or reclaimed.
- The project will not involve 15 or more production vehicles. Vehicles will only be allowed on WSA or designated wilderness boundary roads.
- The project will not involve more than 5 people within these areas.
- The activity within these areas will not continue in excess of 10 days.

LAR-3

No lands in the Monument will be available for disposal. Acquisition of lands within the Monument will be pursued with willing sellers or by donation where it will provide for the protection, preservation, or enhancement of the objects and values for which the Monument was designated and/or when it will increase access for hunting, fishing, or other outdoor recreation activities. Any acquired lands will be managed as a portion of the BENM in the same manner as adjacent lands in the BENM unless they required specific management related to Monument objects and values.

LAR-4

As per BLM Manual 6330 and Congressional action, WSAs and Wilderness Areas will be exclusion areas for any rights-of-way (ROWS) (Section 501[a] Federal Land Policy and Management Act). As per the State of Utah v. Andrus, October 1, 1979 (Cotter Decision), the BLM will grant the State of Utah reasonable access to State lands for economic purposes on a case-by-case basis.

LAR-5

The BLM will give land exchanges with the State of Utah priority consideration in terms of acquiring land consistent with the management of Monument objects and values.

LAR-6

Landing on and taking off from existing backcountry airstrips on BLM-administered lands in the Monument will be allowed.

LAR-7

Casual-use landing and take-off of drones/UAVs will not be allowed in the following areas in the Monument:

- Developed recreation areas
- All cultural resource sites
- WSAs
- Designated wilderness
- ACECs

LAR-8

Use of drones/UAVs for administrative use or permitted use will be analyzed on a case-by-case basis per U.S. Department of the Interior Operational Procedures Memorandum (OPM)-11 and Federal Aviation Administration Civil Operations Part 107.

LAR-9

The Indian Creek Unit will be open for ROWs except for the following exclusion and avoidance areas (Appendix B Map B-1):

- Exclusion areas:
 - Bridger Jack Mesa WSA
- Avoidance areas:
 - Shay Canyon ACEC
 - Developed recreation sites
 - Active floodplains, riparian areas, springs, and public water reserves
 - Lavender Mesa ACEC

LAR-10

To request a ROW within the avoidance area, an applicant will be required to meet, at a minimum, one of the following criteria:

- The applicant can demonstrate that there is no practicable route outside of the unit.
- The proposed ROW will be consistent with the proper care and management of the objects and values of the Monument.

LAR-11

ROWs may be issued for maintenance and improvement of existing roads and where necessary to access non-Federal in-holdings if the proposed ROW will be consistent with the proper care and management of objects and values of the Monument.

2.5 Lands with Wilderness Characteristics (LWC)

2.5.1 Goals and Objectives

- As appropriate, consider allowable uses consistent with the goals and objectives for managing lands for wilderness characteristics.

2.5.2 Management Actions

LWC-1

Do not apply any provisions specifically to protect wilderness characteristics. Manage lands with wilderness characteristics for multiple uses, subject to management actions for other resources and resource uses within this plan.

2.6 Livestock Grazing (GRA)

2.6.1 *Goals and Objectives*

- Allow for sustainable grazing that maximizes the contribution to the local community economy while providing for the protection, preservation, and enhancement of the Monument objects and values.
- Monitor rangeland conditions and adapt grazing practices as necessary to maintain or make progress toward long-term rangeland health.
- Maintain and improve existing range improvements, and consider new range improvements (including fencing, access, corrals, cattle guards, troughs, springs, wells, storage tanks, pipelines, guzzlers, and vegetation treatments) to allow for effective range management.
- Manage grazing to maintain a healthy and diverse vegetation community.
- Educate the public about avoiding conflict with livestock and manage livestock grazing to avoid conflicts with recreational users to the extent practicable.

2.6.2 *Management Actions*

GRA-1

Desired utilization levels as management guidelines for key forage species will be identified as needed to monitor use levels on an allotment-specific basis to achieve Desired Future Condition. Where utilization levels have not been established, a use level of 50% will be the management guideline until monitoring data are used to identify an appropriate utilization level for a specific area. Utilization is the proportion or degree of current year's forage production that is consumed or removed by animals (including insects). Utilization data should be analyzed in conjunction with climate, actual grazing use, current or historic impacts (wildfire, livestock, wildlife, insects, etc.), and long-term trend data to help evaluate existing and design future management to meet land use plan objectives.

GRA-2

If monitoring indicates that domestic livestock grazing is impacting Monument objects and values, including the following resources, appropriate mitigation measures may be used to minimize those impacts:

- Developed recreation sites
- Cultural sites
- Paleontological sites
- Riparian areas, springs, and seeps

GRA-3

Continue to authorize current, active, permitted grazing use where consistent with other decisions unless monitoring data or other factors indicate a need for change (e.g., increases or decreases in stocking numbers or changes in Federal land ownership).

GRA-4

Develop offsite water sources where practicable to reduce impacts to riparian areas, seeps, and springs, and improve and increase grazing distribution within and across allotments. Identify grazing allotments that could benefit from improved grazing distribution and prioritize these allotments for the construction of new water sources.

GRA-5

Any range improvements will avoid construction on cultural sites and will avoid creating concentrations of livestock on cultural sites.

GRA-6

The Indian Creek Unit will be available for grazing with the following exceptions, which will be unavailable for grazing (Appendix B Map B-2):

- Bridger Jack Mesa
- Lavender Mesa
- Developed recreation sites (existing and as described in Section 2.8)

GRA-7

The following areas of the Indian Creek Unit will be limited to trailing (Appendix B Map B-2):

- Shay Canyon (boundary area identified for trailing and is not the Shay Canyon ACEC boundary)
- Indian Creek from Kelly Ranch vicinity to USFS boundary

GRA-8

The intention for areas unavailable for grazing will be to use natural topographic features (e.g., pour-offs, canyon walls, etc.) to the extent possible to mitigate direct adverse impacts to various resources from livestock. Where necessary, fencing may be used to augment natural topographical boundaries. Areas made unavailable to grazing may be adjusted through plan maintenance in order to prioritize use of natural topographic features as barriers to reduce adverse impacts to resources.

2.7 Paleontological Resources (PAL)

2.7.1 Goals and Objectives

- Ensure that areas that contain or are likely to contain vertebrate or noteworthy invertebrate or plant fossils and their traces are identified and evaluated prior to authorizing surface-disturbing activities or opening new areas to livestock grazing.
- Promote scientific, educational, and interpretive uses of fossils consistent with applicable laws, policies, and regulations.
- Identify, evaluate, study, interpret, and protect paleontological resources in the Monument.

2.7.2 *Management Actions*

PAL-1

The Monument will be managed to provide for the protection of paleontological resources consistent with Monument objects and values.

PAL-2

All research, inventories, and monitoring of paleontological resources will be conducted in accordance with applicable laws, regulations, and policy.

PAL-3

Casual collection of petrified wood will not be allowed in the Monument. Petrified wood collection is managed by the Petrified Wood Act of 1962, which established petrified wood as a mineral material under the Materials Act of 1947. The Monument has been withdrawn from all mineral entry and exploration.

PAL-4

As funding is available, the BLM will conduct paleontological resources inventories in a manner that complies with the Paleontological Resources Preservation Act. Priorities for inventory include the following (in this order):

- Group 1: Areas that receive heavy public use and/or those that lack intensive inventory in relation to current standards
- Group 2: Areas that need records clarification or updating
- Group 3: Areas with little or no previous inventory

These inventory priorities may change in response to changing conditions; uses and input from researchers, educators, and Tribes; or other changed circumstances such as changes in travel management implementation guidelines. Inventory and site documentation will conform to the standards listed in BLM Manual 8270; the BLM will also allow the use of additional field recording protocols in response to research goals and designs, special management, and/or other needs as identified in the future.

PAL-5

Collection of paleontological objects will be by permit only.

PAL-6

To protect paleontological resources no casual fossil collecting will be allowed within the Monument.

PAL-7

Conduct on-site survey for paleontological resources in Potential Fossil Yield Classification 4 and 5 areas prior to implementing any surface-disturbing activities.

PAL-8

Surface-disturbing activities will avoid or minimize impacts to paleontological resources to the degree practicable. Where avoidance is not practicable, appropriate mitigation to reduce impacts will be developed based on site-specific survey information.

PAL-9

The Authorized Officer has the discretion to modify these survey requirements if they determine that the modification will continue to provide for the proper care and management of Monument objects and values.

PAL-10

If surveys indicate presence of significant paleontological resources on trails and access points, the BLM will close or reroute trails and access points for both casual and permitted use.

PAL-11

If trails and access points cannot be rerouted, the BLM will provide specific education to climbers and hikers on best climbing practices to avoid or minimize impacts to paleontological resources.

PAL-12

Shay Canyon

- Hiking trails will continue to be open to casual use.
- Management and development of hiking paths and trails will be consistent with maintaining Monument objects and values, including protection of significant paleontological resources.
- If monitoring indicates impacts to significant paleontological resources, the BLM may harden, reroute, or close trails as necessary to protect sites.
- The BLM will provide education or interpretation to inform recreational users of importance of not impacting paleontological resources.

2.8 Recreation and Visitor Services (REC)

2.8.1 Goals and Objectives

- Manage, promote, and develop recreation resources while maintaining areas for other resources (e.g., wildlife and fish) and minimizing user conflicts, including providing for recreational and visitor services while ensuring the proper care and management of cultural resources.
- Manage recreation to protect human health and safety.
- Manage designated recreation areas in a manner that promotes desired use and minimizes conflicting uses.
- Develop management actions that are adaptive to recreation trends and changing demands.

- Within the identified SRMAs, manage for 1) the primary activities to achieve the identified experiences and benefits and 2) the physical, social, and operational settings within each area and the activities that occur within them (see Appendix I).
- Focus the recreation program and administer BLM SRPs to conserve the identified recreation outcomes, manage visitor use, protect recreational and natural resources, provide fair market value to the United States, and provide for the health and safety of visitors.
- Provide basic visitor services, including interpretation, information, and education in the context of the desired recreation setting.
- Throughout the life of the plan and as funding allows, evaluate visitor satisfaction on a 5-year basis using such methods as field visits, staff monitoring, and surveys. The objective is to manage recreation such that the achieved minimum visitor satisfaction rating is 80%.
- Manage the Monument to provide for the proper care and management of natural quiet that enhances recreational experiences.

2.8.2 *Management Actions*

REC-1

Developed recreation facilities will be unavailable for private and/or commercial harvest of woodland products including on-site collection of dead wood for campfires.

REC-2

No camping within 200 feet of isolated springs and water improvements to allow space for wildlife and livestock to access water.

REC-3

Ropes and other climbing aids will not be allowed for access to cultural sites (including archaeological resources), except for emergencies or administrative needs.

REC-4

Activities that have the potential for user conflict and/or that could impact public health and safety will require a permit. If detailed analysis on that activity indicates that it would conflict with Monument objects and values or would impact public health and safety, that permit will not be granted.

REC-5

Development of hiking paths and trails will be allowed if consistent with maintaining Monument objects and values. As part of site-specific implementation-level travel planning, redundant hiking trails and social trails will be closed and reclaimed.

REC-6

Camping fees will be charged if deemed necessary to provide facilities and services. Individual Special Recreation Permits for private, non-commercial Special Area use will be required following

current Federal Lands Enhancement Modernization Act authority and agency permit and fee administration policy.

REC-7

An implementation-level recreation area management plan will be developed for the BENM within 3 years following the cultural resources management plan. This implementation-level plan will restrict camping to designated sites if the following criteria apply:

- There are conflicting resource impacts that cannot be mitigated (e.g., cultural resources, visual, wildlife impacts).
- There are recurring issues with human waste, trash, campfires, and expanded disturbance that are best addressed through additional management.

REC-8

Certain recreational activities that are specifically called out in Proclamation 9681 but are not targeted SRMA activities will not be precluded in the Monument (unless specifically prohibited). These activities include mountain biking, hunting, and canyoneering. If there is future conflict between a targeted activity and a non-targeted activity, management actions will generally favor maintenance and enhancement of the targeted activity.

REC-9

Discharge of firearms will be prohibited in all developed recreation sites (e.g., campgrounds, trailheads, picnic areas, etc.) per 43 CFR 8365.2-5(a) and 36 CFR 261.10(d).

REC-10

In addition to current BLM policies for evaluating whether an SRP is required for organized group events and activities, the criteria in Table 5 will be considered to determine if an SRP is required or if a letter of agreement is more appropriate. In those cases where the appropriate criteria are met, a letter of agreement from the Authorized Officer will be used to document the decision to allow that activity. Group size thresholds for SRPs do not represent group size limits, rather they represent a threshold at which an SRP or letter of agreement will be required. The BLM also has the discretion to deny SRP applications if they deem that those SRPs will not be consistent with proper care and management of Monument objects and values.

Table 5. Organized Group Event/Activity Evaluation Matrix

Resource	Letter of Agreement Criteria†	SRP Requirement Criteria
Soils, vegetation, water	The area and associated features demonstrate resilience and resistance to anticipated impacts, and there are no threatened and endangered plant species conflicts. The activity is at a developed or Public Use site, on designated routes, or in a designated dispersed camping area; and existing infrastructure and management for the activity is adequate for the protection of resources. No additional agency management is required.	Resource conflicts exist at the area and specific mitigation and/or additional agency management is required for the activity including, but not limited to, monitoring and specific mitigation or avoidance stipulations for protection of resources.
Cultural resources, paleontological resources, wildlife	Resource conflicts are not present; and/or the activity is at a developed or Public Use site, on designated routes, or in a designated dispersed camping area; and existing infrastructure and management for the activity is adequate for	The activity is not at a developed or Public Use site or on a designated route; and/or resource conflicts exist at the area and specific mitigation; and/or additional agency management is required for the activity including, but not limited to, monitoring and

Resource	Letter of Agreement Criteria†	SRP Requirement Criteria
	protection of resources. No additional agency management is required.	specific mitigation or avoidance stipulations for protection of resources.
Recreation	The activity is consistent with area recreation goals and objectives and does not present additional conflict with other recreation uses. No additional agency management is required.	The activity is not consistent with area recreation goals and objectives, and/or additional agency management is required for the activity including, but not limited to, monitoring and specific mitigation or avoidance stipulations to reduce recreation conflicts.

† A letter of agreement is not an authorization to use public lands, but it is documentation of the BLM's determination that a permit is not required and that there is an opportunity for the organized group to plan its activity in a manner that does not require permit issuance and oversight; documentation that the organized group contacted and worked with the BLM in planning its activity; and an opportunity to obtain information about the activity and attribute use in the BLM's Recreation Management Information System.

REC-11

Designate the following SRMAs and Extensive Recreation Management Areas (ERMAs); see Appendix I for specific recreation objectives, desired recreation setting characteristics, and the management framework for each (Appendix B Map B-3):

- Indian Creek SRMA
- Indian Creek ERMA

REC-12

Indian Creek SRMA and Indian Creek ERMA

- Implementation-level travel planning in the SRMA will recognize the San Juan County OHV route system and integrate it to the extent possible in SRMA travel management and recreational goals and objectives.
- No OHV competitive events will be allowed.
- SRPs: All organized events/activities must be coordinated with the BLM. In general, for all events/activities, an SRP or letter of agreement will be required if the organized event/activity group size exceeds 25 OHV/mechanized vehicles, 50 individuals, or 15 pack animals. However, if monitoring indicates significant impacts to Monument objects and values, the BLM will consider adjusting group size thresholds during implementation-level planning.
- Camping: Until analyzed in an implementation-level plan, dispersed camping will be allowed following current management rules, and encouraged in designated sites. A new campground called Shay Mountain Vista Campground will be constructed.
- Campfires: Campfires will be restricted to fire rings where fire rings are available. In dispersed camping areas, where fire rings will not be available, campfires will be subject to Leave-No-Trace standards. No campfires will be allowed in the Lavender Mesa ACEC. The area will be unavailable for private and/or commercial use of woodland products, including on-site collection of dead wood for campfires. Campers must bring in their own wood for campfires.
- Pets: All pets must be under human control at all times. Pets will be allowed off-leash, under voice control. Pets will not be allowed in or at any alcoves, rock writing sites, or other non-developed archaeological sites. Pet use at developed archaeological sites will be as posted. Pets must not harass or harm wildlife. Pets must not harass visitors or other visitors' pets. Pets will not be allowed to swim in springs, pot holes, or other natural water

sources. Pet waste disposal requirements will be identical to human waste disposal requirements for this alternative.

- **Human and other waste:** Visitors will be required to bury human waste 4–6 inches deep, 200 feet from any water source, and outside of developed recreation facilities. If human waste becomes a problem, the BLM could require human waste to be packed out. All cans, trash, organic garbage, and burnable refuse including toilet paper must be carried out. Liquid garbage may be discarded 200 feet from any water source. Dishwater must be strained and discarded 200 feet from any camps, trails, and water sources.
- **Target shooting:** Target shooting will generally be allowed but will be prohibited at campgrounds/developed recreation sites, rock writing sites, and structural cultural sites. Where problem areas occur regarding target shooting, the BLM will post signs notifying visitors of restrictions and will consider implementing supplemental rules.
- **Climbing:** All access points, trails, and climbing routes will continue to be open. However, if monitoring information indicates site-specific impacts, the BLM can do any of the following:
 - Educate climbers on potential climbing impacts and how to “tread lightly” and/or self-regulate to avoid impacting these resources.
 - Work with climbing organizations and SRP holders to increase volunteer monitoring and to educate climbers.
 - If site-specific impacts exist, close or reroute access points, trails, and climbing routes.

2.9 Riparian and Wetland Resources (RIP)

2.9.1 *Goals and Objectives*

- Manage riparian resources for properly functioning conditions, ensuring ecological diversity, stability, and sustainability, including the desired mix of vegetation types, structural stages, and landscape/riparian/watershed function and provide for native and special status plant, fish, and wildlife habitats.
- Manage riparian areas for PFC, and ensure stream channel morphology and functions are appropriate to the local soil type, climate, and landform.
- Avoid or minimize the destruction, loss, or degradation of riparian areas, wetlands and associated floodplains; preserve and enhance natural and beneficial values.

2.9.2 *Management Actions*

RIP-1

Dispersed recreation management: Limit use where the riparian area is being unacceptably damaged.

RIP-2

Reclaim disturbed soils where erosion could cause adverse impacts to Monument objects and values, including riparian areas and aquatic ecosystems.

RIP-3

Minimize surface-disturbing activities in riparian areas that alter vegetative cover, result in stream channel instability or loss of channel cross sectional area, or reduce water quality, unless the action is designed for long-term benefits to riparian, wetland, or aquatic habitats (e.g., side channel restoration).

RIP-4

Water quality management: Vegetate disturbed soils in sites where adverse impacts would occur according to the following priorities:

- Aquatic ecosystems
- Riparian ecosystems

RIP-5

New trails developed in riparian areas will be designed to minimize impacts to riparian function. Trails will cross streams at points that best maintain riparian and aquatic ecosystems as well as trail and stream geometry. Crossings (fords) will be located at points of low bank slope and firm surfaces to the extent feasible.

RIP-6

Reduce tamarisk, Russian olive, and other woody invasive species where appropriate using allowable vegetation treatments (approximately 5,000 acres will be treated over the lifespan of the plan). Reseed treatment areas, when appropriate, to avoid erosion damage or the reestablishment of invasive species. Additionally, reduce herbaceous invasive species where appropriate.

RIP-7

Floodplains and riparian/aquatic areas are:

- Subject to fire suppression if necessary to protect riparian habitat.
- Excluded from private and/or commercial use of woodland products, except for American Indian traditional purposes as determined on a site-specific basis; limited on-site collection of dead wood for campfires is allowed as described in Section 2.17.
- Available for habitat, range, and watershed improvements and vegetation treatments described in The Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement (BLM 2007).
- Excluded from surface disturbance by mechanized or motorized equipment (except as allowed above) and from structural development (unless there is no practical alternative and/or the development will enhance riparian/aquatic values).

RIP-8

Cottonwood and willow harvest will be allowed for American Indian ceremonial uses through a permit system. Restrictions on this harvest will be implemented as necessary to achieve or maintain PFC.

RIP-9

No camping allowed within 200 feet of isolated springs or water sources to allow wildlife and livestock access to water.

RIP-10

Discourage dispersed camping in riparian areas functioning at risk if camping is determined to be the causal factor.

RIP-11

Avoid or limit surface disturbance in drinking source water protection zones.

RIP-12

Range resource management: Avoid trailing livestock along the length of riparian areas except where existing livestock trailing corridors occur. Rehabilitate existing livestock trailing corridors where damage is occurring in riparian areas. Implement BMPs if monitoring shows livestock are causing damage to riparian areas. If BMPs are ineffective, relocate livestock outside riparian area if possible and when necessary to achieve riparian area goals.

RIP-13

Riparian, floodplain, and wetland management: Prior to implementation of project activities, delineate and evaluate riparian areas and or wetlands that may be impacted. Project-specific impacts to riparian areas, floodplains, and wetlands will be analyzed at the site-specific level and mitigation measures will be developed and implemented as necessary to prevent unnecessary and undue resource degradation.

RIP-14

Initial attack and fire suppression: Restrict heavy equipment line construction in riparian areas unless other values are at risk. Avoid aquatic and riparian ecosystems with this equipment to the extent possible.

RIP-15

No new surface-disturbing activity will be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs and streams unless it meets at least one of the following exceptions:

- The activity is a vegetation treatment that does not impair riparian function.
- The activity is related to development of recreational or range infrastructure that does not impair riparian function.
- It can be shown that all long-term impacts can be fully mitigated.
- The activity will benefit the riparian area.
- It can be shown that there are no practical alternatives and that all long-term impacts can be fully mitigated.

RIP-16

If monitoring determines that a permitted activity is a causal factor in riparian areas Functioning at Risk or Nonfunctioning, steps will be taken to mitigate the impacts of that activity or temporarily restrict the activity, or, if necessary, the riparian area will be closed to that activity to provide for restoration and maintenance of riparian area PFC. In those cases where there are closures, those closures will be lifted if changes in the permitted activity provide for restoration and maintenance of riparian area PFC.

RIP-17

Requirements for a hydrologic study will be determined at the implementation level based on groundwater levels and geologic conditions. Do not authorize land uses for water withdrawals that could negatively affect groundwater for seeps and springs and ensure that any authorized withdrawals will provide for the proper care and management of Monument objects.

RIP-18

During implementation-level travel planning: Locate new roads and trails, including motorized and non-motorized trails, outside riparian areas unless alternative routes have been reviewed and rejected. Do not parallel streams when road/trail location must occur in riparian areas except where absolutely necessary. Cross streams at points that best complement riparian and aquatic ecosystems as well as road/trail and stream geometry. Locate crossings (fords) at points of low bank slope and firm surfaces to the extent feasible.

RIP-19

During implementation-level travel planning, designate routes, including hiking and equestrian trails, to avoid sensitive water and soil resources where monitoring has shown degradation from these recreational activities. These sensitive areas include the following:

- Sensitive soils
- Seeps and springs

RIP-20

Conduct vegetation treatments in riparian areas to remove nonnative vegetation, including tamarisk and Russian olive.

RIP-21

Vegetation treatment will require coordination with agency biologist to ensure compliance with the Migratory Bird Treaty Act and the Endangered Species Act.

RIP-22

Treatment type will be determined on a case-by-case basis at the implementation level based on what is deemed consistent with maintaining Monument objects and values.

2.10 Soil and Water Resources (SOLW)

2.10.1 Goals and Objectives

- Manage BLM–authorized activities to promote sustainable soil functions, reduce threats to soil resources, and maintain or improve soils to a suitable level of functionality, with soil properties appropriate to site-specific climate and landform.
- Manage actions to protect, to the extent practicable, highly sensitive soils and biological soil crusts.
- Manage actions on BLM-administered lands in the Monument to provide for long-term sustainability of soil.
- Manage actions on BLM-administered lands in the Monument to promote watershed function and meet State water quality standards.

2.10.2 Management Actions

SOLW-1

Maintain or improve soil quality and long-term soil productivity through the implementation of *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997) and other soil protection measures.

SOLW-2

Manage uses to minimize and mitigate impacts to soil and water resources.

SOLW-3

Maintain and/or restore overall watershed health and water quality conditions by reducing erosion, stream sedimentation, and salinization of water.

SOLW-4

Assess watershed function using Utah's Standards for Rangeland Health (BLM 1997); riparian PFC; Assessment, Inventory, and Monitoring methodology; and State water quality standards.

SOLW-5

Where Utah's Standards for Rangeland Health (BLM 1997) are not met or are not making progress toward meeting standards due to the impairment of biological soil crusts, apply guidelines from *Biological Soil Crusts: Ecology and Management* (BLM 2001, as revised) or other published literature based on the best available science, as appropriate.

SOLW-6

If surface-disturbing activities cannot be avoided on slopes between 21% and 40%, an erosion control plan will be required. The plan must be approved by the BLM prior to construction and maintenance and include the following:

- An erosion control strategy
- The BLM accepted and/or approved survey and design of the erosion control plan

SOLW-7

For slopes greater than 40%, no surface disturbance will be allowed unless it is determined that other placement alternatives are not practicable, or when surface-disturbing activities (e.g., trail construction) are necessary to reduce or prevent soil erosion. In those cases, an erosion control plan will be required for review and approval by the BLM prior to permitting the activity.

SOLW-8

Water quality and soil productivity will be maintained or improved.

SOLW-9

Identified watershed improvement needs will be completed at a reasonable rate throughout the planning period, which will reduce soil erosion and stream sedimentation.

SOLW-10

Permit only those special uses that will not impair water quality or quantity.

SOLW-11

Avoid or limit surface disturbance in drinking water source protection zones.

SOLW-12

Implement BMPs relative to water quality according to the *Utah Statewide Nonpoint Source Pollution Management Plan* (UDEQ 2013).

SOLW-13

Provide for harvest of forest products when the activity will improve water production and/or does not adversely affect water quality.

SOLW-14

Manage actions on BLM-administered lands in the Monument in accordance with relevant recommendations published in the State of Utah's Total Maximum Daily Load reports.

SOLW-15

Requirements for a hydrologic study will be determined at the implementation level based on groundwater levels and geologic conditions. Do not authorize land uses for water withdrawals that could negatively affect groundwater for seeps and springs and ensure that any authorized withdrawals will provide for the proper care and management of Monument objects.

SOLW-16

No new surface-disturbing activity will be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs and streams unless it meets at least one of the following exceptions:

- The activity is a vegetation treatment that does not impair riparian function.
- The activity is related to development of recreational or range infrastructure that does not impair riparian function.
- It can be shown that all long-term impacts can be fully mitigated.

- The activity will benefit soil and water resources.
- It can be shown that there are no practical alternatives and that all long-term impacts can be fully mitigated.

SOLW-17

If degradation of sensitive resources is observed or documented through monitoring in areas with designated trails, hikers will be encouraged to stay on the trail and leave no trace through placement of signs and/or use of barriers. If impacts from off-trail hiking continue, hiking off-trail could be prohibited.

SOLW-18

During implementation-level travel planning, avoid locating new hiking and equestrian trails and reduce duplicate trails within 100 meters of water sources or on sensitive soils (including steep slopes) whenever possible and practical to minimize impacts to soil and water resources.

2.11 Special Designations (SPEC)

2.11.1 Goals and Objectives

- Manage areas with special designations to provide special management as required to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems or processes.
- Maintain the long-term sustainability of the values for which special designations are managed.

2.11.2 Management Actions

SPEC-1

If WSAs within the Monument are released by Congress, the BLM will conduct a land use plan amendment of this MMP with accompanying NEPA analysis to determine how those lands will be managed. The Monument includes all of the Bridger Jack Mesa WSA (Appendix B Map B-4).

SPEC-2

WSAs will continue to be managed as per BLM Manual 6330, including being managed as Visual Resource Management (VRM) Class I, closed to OHV use, and ROW exclusion areas.

SPEC-3

Bridger Jack Mesa WSA (Appendix B Map B-4)

- Bridger Jack Mesa area will be managed as part of the Indian Creek SRMA.
- Unavailable for livestock grazing, including grazing by saddle stock and pack animals allowed for access.
- Unavailable for private and/or commercial use of woodland products, including on-site collection of dead wood for campfires.

- Campfires will be restricted to fire rings, where available. If not available, “Leave No Trace” principles should be practiced.
- Camping along the Bridger Jack Mesa Bench is limited to designated sites.
- SRPs: Competitive events, vending, and OHV and mechanized uses will not be allowed. All organized events/activities must coordinate with the BLM. In general, for all events/activities, an SRP or letter of agreement will be required if an organized event/activity group size exceeds 12 individuals or eight pack animals.

SPEC-4

Lavender Mesa ACEC (Appendix B Map B-5)

- Managed to provide a baseline for rangeland studies through research and experiments.
- Excluded from land treatments or other improvements, except for test plots and facilities necessary for study of the plant communities, and restoration/reclamation activities.
- No campfires allowed.
- Managed to limit recreation use if vegetation communities are being adversely impacted.
- Managed as VRM Class II.
- Helicopter access allowed for scientific study and heliportable equipment.
- ROW avoidance area.
- Retained in public ownership.
- Excluded from private or commercial use of woodland products, including limited on-site collection of dead wood for campfires.
- Unavailable for livestock grazing, including grazing by saddle stock and pack animals allowed for access.
- Excluded from wildlife habitat improvements.
- Excluded from watershed control structures.
- Appropriate management response to wildland fire in accordance with the Moab District Fire Plan.
- Closed to OHV use.
- Managed to limit recreation use if cultural resources or scenic values are being damaged.
- SRPs: Commercial use; competitive events; vending; and OHV, mechanized, and equestrian uses will not be allowed. All organized groups/activities must coordinate with the BLM. In general, for all groups/activities, an SRP or letter of agreement will be required if an organized group/activity group size exceeds 12 individuals.

SPEC-6

Shay Canyon ACEC (Appendix B Map B-5)

- OHV and mechanized travel limited to designated routes.
- No surface disturbance for vegetation, watershed, or wildlife treatments/improvements.

- Grazing restricted to trailing only.
- With the exception of side canyons, hiking limited to designated trails.
- Campfires not allowed.
- Unavailable for private or commercial use of woodland products including on-site collection of dead wood for campfires.
- Recreation use may be limited if cultural and paleontological resources are impacted.
- Managed as VRM Class II.
- Closed to camping.
- ROW avoidance area.
- SRPs: Competitive events; vending; and OHV, mechanized, and equestrian uses will not be allowed. All commercial and organized groups/activities must coordinate with the BLM. In general, for all events/activities, an SRP or letter of agreement will be required if an organized group/activity group size exceeds 35 individuals (day use only).

2.12 Special Status Species (SSP)

2.12.1 Goals and Objectives

- Manage special status species habitat to maintain viable species populations and prevent Federal listing.
- Inventory and monitor special status species and their habitats to contribute to a greater understanding of their abundance and distribution within the Monument.
- Implement recovery actions for listed species with U.S. Fish and Wildlife Service recovery plans such that the measurable results of these actions contribute to meeting de-listing criteria for a given species.

2.12.2 Management Actions

SSP-1

Raptor management will be guided by the practices in Appendix E, utilizing seasonal and spatial buffers as well as mitigation, to maintain and enhance raptor nesting and foraging habitat, while allowing other resource uses.

SSP-2

Any nonessential routes developed for a project located in special status species habitat will be closed and rehabilitated when the project is complete.

SSP-3

Habitat and vegetation management actions will be coordinated with other resource programs to ensure consistency with management of Monument objects and values.

SSP-4

Protect bat roosting, hibernating, and breeding habitat from disturbance. Abandoned Mine Lands will be monitored/surveyed prior to reclamation in accordance with the Utah Division of Wildlife Resources and the Utah Division of Oil, Gas and Mining Abandoned Mine Reclamation Program *Memorandum of Understanding: Conservation and Management of Bats in Abandoned Mines in Utah* (UDWR 2015). If bats are present, bat gates will be installed unless human safety is at risk.

SSP-5

Prohibit commercial overnight use in designated Mexican spotted owl nesting areas (i.e., protected activity centers) from March 1 to August 31.

SSP-6

Avoid loss or degradation and promote restoration of side channel, backwater, or other off-channel habitats important for special status aquatic species.

SSP-7

Maintain, restore, and/or improve critical habitat requirements for threatened and endangered fish, including restoration and enhancement of backwater, side channel, and floodplain habitats. Manage habitat to minimize disturbance except when conducting riparian and aquatic habitat projects.

2.13 Travel and Transportation Management (TM)

2.13.1 Goals and Objectives

- Manage the transportation system so it provides safe and reasonable access for public travel, recreation uses, traditional and cultural uses, and land management and resource protection activities, and contributes to the social economic sustainability of local communities while providing proper care and management of Monument objects and values.
- Support a culture of surface travel user stewardship and conservation of the landscape during user travel.

2.13.2 Management Actions

TM-1

Identify the entire BENM as a travel management area for the purposes of current and future travel management.

TM-2

This plan will guide future implementation-level travel management planning including mechanized and other modes of travel where the BLM will designate travel routes within the Indian Creek Unit as per Presidential Proclamation 9558, as modified by Proclamation 9681. This will be done outside of this Monument management planning process through a site-specific implementation-level travel plan. Until an implementation-level travel management plan or emergency order is completed for the Indian Creek Unit, all current implementation-level route designations within

areas designated in the MMP as OHV limited areas will remain in effect. This will include the routes designated in the Monticello RMP (Appendix B Map B-6). Management and use of routes on BLM-administered lands will be consistent with BLM Travel and Transportation Manual 1626, Handbook 8342, and other applicable guidance.

TM-3

Any additional roads or trails designated for OHV use as part of implementation-level travel planning must be for the purpose of public safety or protection of Monument objects and values.

TM-4

Implementation-level travel planning in SRMAs and ERMAs will recognize the San Juan County OHV route system and integrate it to the extent possible in travel management and recreational goals and objectives.

TM-5

Implementation-level travel planning will consider Monument objects and values in the determination of which routes to designate, develop, or close. Details regarding resource-specific criteria for implementation-level travel planning are provided, as applicable, in the respective resource sections.

TM-6

As part of implementation-level travel planning, monitor OHV use areas and, if unacceptable impacts to natural and cultural resources are occurring, develop implementation-level limitations including route designation, route closure, motorized vehicle size and weight limitations, or other mitigation measures as necessary to address those impacts.

TM-7

Any lands acquired by the BLM over the life of the MMP will be managed with the same OHV area designations of adjoining BLM-administered lands or as stated or implied in the land transfer. If clarification is absent, the BLM will manage the acquired lands as OHV limited. The type of limitation will be determined by implementation-level travel planning. Until that implementation-level travel planning is completed, the OHV limited use will continue in the same manner and degree consistent with the proper care and management of Monument objects and values.

TM-8

Mechanized travel (e.g., bicycles) is limited to routes where OHV use is allowed and to trails specifically designated for mechanized use.

TM-9

Management of the Bridger Jack Mesa WSAs in the Monument will be according to BLM Manual 6330, Management of BLM Wilderness Study Areas.

TM-10

Any of the following trails found wholly within the Monument will be managed for non-motorized and non-mechanized use:

- Blue Gramma, 4x4 Wall, Donnelly, Supercrack, Battle of the Bulge, Bridger Jack Mesa, Broken Tooth Wall, Scarface, and Pistol Whipped

TM-11

The Monument will be designated as an OHV limited area except for the following, which are designated as OHV closed areas (Appendix B Map B-7):

- Bridger Jack Mesa WSA
- Lavender Mesa ACEC

TM-12

Until implementation-level travel planning is completed, OHV use within areas designated in the MMP as OHV limited areas will be managed according to the Monticello Field Office travel management plan.

2.14 Vegetation (VEG)

2.14.1 Goals and Objectives

- Identify the desired composition and range of conditions for vegetation communities throughout the Monument.
- Manage vegetation and native plant communities relative to their associated landform(s) to optimize plant community health and resilience to landscape-wide impacts.
- Manage vegetation to support fish and wildlife habitat and healthy watersheds.
- Manage vegetation to support medicinal plants and other vegetative resources deemed by Tribes as being culturally relevant where management is consistent with the proper care and management of Monument objects and values.
- Incorporate traditional knowledge in the identification and management of culturally relevant plants.

2.14.2 Management Actions

VEG-1

Areas that meet Utah's Standards for Rangeland Health (BLM 1997) will be open to private seed gathering and plant collection.

VEG-2

Cooperating agreements with other Federal, State, local, and private organizations will be developed to control invasive nonnative species, control insect pest species, and implement fuels vegetation treatments and wildland urban interface risk assessments and management.

VEG-3

Pack stock and riding stock users on BLM-administered land will be required to use certified weed-seed-free feed.

VEG-4

Restoration and rehabilitation activities will be required to use certified weed-seed-free seed mixes, mulch, fill, etc.

VEG-5

The power washing of equipment used for permitted or administrative uses will be required in areas with known weed populations or vectors to known weed populations to help control noxious weeds.

VEG-6

The BLM will provide for the management, protection, and access to vegetation types important to American Indian ceremonial or other traditional uses.

VEG-7

Maintain or increase existing levels of vegetation treatments. Treatment priorities will be identified to make progress in moving areas in VCC III to II, and VCC II to I.

VEG-8

The entire Monument or certain localities may be closed to seed gathering as necessary to provide for sustainable annual seed production of native plants. An exception to this will be made to allow for private seed gathering and plant collection for American Indian traditional, medicinal, and ceremonial purposes.

2.15 Visual Resource Management (VRM)

2.15.1 Goals and Objectives

- Manage public lands in a manner that will protect the quality of the scenic (visual) values of these lands for present and future generations.
- Manage BLM-administered lands using the Visual Resource Management (VRM) system according to VRM class objectives.
- Establish VRM classes for the Monument.
- Promote BMPs for reclamation of landscapes, restoration of native habitats, and rehabilitation of waterways and riparian areas to enhance natural and historical scenic values that have been negatively altered. These will include BMPs found in *Best Management Practices for Reducing Visual Impacts of Renewable Energy Facilities on BLM-Administered Lands* (BLM 2013).

2.15.2 Management Actions

VRM-1

Promote BMPs for reclamation of landscapes, restoration of native habitats, and rehabilitation of waterways and riparian areas to enhance natural and historical scenic values that have been negatively altered.

VRM-2

The following management will be implemented to minimize impacts to night skies:

- Limit the use of artificial lighting during nighttime operations to only those determined necessary for the safety of operations and personnel.
- Utilize shielding and aiming techniques, and limit the height of light poles to reduce glare and avoid light shining above horizon(s).
- Use lights only where needed, use light only when needed, and direct all lighting on-site. No permanent lighting will be allowed in VRM Class I areas.
- Use motion sensors, timers, or manual switching for areas that require illumination but are seldom occupied.
- Any authorized facilities will use the best technology available to minimize light emissions.
- Reduce lamp brightness and select lights that are not broad spectrum or bluish in color. Use lamp types such as sodium lamps, which are less prone to atmospheric scattering.
- Require a lightscape management plan where an extensive amount of long-term lighting is proposed.

VRM-3

Manage 25,046 acres as VRM Class I

Manage 176,663 acres as VRM Class II

The following areas will be managed as VRM Class I:

- WSAs
- Wilderness

All areas not managed as VRM Class I under this alternative will be managed as VRM Class II (Appendix B Map B-8).

VRM-4

An exception to VRM Class II will be allowed for recreation infrastructure, such as trailheads, campgrounds, contact stations, and toilet facilities, when this infrastructure is consistent with the proper care and management of Monument objects and values. Exception areas will be managed to VRM Class III objectives. The contrast will be allowed only to the extent needed for the function of the facility, which will reflect design excellence and be a positive element for the built environment following existing color, line, form, and texture. Structures will blend into the landscape while retaining functionality.

2.16 Wildlife and Fisheries (FWL)

2.16.1 Goals and Objectives

- Protect critical and crucial fish and wildlife habitat including transitional and stop-over habitat for native wildlife.

- Engage local, State, Federal, and Tribal partners in program and project design to address management issues and minimize or avoid impacts to fish and wildlife species and their habitats across jurisdictional boundaries.
- Inventory and monitor fish and wildlife species and their habitats, and facilitate fish and wildlife researchers to coordinate with agency biologists to contribute to a greater understanding of species abundance and distribution within the Monument.
- Protect large undisturbed blocks of wildlife habitat, and, where possible, consolidate and create larger protected blocks of habitat through land acquisition.
- Protect and maintain wildlife habitat connectivity.
- Promote and restore healthy riparian habitat throughout the Monument.
- Maintain and preserve aquatic connectivity through land acquisition and maintenance of instream flows and by removal of barriers where practicable.

2.16.2 Management Actions

FWL-1

Wildlife habitat objectives will be considered in all reclamation activity. Priority will be given to meeting or making progress toward meeting *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997).

FWL-2

Ground-disturbing actions that adversely impact fish and wildlife species and habitats will be avoided where possible. Where unavoidable disturbances are required, the BLM will follow current agency policy regarding the application of appropriate minimization and mitigation measures.

FWL-3

In areas lacking proper water distribution or natural water sources, allow for installation of precipitation catchments (guzzlers) or the development of springs on rangelands.

FWL-4

Raptor management will be guided by the use of raptor BMPs (see Appendix E), utilizing seasonal and spatial buffers and mitigation to maintain and enhance raptor nesting and foraging habitat while allowing other resource uses.

FWL-5

Maintain or provide habitat requirements for deer and elk, including forage areas, hiding cover, and migration routes when detected. Manage crucial deer and elk habitat to minimize disturbance except when conducting habitat projects for big game.

FWL-6

The BLM will work with stakeholder and volunteer groups to educate climbers on methods to protect significant natural and cultural resources.

FWL-7

The BLM will post or otherwise provide educational information to reduce climbing and canyoneering impacts on active raptor nests.

FWL-8

Maintain, restore, and/or improve critical habitat requirements for native fish and amphibian and aquatic species, including restoration and enhancement of backwater, side channel, and floodplain habitats. Manage habitat to minimize disturbance except when conducting riparian and aquatic habitat improvement projects.

FWL-9

From April 1 to July 31 or if nesting birds are observed, avoid or minimize surface-disturbing activities and vegetation-altering projects and broad-scale use of pesticides in identified and occupied priority migratory bird habitat.

FWL-10

Temporarily close areas (amount of time depends on species) near raptor nests to rock climbers or other activities if activity may result in nest abandonment.

2.17 Woodlands and Forestry (FOR)

2.17.1 Goals and Objectives

- Maintain or develop healthy resilient forests that include diversity in age class, stand structure, and desired species composition.
- Allow for opportunities for woodland harvests outlined in the Monument objects and values.
- Maintain or increase woodland harvest to meet demand while maintaining forest health.
- While managing woodlands and forest resources, design vegetation treatments to maintain old-growth.

2.17.2 Management Actions

FOR-1

Follow the BLM's forest health and forest management standards and guidelines to assess conditions and guide management decisions for woodland resources.

FOR-2

Cottonwood and willow harvest will be allowed for American Indian ceremonial uses only by permit. Restrictions on this permitted harvest will be implemented as necessary to achieve or maintain PFC, and to maintain or improve threatened and endangered species or special status species, wildlife, and aquatic habitat.

FOR-3

On BLM-administered lands, allow woodland harvest in areas where the BLM has approved fuels treatment or habitat treatment projects (unless otherwise prohibited).

FOR-4

Forest products harvest for BLM-administered lands will be managed as follows:

Terms and conditions for product removal will be exclusive to the product plans for each individual agency's landownership (i.e., there is no overreaching forest products removal plan for the entire BENM).

The BLM has administrative maps that are issued with the forest products permit that highlight areas where no product removal is allowed. These are either permanent exclusion areas or sites that may change from year to year in response to current management issues (e.g., wood cutting excluded in areas of active vegetation treatment).

Distances for collection of other forest products vary and are typically denoted in the permit. Permit prices vary for each type of forest product removal.

FOR-5

Permits for private use of woodland products will continue to be issued to the public, consistent with the availability of woodland products and the protection of other resource values.

FOR-6

Utilize native plant species from locally adapted seed sources in management activities when and where practical. Nonnative plant species have the potential to cause systems to move outside of historic range of variation, and therefore the use of nonnative species should be justified to indicate how their use is important for maintaining or restoring a cover type to functioning conditions.

FOR-7

No commercial woodland harvest on BLM-administered lands in Monument.

FOR-8

Prioritize treatment in high-value/high-risk areas (wildland urban interface, developed recreation facilities including campgrounds, Fire Regime Condition Class III areas).

FOR-9

Within designated woodland harvest areas, private use woodland harvest on BLM-administered lands will be allowed in areas with pinyon pine and juniper encroachment where site-specific analysis indicates that harvest will be useful for restoration of the diversified vegetative community.

FOR-10

Provide for woodland harvest to support fuel treatment projects, as needed.

FOR-11

Zones in the Monument considered for private use of woodland products: Harts Draw and Salt Creek Mesa (Appendix B Map B-9).

FOR-12

Exclude all WSAs from woodland product use except for limited on-site collection of dead wood for campfires.

FOR-13

Exclude woodland product harvest from all developed recreation sites, livestock/wildlife exclosures, cultural sites, and Indian Creek SRMA, including on-site collection of dead wood for campfires.

FOR-14

Exclude floodplains and riparian and aquatic areas from woodland product use except for American Indian ceremonial purposes as determined on a site-specific basis.

FOR-15

Existing limitations on off-road travel for wood gathering could be modified as necessary to maintain long-term sustainability or facilitate wood gathering where resource impacts are not a concern.

FOR-16

Prior to authorizing private woodland product harvest, the BLM will ensure that the activity is consistent with the proper care and management of Monument objects and values.

FOR-17

If monitoring of vegetation cover and soil erosion indicates that woodland harvest is having potentially irretrievable or irreversible impacts on natural or cultural resources or is conflicting with Monument objects and values, the Authorized Officer will alter the designated woodland harvest area or harvest season as necessary to allow for resource reclamation and/or to protect that resource or resource use.

FOR-18

On BLM-administered lands, the Authorized Officer will limit OHV access for wood gathering to designated routes or may grant OHV travel off designated routes if consistent with the objects and values of the Monument. This determination will be made based on monitoring of existing vegetation cover and soils erosion at the site-specific project level.

FOR-19

Cross-country OHV use for wood gathering following fuels-treatment farther than 150 feet from designated routes will be required to be reclaimed after woodland harvest.

3 MANAGEMENT PLAN IMPLEMENTATION

3.1 Plan Implementation

Plan implementation is a continuous and active process. Decisions presented in the Management Decisions section of this Approved MMP for the Indian Creek Unit include immediate and one-time decisions.

Immediate decisions: These decisions go into effect upon signature of the Record of Decision. These decisions include the goals, objectives, and management actions such as the allocation of lands as limited or closed for OHV use, ROW avoidance and exclusion areas, and areas available or unavailable for livestock grazing. These decisions require no additional analysis and guide future land management actions and subsequent site-specific implementation decisions in the Monument. Proposals for future actions, such as an application for a new ROW and other allocation-based actions, will be reviewed against these decisions in the MMP to determine if the proposal conforms with the applicable plan objective and management action.

One-time decisions: These types of decisions are those that are not implemented until additional decision-making and site-specific analysis are completed. Examples are development of an activity-level cultural resources management plan or a recreation area management plan. One-time decisions require additional analysis and decision-making and are prioritized as part of the BLM budget process. Priorities for implementing one-time RMP decisions will be based on National and Statewide BLM management direction and program emphasis and available resources.

3.1.1 General Implementation Schedule of “One-Time” Decisions

Decisions in this plan will be implemented over a period of years depending on budget and staff availability. After issuing the Record of Decision/Approved MMP for the Indian Creek Unit, the BLM will prepare an Implementation Plan that establishes tentative timeframes for completion of “one-time” decisions identified in the Approved MMP for the Indian Creek Unit. Most of these decisions require additional analysis and site-specific activity planning. This schedule does not include the decisions that are effective immediately upon approval of the plan, or the decisions that describe the ongoing management that will be incorporated and applied as site-specific proposals are analyzed on an ongoing basis. This schedule will assist BLM managers and staff in preparing budget requests and in scheduling work. However, the proposed schedule will be affected by future funding, changing program priorities, non-discretionary workloads, and cooperation by partners and external publics. Periodic review of the plan will provide consistent tracking of accomplishments and provide information that can be used to develop annual budget requests to continue implementation.

3.2 Public Involvement

As the BLM implements the Indian Creek MMP, the public may remain involved in several ways. The public will have the opportunity to participate in the NEPA process as individual actions are reviewed and implemented, including the development of implementation-level plans identified in the MMP, such as an activity-level cultural resources management plan, travel management plan, and recreation area management plan. The BLM is also responsible for engaging the Monument Advisory Committee and continuing government-to-government Tribal consultation. The public may engage with the Monument Advisory Committee through the Committee’s regular meetings, which are open to all interested parties and include the opportunity for public comment.

3.3 Plan Evaluation and Maintenance

3.3.1 *Plan Evaluation*

Evaluation is a process in which the plan and monitoring data are reviewed to see if management goals and objectives are being met and if management direction is sound. Land use plan evaluations determine if decisions are being implemented, whether mitigation measures are satisfactory, whether there are significant changes in the related plans of other entities, whether there are new data of significance to the plan, and if decisions should be changed through amendment or revision. Monitoring data gathered over time are examined and used to draw conclusions on whether management actions are meeting stated objectives, and if not, why. Conclusions are then used to make recommendations on whether to continue current management or to identify what changes need to be made in management practices to meet objectives.

The BLM will use land use plan evaluations to determine if the decisions in the MMP, supported by the accompanying NEPA analysis, are still valid in light of new information and monitoring data. Evaluation of the MMP will generally be conducted every 5 years unless unexpected actions; new information; or significant changes in other plans, legislation, or litigation triggers an evaluation.

Evaluations will follow the protocols established by the BLM Land Use Planning Handbook (H-1601-1) or other appropriate guidance in effect at the time the evaluation is initiated.

3.3.2 *Plan Maintenance*

Land use plan decisions and supporting information can be maintained to reflect minor changes in data, but maintenance is limited to refining, documenting, and/or clarifying previously approved decisions. Some examples of maintenance actions include the following:

- Correcting minor data, typographical, mapping, or tabular data errors
- Refining baseline information as a result of new inventory data (e.g., changing the boundary of an archaeological district; refining the known habitat of special status species or big game crucial ranges; or adjusting the boundary of a fire management unit based on updated fire regime condition class inventory, fire occurrence, monitoring data, and/or demographic changes)

The BLM expects that new information gathered from field inventories and assessments, research, other agency studies, and other sources will update baseline data and/or support new management techniques, best management practices, and scientific principles. Where monitoring shows land use plan actions or BMPs are not effective, modifications or adjustments may occur without amendment or revision of the plan as long as assumptions and impacts disclosed in the analysis remain valid and broad-scale goals and objectives are not changed.

Plan maintenance will be documented in supporting records. Plan maintenance does not require formal public involvement, interagency coordination, or the NEPA analysis required for making new land use plan decisions.

3.4 Monitoring the Plan

The BLM will conduct both plan implementation monitoring and effectiveness monitoring. Plan implementation monitoring will be used to determine whether planned activities have been implemented consistently with the Approved MMP. Effectiveness monitoring determines if the

implementation of activities has achieved the MMP goals and objectives. Monitoring strategies for specific resources are found in Appendix C (Monitoring Strategy) and Appendix D (Cultural Resources Monitoring Framework). The strategies identify monitoring questions, intervals, and standards. Monitoring intervals will vary by resource and will consider the expected rate of change for each resource.

The regulations in 43 CFR 1610.4-9 require that land use plans establish intervals and standards for monitoring and evaluations based on the sensitivity of the resource decisions involved. Additionally, BLM Manual 6220 requires that land use plans for National Monuments analyze and consider measures to ensure that objects and values are conserved, protected, and restored. Considering staffing and funding, monitoring will be prioritized consistent with the goals and objectives of the BENM MMPs in cooperation with local, State, other Federal agencies; American Indian Tribes; and the Monument Advisory Committee. Data will be assessed to determine whether the resource conditions are meeting the goals identified in the MMPs; whether a change has occurred and, if so, identifying the cause; and which appropriate action should be taken to achieve the desired outcome if the goal or objective is not being met. The BLM will develop recommendations to be considered by management for continuation, modification, or replacement of current management actions, subject to NEPA and land use planning regulations.

3.5 Changing the Plan

The Approved MMP for the Indian Creek Unit may be changed, should conditions warrant, through a plan amendment or plan revision process. A plan amendment may become necessary if major changes are needed or to consider a proposal or action that is not in conformance with the plan. The results of monitoring, evaluation of new data, or policy changes and changing public needs might also provide the impetus for an amendment. Generally, an amendment is issue-specific. If several areas of the plan become outdated or otherwise obsolete, a plan revision may become necessary. Plan amendments and revisions are accomplished with public input and the appropriate level of environmental analysis conducted according to the BLM's land use planning and NEPA requirements, Council on Environmental Quality regulations, and U.S. Department of the Interior and BLM policies and procedures implementing NEPA.

APPROVED MONUMENT MANAGEMENT PLAN: SHASH JÁA UNIT

1 INTRODUCTION

The Bears Ears National Monument (BENM, or Monument) was established by Presidential Proclamation 9558 on December 28, 2016. On December 4, 2017, Presidential Proclamation 9681 clarified and modified the boundaries of the BENM. The revised BENM boundary includes two separate units known as the Shash Jáa and Indian Creek Units that are reserved for the proper care and management of the objects of historic and scientific interest within their boundaries (Appendix A).

Prior to the completion of this Approved Monument Management Plan (MMP), the Federal lands within the Shash Jáa Unit were managed by the BLM and the U.S. Forest Service (USFS) under the *Bureau of Land Management Monticello Field Office Record of Decision and Approved Resource Management Plan* (hereafter referred to as the Monticello RMP), as amended (BLM 2008), and the *Land and Resource Management Plan: Manti-La Sal National Forest* (hereafter referred to as the Manti-La Sal LRMP), as amended (USFS 1986). The BLM and USFS have prepared this Approved MMP pursuant to the BLM land use planning regulations (43 Code of Federal Regulations [CFR] Part 1600), USFS land use planning regulations (36 CFR Part 219), and the National Environmental Policy Act (NEPA) of 1969.

The Approved MMP for the Shash Jáa Unit of the BENM replaces the 2008 Monticello RMP and amends the 1986 Manti-La Sal LRMP. The Approved MMP is now the base land use plan for public lands administered by the BLM's Monticello Field Office and amends the USFS's existing management of the Manti-La Sal National Forest within the boundaries of the Shash Jáa Unit of the BENM. The Approved MMP for the Shash Jáa Unit adopts the management described in the Proposed Plan and Management Common to All Alternatives section presented in the Proposed BENM MMPs/Final EIS (BLM and USFS 2019), with adjustments as described in the *Modifications and Clarifications* section of the Record of Decision.

1.1 Shash Jáa Unit Description

The Shash Jáa Unit contains 97,393 acres of BLM-administered lands and 32,587 acres of USFS-administered lands in San Juan County, Utah (Map 2). The northern end of the Shash Jáa Unit is approximately 10 miles west of Blanding, Utah, and is accessed via Utah State Route 95 (SR-95). The southern end is located approximately 3.5 miles west of Bluff, Utah, and is accessed from U.S. Highway 163 and U.S. Highway 191. The Unit is generally bounded by the Butler Wash cliff rim just east of the Butler Wash Road (Road B262), the San Juan River to the south, the Wilderness Study Areas (WSAs) of Cedar Mesa to the west, Bears Ears Buttes to the northwest, and South Elks Road to the north. The major geographic features in the area are the Bears Ears Buttes and Comb Ridge. Arch Canyon, located in the northern end of the Shash Jáa Unit, is a perennial source of water, as are the lower ends of Mule Canyon and Fish Canyon. Comb Ridge is situated between Comb and Butler Washes, and all three features run north to south along the length of the Unit. The Shash Jáa Unit also includes two archaeological sites that are not contiguous to the main part of the Unit. The Doll House is located on USFS-administered lands to the northwest of the main Unit, and the Moon House is located on BLM-administered lands to the west of the main Unit.

The primary existing land uses in the Shash Jáa Unit are recreation, paleontological and archaeological exploration and study, religious uses for members of American Indian Tribes, and livestock grazing. Popular recreation activities include hiking, backpacking, off-highway vehicle (OHV) riding, scenic driving, and dispersed camping. Cultural tourism has increased in popularity as

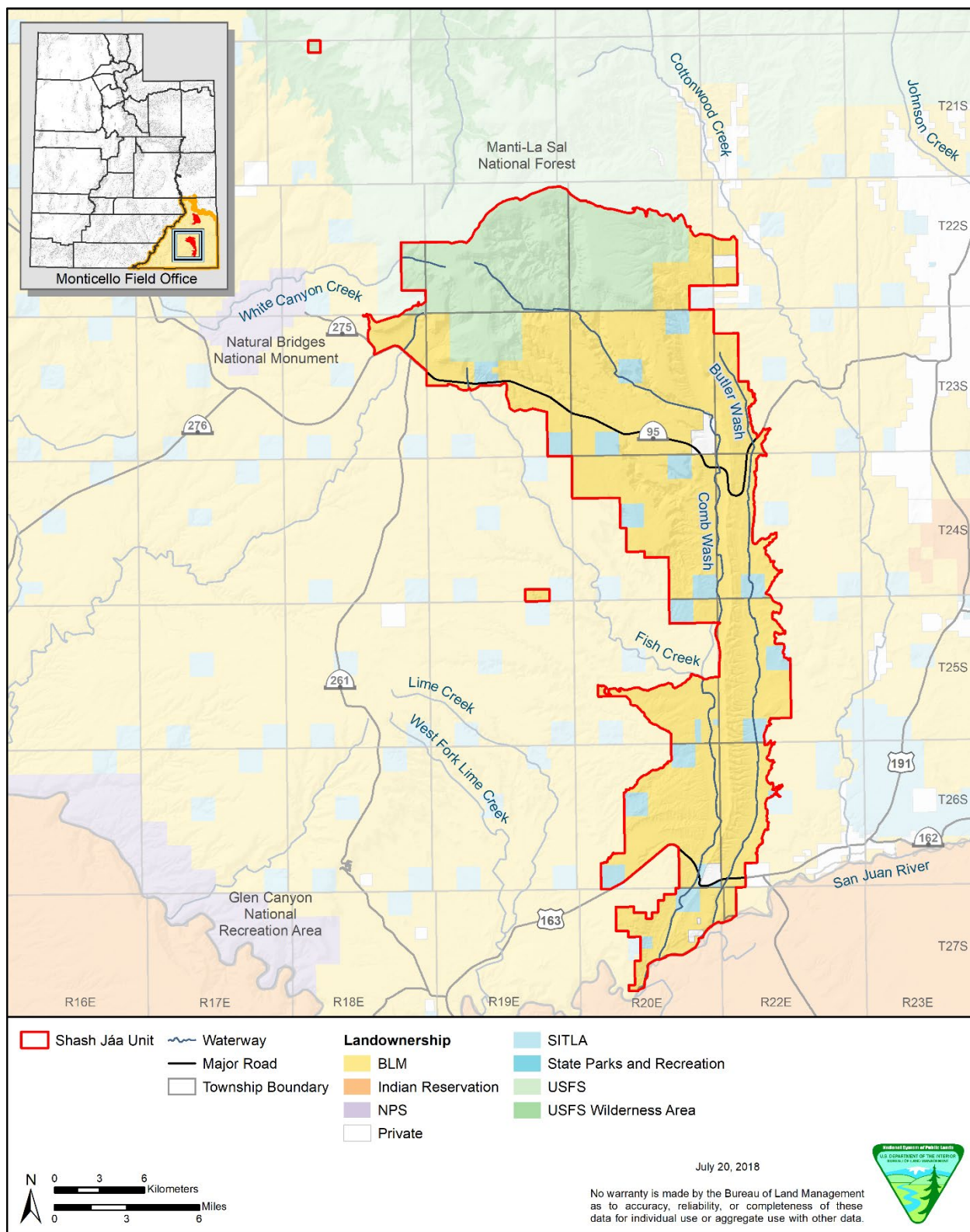
visitors are drawn to prehistoric and historic cultural resources such as rock writings, cliff dwellings, and the Hole-in-the-Rock Trail. The Unit contains a portion of the San Juan River Area of Critical Environmental Concern (ACEC); the Shash Jáa Special Recreation Management Area (SRMA); the McLoyd Canyon-Moon House; San Juan Hill, Trail of the Ancients, South Elks/Bears Ears, Arch Canyon, Arch Canyon Backcountry, The Points, and Doll House Recreation Management Zones (RMZs); the Mule Canyon WSA and portions of the Fish Creek Canyon WSA; SR-95 (known as the Bicentennial-Trail of the Ancients Scenic Byway); a small portion of the Dark Canyon Wilderness, the Arch Canyon Inventoried Roadless Area (IRA); and the Elk Ridge Road Scenic Backway. Part of the Hole-in-the-Rock Trail passes through the Unit.

1.2 Consideration of Other Plans and Policies

The BLM and USFS recognize the importance of state, tribal, and local plans. By law, regulation, and policy, the BLM and USFS will be “consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, State and local governments, and Indian tribes, so long as the guidance and resource management plans also are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands” (43 CFR 1610.3-2(a)). The following plans and strategies should be considered through coordination with the applicable government agency during implementation of the Shash Jáa Unit MMP.

- *San Juan County Master Plan* (San Juan County 2008)
- *San Juan County Resource Management Plan* (San Juan County 2017)
- *Utah Wildlife Action Plan* (Utah Division of Wildlife Resources 2015)
- *State of Utah Resource Management Plan* (State of Utah 2018)

Map 2. Bears Ears National Monument - Shash Jáa Unit



2 MANAGEMENT DECISIONS

This section of the Approved MMP for the Shash Jáa Unit presents the goals and objectives, land use allocations, and management actions established for public lands in the Shash Jáa Unit managed by the BLM and USFS. These management decisions are presented by program area. A Monitoring Strategy (Appendix C) is also included for each program to describe how the program decisions will be evaluated to determine effectiveness in achieving MMP objectives or making progress toward them. A separate Cultural Resources Monitoring Framework (Appendix D) has also been developed.

Data used in development of the Approved MMP for the Shash Jáa Unit are dynamic. The data and maps used throughout the Approved RMP are for land use planning purposes and will be refined as site-specific planning and on-the-ground implementation occurs. Updating data is considered plan maintenance which will occur over time as the MMP is implemented (see Section 3, Management Plan Implementation). Please note that all acreages presented in the Approved MMP are estimations, even when presented to the nearest acre.

The management actions are organized alphabetically by program area with the following titles. For ease of identification into the future, each program area has an identified abbreviation and each decision in that program is numbered in coordination with the abbreviation:

Management Common to All Decisions— MCA	Soil and Water Resources— SOLW
Cultural Resources— CUL	Special Designations— SPEC
Fire Management— FIRE	Wild and Scenic Rivers— WSR
Lands and Realty— LAR	Special Status Species— SSP
Lands with Wilderness Characteristics— LWC	Travel and Transportation Management— TM
Livestock Grazing— GRA	Vegetation— VEG
Paleontological Resources— PAL	Visual Resource Management— VRM
Recreation and Visitor Services— REC	Wildlife and Fisheries Resources— FWL
Riparian and Wetland Resources— RIP	Woodlands and Forestry— FOR

2.1 Management Common to All Resources (MCA)

MCA-1

Apply best management practices (BMPs) (Appendix E) and stipulations (Appendix F) to discretionary surface-disturbing activities, as appropriate.

MCA-2

Implement a Monitoring Strategy (see Appendix C) to monitor the impacts of land use plan decisions on Monument objects and values over the life of the plans.

2.2 Cultural Resources (CUL)

2.2.1 *Goals and Objectives*

- Identify and evaluate cultural resources, especially within areas of increased visitation and visibility.
- Identify and evaluate potential traditional cultural properties (TCPs), American Indian sacred sites, cultural landscapes, and traditionally significant vegetation and forest products.
- Identify an appropriate location for a Tribal learning center and ceremony grounds to facilitate educational opportunities within Tribal communities with youth groups, elders, or other similar groups.
- Facilitate American Indian Tribal use of sacred sites or other sites within the Monument for ceremonies and gatherings as identified by Tribes.
- Manage cultural resources in collaboration with American Indian Tribes as stated in Presidential Proclamation 9558, as amended by Proclamation 9681, for present and future generations in ways consistent with their scientific, educational, recreational, and traditional American Indian uses.
- Manage cultural resources to ensure that the region's historical features and irreplaceable components are adequately protected consistent with the protection, preservation, and enhancement of Monument objects and values.
- Manage natural resources important to American Indian Tribes for cultural uses.
- When permitted collection of archaeological objects for protection or scientific research occurs, the agencies will curate those objects in local museums and/or provide them for local exhibit when possible.
- Educate recreational users on methods to avoid and reduce impacts to sensitive cultural resources.
- Provide for interpretation and education of the public about cultural resources important to the objects and values of the Monument.
- Provide for use by American Indians and affected communities of potential TCPs, American Indian sacred sites, cultural landscapes, and traditionally significant vegetation and forest products.
- Collaborate with American Indian Tribes to educate Special Recreation Permit (SRP) holders and participants about the cultural history of the Monument, backcountry site visitor etiquette, and stewardship.
- Collaborate with the State of Utah, San Juan County, and American Indian Tribes on the administration of the BENM, including coordinating law enforcement efforts.
- Meaningfully engage the Shash Jáa Commission or comparable entity in the management of the Monument.

2.2.2 *Management Actions*

CUL-1 (BLM/USFS)

Agencies will allocate cultural resources to Scientific Use, Traditional Use, Public Use (Developed), or Public Use (Undeveloped) categories, as appropriate. Appendix G provides the criteria for allocating sites and management for those allocations.

CUL-2 (BLM/USFS)

An activity-level cultural resources management plan will be developed within 2 years of the completion of this MMP in coordination with Tribes, the Monument Advisory Committee, the Shash Jáa Commission or comparable entity, consulting parties, cooperating agencies, and other interested stakeholders. The cultural resources management plan will provide site-specific, implementation-level direction to effectively manage recreation and other uses while protecting the integrity of significant cultural resources. This plan will include the following:

- Standard methods for identifying and evaluating cultural resources, including TCPs, American Indian sacred sites, cultural landscapes, and traditionally significant vegetation and forest products
- A detailed monitoring and mitigation plan for cultural resource sites allocated to Public Use (Developed or Undeveloped)
- Coordination with the Monument Advisory Committee, Tribes, the Shash Jáa Commission, consulting parties, cooperating agencies, and recreational and volunteer groups to assist with monitoring, education, and interpretation
- An interpretation plan that identifies types of sites meeting education goals, including suitability of sites allocated to Developed Public Use and consideration of sites to add or drop from the Developed Public Use allocations
- Site-specific criteria for addressing SRP applications requesting visitation to cultural resource sites
- Identification of criteria for sites and areas in need of stabilization and protective measures (e.g., fences and/or surveillance equipment)

CUL-3 (BLM/USFS)

Protective measures will be established and implemented for sites, structures, objects, and traditional use areas that are important to Tribes with historical and cultural connections to the land to maintain the viewsheds and intrinsic values, as well as the auditory, visual, and aesthetic settings of the resources. Protection measures for undisturbed cultural resources and their natural settings will be developed in compliance with regulatory mandates and American Indian Tribal consultation (Appendix H).

CUL-4 (BLM/USFS)

The agencies will proactively reduce hazardous fuels or mitigate the potential hazard around archaeological and cultural sites that are susceptible to destruction by fire from prescribed or wildfire. Management response to fire will follow guidelines described in Section 2.3 and in current implementation level fire management planning documents.

CUL-5 (BLM/USFS)

Recreation use of domestic pets and pack animals will not be allowed in cultural resource locations listed on or eligible for the National Register of Historic Places (NRHP) with the exception of historic roads and trails. Where problems occur, the agencies will evaluate posting signs to notify visitors of restrictions.

CUL-6 (BLM/USFS)

Camping will not be allowed within cultural resources (including archaeological resources).

CUL-7 (BLM/USFS)

Campfires will not be allowed in archaeological sites. An exception to this may be made to allow campfires in archaeological sites for American Indian traditional, medicinal, and ceremonial purposes.

CUL-8 (BLM/USFS)

Ropes and climbing aids will not be allowed to access cultural sites (including archaeological resources) unless used for scientific purposes with a permit, for Tribal administrative access, or for emergencies.

CUL-9 (BLM/USFS)

Cultural sites may be closed to visitation when they are determined to be at risk or pose visitor safety hazards.

CUL-10 (BLM/USFS)

As funding is available, the agencies will conduct Class III cultural resource inventories in a manner that complies with Section 110 of the National Historic Preservation Act and Section 14 of the Archaeological Resources Protection Act. Priorities for inventory include the following (in this order):

- Group 1: Areas that receive heavy public use and/or those that lack intensive inventory in relation to current standards
- Group 2: Areas that need records clarification or updating
- Group 3: Areas with little or no previous inventory

These inventory priorities may change in response to changing conditions; uses and input from researchers, educators, and Tribes; or other changed circumstances such as changes in travel management implementation guidelines. Inventory and site documentation will conform to the standards listed in BLM Manual 8100; the agencies will also allow the use of additional field recording protocols in response to research goals and designs, special management, and/or other needs as identified in the future.

CUL-11 (BLM/USFS)

Collaborate with American Indian Tribes to allocate cultural resources to uses. Within RMZs that have a frontcountry focus (see Appendix I), work with the Tribes to allocate other public sites that will be categorized as either Developed Public Use or Undeveloped Public Use for sites that allow a sense of discovery. Within RMZs that have a backcountry focus, sites will generally be categorized as Scientific Use, Traditional Use, Public Use (Undeveloped). These allocations will be consistent

with recreational outcome-based goals and objectives for these RMZs. Additional criteria for future allocation of sites are provided in Appendix G.

CUL-12 (BLM/USFS)

The agencies will allocate the following cultural sites as Public Use (Developed) because they are currently managed as Public Use sites and are currently subject to high visitation:

- Butler Wash Developed Roadside
- Mule Canyon Kiva
- River House
- Butler Wash Panel
- Arch Canyon Great House complex
- House on Fire
- Moon House
- Doll House
- Hole-in-the-Rock Trail/
San Juan Hill
- Butler Wash Dinosaur Track Site
- Big Kachina Panel
- Salvation Knoll

CUL-13 (BLM/USFS)

The agencies will continue to consult with Tribes, the Shash Jáa Commission or comparable entity, the Monument Advisory Committee, and the public, as appropriate, to add or remove sites to this list as necessary. Criteria for future allocation of sites are provided in Appendix G.

CUL-14 (BLM/USFS)

The agencies shall meaningfully engage the Shash Jáa 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 management of the Monument. To that end, if the management plans should be revised, the agencies shall carefully and fully consider integrating the traditional and historical knowledge and special expertise of the Commission or comparable entity. If the agencies decide not to incorporate specific recommendations submitted to them in writing by the Commission or comparable entity, they will provide the Commission or comparable entity with a written explanation of their reasoning.

CUL-15 (BLM/USFS)

All access points, trails, and climbing routes will continue to be open. However, if monitoring information indicates impacts to cultural resources, the agencies will consult and resolve any identified adverse effects to historic properties as per 36 CFR Part 800. Resolving management actions could include the following:

- Educate visitors on potential impacts to cultural resources and how to “tread lightly” and/or self-regulate to avoid impacting these resources.
- Work with visitors, organizations, and SRP/Special Use Permit (SUP) holders to increase volunteer monitoring and to educate users.
- If impacts continue, the agencies will close or reroute access points, trails, and climbing routes to avoid or reduce impacts to cultural resources or, if closure or routing is not practicable, implement mitigation to avoid significant impacts to site integrity.

CUL-16 (BLM/USFS)

When identified by Tribes as necessary for ceremonies and gatherings, implement actions to minimize potential conflicts with other resource uses that could interfere with ceremonies and gatherings. Sensitive cultural information will be kept confidential and safeguarded from release to the extent allowed by law.

2.3 Fire Management (FIRE)

2.3.1 Goals and Objectives

- Maintain or increase existing level of vegetation treatments. Treatment priorities will be identified to make progress in moving areas in Vegetation Condition Class (VCC) III to II, and VCC II to I.
- For vegetation cover types in proper functioning condition (PFC), use fire management as necessary to maintain that PFC.

2.3.2 Management Actions

FIRE-1 (BLM/USFS)

Wildland fire will be utilized to protect, maintain, and enhance resources, and, when possible, will be allowed to function in its natural ecological role.

FIRE-2 (BLM/USFS)

Hazardous fuels reduction treatments will be used to restore ecosystems; protect human, natural, and cultural resources; and reduce the threat of wildfire to communities.

FIRE-3 (BLM/USFS)

Protection of human life will be the primary fire management priority. Establishing a priority among protecting human communities and community infrastructure, other property and improvements, and natural and cultural resources will be based on human health and safety, the values to be protected, and the costs of protection. Fire management decisions and actions will consider the following:

- Protection of cultural resources and/or cultural landscapes
- Maintaining existing healthy ecosystems
- High-priority subbasins or watersheds, including watersheds that are impaired or that support important natural or cultural resources
- Habitat needs of threatened, endangered, or special status species
- Protection of recreation sites
- Protection of property

FIRE-4 (BLM/USFS)

Management of wildfires to meet resource objectives is authorized in the Monument. Consideration of ongoing management decisions and other natural changes will direct periodic reassessment of Desired Wildland Fire Condition and determination of potential areas for wildland fire use. Operational management of wildland fire use is described in the *Moab District Fire Management Plan* (BLM 1998 as amended). The fire management plan identifies fire management units that may have the potential for wildland fire use.

FIRE-5 (BLM/USFS)

Wildfires may be managed to meet resource objectives except when the following resources and values may be negatively impacted and there are no reasonable resource protection measures to protect such resources and values:

- Areas known to be highly susceptible to post-fire cheatgrass (*Bromus tectorum*) or invasive weed invasion
- Important terrestrial and aquatic habitats
- Riparian habitat
- Non-fire-adapted vegetation communities
- Sensitive cultural resources
- Areas of soil with high or very high erosion hazard
- Administrative sites
- Developed recreation sites
- Communication sites

FIRE-6 (BLM/USFS)

Fuels treatments will be focused on the Desired Wildland Fire Condition of restoring VCC regimes to ecosystems when feasible, so that future wildfires can be more easily managed. Unless otherwise prohibited, fuels management decisions may include the following activities:

- Mechanical treatments such as mowing, chopping, or chipping/grinding (with a brush cutter), chaining, tilling, cutting, or extraction
- Prescribed fire, including broadcast, underburn, and handpile burning
- Chemical spraying or biological treatments such as insects or goats/sheep/cattle
- Seeding, including aerial or ground application (manual or mechanical)
- Manual treatments, such as thinning, piling, lop and scatter, utilizing manual tools and chainsaws, and planting

FIRE-7 (BLM/USFS)

A Normal Year Fire Stabilization and Rehabilitation Plan for the Moab Fire District is in place to meet the Emergency Stabilization & Reclamation program needs and to comply with up-to-date Emergency Stabilization & Reclamation program policy and guidance. The Normal Year Fire Stabilization and Rehabilitation Plan is a programmatic implementation plan authorizing treatment options specific to vegetative communities and dependent upon post-wildland fire conditions and other site-specific considerations. Treatment actions that are designed according to the type and severity of wildfire impacts and priorities include, but are not limited to, areas where the following criteria apply: it is necessary to protect human life and safety as well as property; unique or critical cultural and/or historical resources are at risk; it is determined soils are highly susceptible to accelerated erosion; perennial grasses and forbs (fire-tolerant plants) are not expected to provide soil and watershed protection within 2 years; there is a need to establish a vegetative fuel break of less flammable species (greenstrips); unacceptable vegetation, such as noxious weeds, may readily invade and become established; shrubs and forbs are a crucial habitat component for wintering mule deer or other special status species; or stabilization and rehabilitation are necessary to meet MMP objectives.

FIRE-8 (BLM/USFS)

Fire suppression in wilderness areas, IRAs, WSAs, and lands managed for the protection of wilderness characteristics will be through “light-on-the-land” techniques or minimum impact suppression tactics as per BLM Manuals 6320, 6330, and 6340 and USFS Manuals 1925, 2324, and 2326.

FIRE-9 (USFS)

Fuels work will be allowed in the Dark Canyon Wilderness only if it were determined that it will maintain or enhance wilderness characteristics.

FIRE-10 (USFS)

Fuels work in the Arch Canyon IRA will be consistent with the 2001 Roadless Rule (36 CFR Part 294).

FIRE-11 (BLM/USFS)

Fuels management decisions will be allowed throughout the Monument with the following restrictions:

- Cultural sites within planned treatment areas will be pretreated with a variety of methods to reduce fuels before the use of prescribed fire.
- Prescribed fire will not be used to treat camping or other high use areas during times of high use.

FIRE-12 (BLM/USFS)

All prescribed burns will require coordination with agency biologists to ensure compliance with the Migratory Bird Treaty Act and the Endangered Species Act.

FIRE-13 (BLM/USFS)

Mechanical treatments will be allowed only in those areas where the agencies have determined that it will be consistent with the proper care and management of Monument objects and values.

2.4 Lands and Realty (LAR)

2.4.1 Goals and Objectives

- Acquire and maintain access to public lands to improve management efficiency, facilitate multiple use, and promote the public's enjoyment of these lands in coordination with other Federal agencies, State and local governments, and private landowners.

2.4.2 Management Actions

LAR-1 (BLM/USFS)

Minimum impact filming criteria: Filming will be allowed in all areas, provided the following criteria are met:

- The project will not adversely impact sensitive habitat or species.
- The project will not adversely impact American Indian sacred site(s) nor adversely affect NRHP-eligible sites.
- The project will not involve use of pyrotechnics more than a campfire in an appropriate setting.
- Filming will be allowed in all areas, provided impacts to land, air, or water can be avoided, mitigated, or reclaimed and all regulatory requirements can be met (e.g., Wilderness Act, Endangered Species Act, etc.)

- The project will not involve use of explosives.
- The project, if it involves use of livestock or exotic animal species, will provide certified weed-free feed for those animals and will include provisions for containment and/or capture of animals.
- The project will not involve extensive restriction of public access.
- Limited filming will be allowed in areas with the following sensitive resources, provided that impacts to these sensitive resources can be avoided, mitigated, or reclaimed:
 - Historic, cultural, or paleontological sites
 - American Indian sacred sites
 - Sensitive soils
 - Air quality
 - Sensitive species or habitat
 - Relict environments
 - Wetlands, floodplains, or riparian areas
 - Water quality
 - Wildlife habitat
 - ACECs
 - Wilderness, WSAs, and lands managed to protect wilderness characteristics
- Use of heavy equipment will be allowed, provided that any resource damage can be avoided, mitigated, or reclaimed.
- Criteria for use of aircraft (helicopter, fixed wing, hot air balloons, excluding unmanned aerial vehicles systems [UAVSs/drones]) will be as follows:
 - No landing or refueling will be conducted within WSAs and designated wilderness areas.
 - Use of aircraft in an area with wildlife concerns will be allowed if a survey or inventory by an approved biologist demonstrates that animals are not present or, if animals are present, aircraft use is not proposed for more than 1 day and does not exceed the frequency of two projects per 30-day period.
 - Use of aircraft in areas with high recreational use, WSAs, or areas close to residences is proposed for no more than 2 days and does not exceed the frequency of three 2-day projects per 30-day period.
 - Aircraft use proposed within 0.5 mile of any designated campground will be during low-use times (i.e., weekdays and not during major holidays between 8:00 a.m. and 6:00 p.m.)
 - No landing, taking off, or dropping or picking up any material or supplies with a flying apparatus, or operating aircraft within designated wilderness. Film permittees will observe Federal Aviation Administration flight advisory(s) for flying over designated wilderness.

LAR-2 (BLM)

Additional minimum-impact filming criteria for WSAs on BLM-administered lands:

- If the WSA is designated as Wilderness during on-going filming, the filming will cease until the BLM determines whether, and under what criteria, filming may continue.
- The project will not involve use of more than 20 livestock in these locations. Impacts from livestock can be avoided, mitigated, or reclaimed.
- The project will not involve 15 or more production vehicles. Vehicles will only be allowed on WSA or designated wilderness boundary roads.

- The project will not involve more than 5 people within these areas.
- The activity within these areas will not continue in excess of 10 days.

LAR-3 (BLM/USFS)

No lands in the Monument will be available for disposal. Acquisition of lands within the Monument will be pursued with willing sellers or by donation where it will provide for the protection, preservation, or enhancement of the objects and values for which the Monument was designated and/or when it will increase access for hunting, fishing, or other outdoor recreation activities. Any acquired lands will be managed as a portion of the BENM in the same manner as adjacent lands in the BENM unless they required specific management related to Monument objects and values.

LAR-4 (BLM/USFS)

As per BLM Manual 6330, USFS Manual 2300, and Congressional action, WSAs and Wilderness Areas will be exclusion areas for any rights-of-way (ROWs) (Section 501[a] Federal Land Policy and Management Act). As per the State of Utah v. Andrus, October 1, 1979 (Cotter Decision), the agencies will grant the State of Utah reasonable access to State lands for economic purposes on a case-by-case basis.

LAR-5 (BLM/USFS)

The agencies will give land exchanges with the State of Utah priority consideration in terms of acquiring land consistent with the management of Monument objects and values.

LAR-6 (BLM/USFS)

Landing on and taking off from existing backcountry airstrips on BLM- or USFS-administered lands in the Monument will be allowed.

LAR-7 (BLM/USFS)

Casual-use landing and take-off of drones/UAVs will not be allowed in the following areas in the Monument:

- Developed recreation areas
- All cultural resource sites
- WSAs
- Designated wilderness
- ACECs
- Arch Canyon IRA

LAR-8 (BLM/USFS)

Use of drones/UAVs for administrative use or permitted use will be analyzed on a case-by-case basis per U.S. Department of the Interior Operational Procedures Memorandum (OPM)-11, USFS Manual 5713.7, USFS Handbook 5700, and Federal Aviation Administration Civil Operations Part 107.

LAR-9 (BLM/USFS)

The Shash Jáa Unit will be a BLM ROW and USFS Special Use Authorization avoidance area with the following exceptions (Appendix B Map B-10):

- Exclusion areas:
 - Mule Canyon WSA
 - Fish Creek Canyon WSA
 - Designated wilderness
- Open areas:
 - Designated utility corridors

LAR-10 (BLM/USFS)

ROWs may be issued for maintenance and improvement of existing roads and where necessary to access non-Federal in-holdings so long as impacts to Monument objects and values can be avoided or mitigated.

LAR-11 (BLM/USFS)

Retain existing designated corridors. Do not designate new corridors.

2.5 Lands with Wilderness Characteristics (LWC)

Decisions regarding lands with wilderness characteristics decisions are BLM planning decisions and do not apply to USFS-administered lands. USFS planning decisions regarding inventoried roadless areas and other special designations are addressed in Section 2.11.

2.5.1 Goals and Objectives

- As appropriate, consider allowable uses consistent with the goals and objectives for managing lands for wilderness characteristics.

2.5.2 Management Actions

LWC-1 (BLM)

Do not apply any provisions specifically to protect wilderness characteristics. Manage lands with wilderness characteristics for multiple uses, subject to management actions for other resources and resource uses within this plan.

2.6 Livestock Grazing (GRA)

2.6.1 Goals and Objectives

- Allow for sustainable grazing that maximizes the contribution to the local community economy while providing for the protection, preservation, and enhancement of the Monument objects and values.
- Monitor rangeland conditions and adapt grazing practices as necessary to maintain or make progress toward long-term rangeland health.

- Maintain and improve existing range improvements, and consider new range improvements (including fencing, access, corrals, cattle guards, troughs, springs, wells, storage tanks, pipelines, guzzlers, and vegetation treatments) to allow for effective range management.
- Manage grazing to maintain a healthy and diverse vegetation community.
- Educate the public about avoiding conflict with livestock and manage livestock grazing to avoid conflicts with recreational users to the extent practicable.

2.6.2 *Management Actions*

GRA-1 (BLM/USFS)

Utilization levels will continue to be the same as those disclosed in the existing Monticello RMP (BLM 2008) and Manti-La Sal LRMP (USFS 1986):

- For BLM-administered allotments, desired utilization levels as management guidelines for key forage species will be identified as needed to monitor use levels on an allotment-specific basis to achieve Desired Future Condition. Where utilization levels have not been established, a use level of 50% will be the management guideline (BLM 2008) until monitoring data are used to identify an appropriate utilization level for a specific area. Utilization is the proportion or degree of current year's forage production that is consumed or removed by animals (including insects). Utilization data should be analyzed in conjunction with climate, actual grazing use, current or historic impacts (wildfire, livestock, wildlife, insects, etc.), and long-term trend data to help evaluate existing management and design future management to meet land use plan objectives.
- For USFS-administered allotments, proper use criteria (unless specified elsewhere in the Manti-La Sal LRMP or in an allotment management plan) for uplands are identified as 40% to 55% (season-long use), 45% to 60% (deferred rotation), and 55% to 65% (rest rotation) use of key species. Proper use criteria for riparian areas are identified as 50% to 60% (spring), 45% to 50% (summer), and 30% to 40% (fall) use or 4- to 5-inch stubble or regrowth of key species (USFS 1986).

GRA-2 (BLM/USFS)

If monitoring indicates that domestic livestock grazing is impacting Monument objects and values, including the following resources, appropriate mitigation measures may be used to minimize those impacts:

- | | |
|------------------------------|--------------------------------------|
| • Developed recreation sites | • Paleontological sites |
| • Cultural sites | • Riparian areas, springs, and seeps |

GRA-3 (BLM/USFS)

Continue to authorize current, active, permitted grazing use where consistent with other decisions unless monitoring data or other factors indicate a need for change (e.g., increases or decreases in stocking numbers or changes in Federal land ownership).

GRA-4 (BLM/USFS)

Develop offsite water sources where practicable to reduce impacts to riparian areas, seeps, and springs, and improve and increase grazing distribution within and across allotments. Identify grazing allotments that could benefit from improved grazing distribution and prioritize these allotments for the construction of new water sources.

GRA-5 (BLM/USFS)

Any range improvements will avoid construction on cultural sites and will avoid creating concentrations of livestock on cultural sites.

GRA-6 (BLM/USFS)

The Shash Jáa Unit will be available (BLM)/suitable (USFS) for grazing with the following exceptions, which will be unavailable (BLM)/not suitable (USFS) for grazing (Appendix B Map B-11):

- Nine side canyons of Butler Wash
- Developed recreation sites
- Comb Wash side canyons (Mule Canyon south of SR-95 and Arch, Fish, and Owl Canyons)
- Arch Canyon, including Texas and Butts Canyons (USFS)

GRA-7 (BLM/USFS)

The intention for areas unavailable (BLM)/not suitable (USFS) for grazing is to use natural topographic features (e.g., pour-offs, canyon walls, etc.) to the extent possible to mitigate direct adverse impacts to various resources from livestock. Where necessary, fencing may be used to augment natural topographical boundaries. Areas made unavailable to grazing may be adjusted through plan maintenance in order to prioritize use of natural topographic features as barriers to reduce adverse impacts to resources.

GRA-8 (USFS)

No new water developments for livestock or other improvements that will intensify or concentrate livestock use will be authorized within the South Milk Ranch Point pasture unit of the Babylon allotment. Fences that protect objects or values will still be allowed.

2.7 Paleontological Resources (PAL)

2.7.1 *Goals and Objectives*

- Ensure that areas that contain or are likely to contain vertebrate or noteworthy invertebrate or plant fossils and their traces are identified and evaluated prior to authorizing surface-disturbing activities or opening new areas to livestock grazing.
- Promote scientific, educational, and interpretive uses of fossils consistent with applicable laws, policies, and regulations.
- Identify, evaluate, study, interpret, and protect paleontological resources in the Monument.

2.7.2 *Management Actions*

PAL-1 (BLM/USFS)

The Monument will be managed to provide for the protection of paleontological resources consistent with Monument objects and values.

PAL-2 (BLM/USFS)

All research, inventories, and monitoring of paleontological resources will be conducted in accordance with applicable laws, regulations, and policy.

PAL-3 (BLM/USFS)

Casual collection of petrified wood will not be allowed in the Monument. Petrified wood collection is managed by the Petrified Wood Act of 1962, which established petrified wood as a mineral material under the Materials Act of 1947. The Monument has been withdrawn from all mineral entry and exploration.

PAL-4 (BLM/USFS)

As funding is available, the agencies will conduct paleontological resources inventories in a manner that complies with the Paleontological Resources Preservation Act. Priorities for inventory include the following (in this order):

- Group 1: Areas that receive heavy public use and/or those that lack intensive inventory in relation to current standards
- Group 2: Areas that need records clarification or updating
- Group 3: Areas with little or no previous inventory

These inventory priorities may change in response to changing conditions; uses and input from researchers, educators, and Tribes; or other changed circumstances such as changes in travel management implementation guidelines. Inventory and site documentation will conform to the standards listed in BLM Manual 8270; the agencies will also allow the use of additional field recording protocols in response to research goals and designs, special management, and/or other needs as identified in the future.

PAL-5 (BLM/USFS)

Collection of paleontological objects will be by permit only.

PAL-6 (BLM/USFS)

To protect paleontological resources no casual fossil collecting will be allowed within the Monument.

PAL-7 (BLM/USFS)

Conduct on-site survey for paleontological resources in Potential Fossil Yield Classification 4 and 5 areas prior to implementing any surface-disturbing activities.

PAL-8 (BLM/USFS)

Surface-disturbing activities will avoid or minimize impacts to paleontological resources to the degree practicable. Where avoidance is not practicable, appropriate mitigation to reduce impacts will be developed based on site-specific survey information.

PAL-9 (BLM/USFS)

The Authorized Officer (BLM)/Responsible Official (USFS) has the discretion to modify these survey requirements if they determine that the modification will continue to provide for the proper care and management of Monument objects and values.

PAL-10 (BLM/USFS)

If surveys indicate presence of significant paleontological resources on trails and access points, the BLM and USFS will close or reroute trails and access points for both casual and permitted use.

PAL-11 (BLM/USFS)

If trails and access points cannot be rerouted, the BLM and USFS will provide specific education to climbers and hikers on best climbing practices to avoid or minimize impacts to paleontological resources.

2.8 Recreation and Visitor Services (REC)

2.8.1 *Goals and Objectives*

- Manage, promote, and develop recreation resources while maintaining areas for other resources (e.g., wildlife and fish) and minimizing user conflicts, including providing for recreational and visitor services while ensuring the proper care and management of cultural resources.
- Manage recreation to protect human health and safety.
- Manage designated recreation areas in a manner that promotes desired use and minimizes conflicting uses.
- Develop management actions that are adaptive to recreation trends and changing demands.
- Within the identified SRMAs, manage for 1) the primary activities to achieve the identified experiences and benefits and 2) the physical, social, and operational settings within each area and the activities that occur within them (see Appendix I).
- Focus the recreation program and administer BLM SRPs and USFS Recreation SUPs to conserve the identified recreation outcomes, manage visitor use, protect recreational and natural resources, provide fair market value to the United States, and provide for the health and safety of visitors.
- Provide basic visitor services, including interpretation, information, and education in the context of the desired recreation setting.
- Throughout the life of the plan and as funding allows, evaluate visitor satisfaction on a 5-year basis using such methods as field visits, staff monitoring, and surveys. The objective is to manage recreation such that the achieved minimum visitor satisfaction rating is 80%.
- Manage the Monument to provide for the proper care and management of natural quiet that enhances recreational experiences.

2.8.2 *Management Actions*

REC-1 (BLM/USFS)

Developed recreation facilities will be unavailable for private and/or commercial harvest of woodland products including on-site collection of dead wood for campfires.

REC-2 (BLM/USFS)

No camping within 200 feet of isolated springs and water improvements to allow space for wildlife and livestock to access water.

REC-3 (BLM/USFS)

Ropes and other climbing aids will not be allowed for access to cultural sites (including archaeological resources), except for emergencies or administrative needs.

REC-4 (BLM/USFS)

Activities that have the potential for user conflict and/or that could impact public health and safety will require a permit. If detailed analysis on that activity indicates that it would conflict with Monument objects and values or would impact public health and safety, that permit will not be granted.

REC-5 (BLM)

Until implementation-level plans are completed, organized, commercial, and private group size will remain limited to 12 individuals for hiking to cultural sites in Comb Ridge accessed from Butler Wash.

REC-6 (BLM)

Until implementation-level plans are completed, commercial and private stock use group size will remain limited to 12 individuals and eight pack or saddle animals for Mule Canyon south of SR-95 and Lower Fish Canyon.

REC-7 (BLM/USFS)

Development of hiking paths and trails will be allowed if consistent with maintaining Monument objects and values. As part of site-specific implementation-level travel planning, redundant hiking trails and social trails will be closed and reclaimed.

REC-8 (BLM/USFS)

Camping fees will be charged if deemed necessary to provide facilities and services. Individual Special Recreation Permits (SRPs) (BLM) and SUPs (USFS) for private, non-commercial Special Area use will be required following current Federal Lands Enhancement Modernization Act authority and agency permit and fee administration policy. SRPs will be required for Moon House, Mule Canyon WSA (in-canyon), Butler Wash hiking, and Lower Fish Creek.

REC-9 (USFS)

USFS-administered lands within the Shash Jáa SRMA and the RMZs noted in REC-15 will be managed with USFS Recreation Opportunities Spectrum (ROS) categories.

REC-10 (USFS)

For USFS-administered lands in the Monument, construct, reconstruct, and maintain developed sites in accordance with the established ROS classification for the given area.

REC-11 (BLM/USFS)

An implementation-level recreation area management plan/business plan² will be developed for the BENM within 3 years following the cultural resources management plan. This implementation-level plan will restrict camping to designated sites if the following criteria apply:

- There are conflicting resource impacts that cannot be mitigated (e.g., cultural resources, visual, wildlife impacts).
- There are recurring issues with human waste, trash, campfires, and expanded disturbance that are best addressed through additional management.

REC-12 (BLM/USFS)

Certain recreational activities that are specifically called out in Proclamation 9681 but are not targeted SRMA activities will not be precluded in the Monument (unless specifically prohibited). These activities include mountain biking, hunting, and canyoneering. If there is future conflict between a targeted activity and a non-targeted activity, management actions will generally favor maintenance and enhancement of the targeted activity.

REC-13 (BLM/USFS)

Discharge of firearms will be prohibited in all developed recreation sites (e.g., campgrounds, trailheads, picnic areas, etc.) per 43 CFR 8365.2-5(a) and 36 CFR 261.10(d).

REC-14 (BLM/USFS)

In addition to current BLM and USFS policies for evaluating whether an SRP/SUP is required for organized group events and activities, the criteria in Table 6 will be considered to determine if an SRP/SUP is required or if a letter of agreement (BLM) or a non-commercial group SUP (USFS) is more appropriate. In those cases where the appropriate criteria are met, a letter of agreement from the Authorized Officer (BLM) will be used to document the decision to allow that activity. Group size thresholds for SRPs do not represent group size limits, rather they represent a threshold at which an SRP or letter of agreement will be required. The BLM also has the discretion to deny SRP applications if they deem that those SRPs will not be consistent with proper care and management of Monument objects and values.

² The BLM implements a recreation area management plan/business plan to address implementation-level decisions regarding camping and other recreational activities. The USFS typically addresses implementation-level camping decisions, such as campsite designation, through its travel planning process. For consistency purposes, this implementation-level planning is referred to as a "recreation area management plan/business plan" for both the BLM and the USFS throughout the MMPs/EIS.

Table 6. Organized Group Event/Activity Evaluation Matrix

Resource	Letter of Agreement Criteria†	SRP/SUP Requirement Criteria
Soils, vegetation, water	The area and associated features demonstrate resilience and resistance to anticipated impacts, and there are no threatened and endangered plant species conflicts. The activity is at a developed or Public Use site, on designated routes, or in a designated dispersed camping area; and existing infrastructure and management for the activity is adequate for the protection of resources. No additional agency management is required.	Resource conflicts exist at the area and specific mitigation and/or additional agency management is required for the activity including, but not limited to, monitoring and specific mitigation or avoidance stipulations for protection of resources.
Cultural resources, paleontological resources, wildlife	Resource conflicts are not present; and/or the activity is at a developed or Public Use site, on designated routes, or in a designated dispersed camping area; and existing infrastructure and management for the activity is adequate for protection of resources. No additional agency management is required.	The activity is not at a developed or Public Use site or on a designated route; and/or resource conflicts exist at the area and specific mitigation; and/or additional agency management is required for the activity including, but not limited to, monitoring and specific mitigation or avoidance stipulations for protection of resources.
Recreation	The activity is consistent with area recreation goals and objectives and does not present additional conflict with other recreation uses. No additional agency management is required.	The activity is not consistent with area recreation goals and objectives, and/or additional agency management is required for the activity including, but not limited to, monitoring and specific mitigation or avoidance stipulations to reduce recreation conflicts.

† A letter of agreement is not an authorization to use public lands, but it is documentation of the BLM's determination that a permit is not required and that there is an opportunity for the organized group to plan its activity in a manner that does not require permit issuance and oversight; documentation that the organized group contacted and worked with the BLM in planning its activity; and an opportunity to obtain information about the activity and attribute use in the BLM's Recreation Management Information System.

REC-15 (BLM/USFS)

Designate the following SRMA and identify the following RMZs (Appendix B Map B-12):

- Shash Jáa SRMA: Trail of the Ancients RMZ, South Elks/Bears Ears RMZ, Arch Canyon RMZ, Arch Canyon Backcountry RMZ, McLoyd Canyon-Moon House RMZ, San Juan Hill RMZ, The Points RMZ, and Doll House RMZ

REC-16 (BLM)

Shash Jáa SRMA (Note: Decisions apply to all areas within the SRMA except where superseded by specific RMZ and WSA decisions. The following decisions apply to the entire Shash Jáa SRMA.)

- Existing developed recreation sites will be maintained. New sites/facilities/trails will be developed in response to user demand consistent with protecting, preserving, and enhancing Monument objects and values.
- No new OHV or mechanized trails will be developed on the Comb Ridge formation west of Butler Wash.
- ISRPs for private and commercial Special Area use will be required following current Federal Lands Recreation Enhancement Modernization Act authority and BLM permit and fee administration policy. ISRPs will be required for Moon House, Mule Canyon WSA (in-canyon), Butler Wash hiking, and Lower Fish Creek.
- All access points, trails, and climbing routes will continue to be open. However, if monitoring information indicates site-specific impacts, the agencies can do any of the following:
 - Educate climbers on potential climbing impacts and how to “tread lightly” and/or self-regulate to avoid impacting these resources.
 - Work with climbing organizations and SRP/SUP holders to increase volunteer monitoring and to educate climbers.
 - If site-specific impacts exist, close or reroute access points, trails, and climbing routes.

- **Pets:** All pets must be under human control at all times. Pets will be allowed off-leash, under voice control. Pets will not be allowed in or at any alcoves, rock writing sites, or other non-developed archaeological sites. Pet use at developed archaeological sites will be as posted. Pets must not harass or harm wildlife. Pets must not harass visitors or other visitors' pets. Pets will not be allowed to swim in springs, pot holes, or other natural water sources. Pet waste disposal requirements will be identical to human waste disposal requirements for this alternative.
- **Human and other waste:** Visitors will be required to bury human waste 4–6 inches deep, 200 feet from any water source, and outside of developed recreation facilities. If human waste becomes a problem, the BLM could require human waste to be packed out. All cans, trash, organic garbage, and burnable refuse including toilet paper must be carried out. Liquid garbage may be discarded 200 feet from any water source. Dishwater must be strained and discarded 200 feet from any camps, trails, and water sources.
- **Target shooting:** Target shooting will generally be allowed but will be prohibited at campgrounds/developed recreation sites, rock writing sites, and structural cultural sites. Where problem areas occur regarding target shooting, the agencies will post signs notifying visitors of restrictions and will consider implementing supplemental rules.
- **Until an implementation-level camping plan is completed,** dispersed vehicle camping in the Shash Jáa Unit (including when allowed in RMZs) will be allowed only in previously disturbed areas within 150 feet of designated routes (on each side of a centerline). If monitoring indicates impacts to Monument objects and values, the agencies will consider closing and restoring impacted areas in accordance with applicable laws and policies. This use will not include areas within WSAs, ACECs, or threatened and endangered or special status species habitats. Future implementation-level planning will consider additional camping designations and limitations.
- **Until an implementation-level recreation area management plan/business plan is completed for USFS-administered lands,** dispersed camping will be allowed within 150 feet of a designated travel route as reflected in the 1991 Manti-La Sal National Forest Travel Management Plan/Travel Map and amended by the most current Monticello Ranger District Motor Vehicle Use Map.

REC-17 (BLM)

SRMA outside of RMZs

- **SRPs:**
 - Competitive OHV events and vending use will not be allowed.
 - All organized events/activities must coordinate with the BLM. In general, for all events/activities an SRP or letter of agreement will be required if an organized event/activity group size exceeds 25 OHV/mechanized vehicles, 50 individuals, or 15 pack animals. However, if monitoring indicates significant impacts to Monument objects and values, the BLM will consider adjusting group size thresholds during implementation-level planning. Any group size limits developed during implementation-level planning that exceed those described above will also require a plan amendment.
- **Camping:** Until analyzed in an implementation-level plan or until dispersed camping sites are designated, camping will be encouraged in previously disturbed sites.

REC-18 (BLM)

Trail of the Ancients RMZ

- **SRPs:** Competitive events may be allowed unless implementation-level analysis identifies resource or safety concerns. All organized events/activities must coordinate with the BLM.

In general, for all events/activities an SRP or letter of agreement will be required if an organized event/activity group size exceeds 25 OHV/mechanized vehicles, 50 individuals, or 25 pack animals. However, if monitoring indicates significant impacts to Monument objects and values, the BLM will consider adjusting group size thresholds during implementation-level planning. Any group size limits developed during implementation-level planning that exceed those described above will also require a plan amendment.

- Camping: Until analyzed in an implementation-level plan, dispersed camping will be encouraged in designated sites and developed campgrounds but not restricted to those sites.
- Trail of the Ancients RMZ will be managed to facilitate cultural and heritage tourism.

REC-19 (BLM)

Arch Canyon RMZ

- SRPs: Non-motorized competitive events will be allowed with spectators limited to areas that have been cleared for cultural and paleontological resources unless monitoring shows adverse impacts to Monument objects and values.
- Vending will not be allowed.
- All organized events/activities must coordinate with the BLM. In general, for all events/activities an SRP or letter of agreement will be required if an organized event/activity group size exceeds 25 OHV/mechanized vehicles, 50 individuals, or 15 pack animals. However, if monitoring indicates significant impacts to Monument objects and values, the BLM will consider adjusting group size thresholds during implementation-level planning. Any group size limits developed during implementation-level planning that exceed those described above will also require a plan amendment.
- A maximum of six motorized commercial or organized events will be permitted between March and May on non-consecutive weekends.
- OHV and mechanized casual use will be allowed on BLM-administered lands. USFS-administered lands will be closed to motorized and mechanized use.
- Camping: Until analyzed in an implementation-level plan, dispersed camping will be encouraged in designated sites and developed campgrounds but not restricted to those sites.
- Campfires will be allowed except in archaeological sites.
- A seasonal OHV access closure from March 1 to August 31 (last 0.5 mile before National Forest boundary) applies only to commercial use and will specify a turnaround point each year.

REC-20 (BLM)

McLloyd Canyon-Moon House RMZ

- The McLloyd Canyon-Moon House RMZ occurs within the Fish Creek Canyon WSA and is managed under current WSA policy. In addition to this management, the following prescriptions will apply:
 - The area will be designated as an OHV closed area.
 - Public access will be limited via a permit system for day visits.
 - Permits will be required and managed through the Cedar Mesa permits reservation system; 20 people per day allowed for private use and 16 additional people allowed on commercial guided trips or tours led by BLM-trained docents.
 - Group sizes will be no larger than 12 people.

- Access to the interior corridor of Moon House will be limited to four people at any one time.
- Visitors will not be allowed to enter the Moon Room or other adjoining rooms within Moon House.
- Human waste must be packed out.
- No overnight use will be allowed.
- Hiking to Moon House will be limited to the designated trail. Hiking to other sites in the RMZ may also be limited to designated trails if determined necessary.
- RMZ will be closed to pack animals and pets.
- Campfires will not be allowed.
- The area will be unavailable for private and/or commercial use of woodland products, including on-site collection of dead wood for campfires.
- McLoyd Canyon will be closed to overnight use from the head of the canyon to UTM 607100E, 4143495N.

REC-21 (BLM)

San Juan Hill RMZ

- **SRPs:** Competitive and vending use not allowed. All organized events/activities must coordinate with the BLM. In general, for all events/activities an SRP or letter of agreement is required if an organized event/activity group size exceeds 25 OHV/mechanized vehicles, 50 individuals, or 15 pack animals. However, if monitoring indicates significant impacts to Monument objects and values, the BLM will consider adjusting group size thresholds during implementation-level planning. Any group size limits developed during implementation-level planning that exceed those described above will also require a plan amendment.
- **Camping:** Until analyzed in an implementation-level plan, dispersed camping will be encouraged in designated sites but not restricted to those sites. Campfires will be allowed in fire pan, except no campfires allowed in archaeological sites.
- **Recreational use of the San Juan River within the area previously designated as the San Juan River SRMA.**
 - River trips on the San Juan River will require an ISRP. Commercial SRPs will be issued to commercial companies on a 5-year designated basis. They will also be issued to private users through an annual lottery system.
 - The area will be unavailable for woodland product use, except for limited on-site collection of dead wood for campfires. Woodland use within the floodplain will be limited to collection of driftwood for campfires. Campfires will be allowed only with a fire pan.
 - For motorized boating, downstream travel will be allowed at low, wakeless speed. Upstream travel will be prohibited, except for emergency purposes (Semi-Primitive Motorized).
 - Launch limits will allow 40,000 user/days per year.
 - Trip size will be limited to 25 people total (including crew) for private trips. Commercial group size limits will remain at 33 people (25 passengers plus eight guides) per trip.
 - Commercial use will be allowed up to 40% of total use. Two commercial day trips per day (one launch of 25 passengers and one launch of 10 passengers) will be allowed and are not included in the launch limits.
 - Administrative and research use will be authorized on a case-by-case review and determination.
 - Vehicle camping will be allowed only upstream of Comb Wash. In this area, dispersed vehicle camping will be allowed in previously disturbed areas within 150 feet of designated routes.

REC-22 (USFS)

SUPs for recreation uses on the USFS portion of the Monument will continue to be managed according to the *Manti-La Sal Needs Assessment and Resource Capability Guidance for Recreation Special Uses* (USFS 2013).

REC-23 (USFS)

Arch Canyon Backcountry RMZ

- Desired future condition on USFS-administered lands is described in Appendix I.
- ROS Class: SPNM.
- Managed as an OHV closed area.
- Closed to mechanized use.
- Permitted use: 12-person limit on group size (individuals).
- Competitive events will not be allowed.
- Scenic Integrity Objective (SIO): High.
- If monitoring indicates significant impacts from dispersed camping on Monuments objects and values, dispersed camping will be limited to designated areas only.

REC-24 (USFS)

The Points RMZ

- Desired future condition on USFS-administered lands is described in Appendix I.
- The Points will be managed as Backcountry Semi-primitive motorized.
- SIO: High.
- Until analyzed in an implementation-level plan, dispersed camping on USFS-administered lands will be allowed as reflected in the 1991 Manti-La Sal National Forest Travel Management Plan/Travel Map and amended by the most current Monticello Ranger District Motor Vehicle Use Map. After completion of an implementation-level recreation area management plan/business plan, camping will be allowed in designated sites only.
- After completion of an implementation-level camping plan, campfires will be allowed in designated sites only.
- Managed as an OHV limited area.

REC-25 (USFS)

South Elks/Bears Ears RMZ

- Desired future condition on USFS-administered lands is described in Appendix I.
- Recreation development in the Monument on USFS-administered lands will be focused here. The area provides an access point for adjacent Semi-Primitive Motorized setting found in the Points Semi-Primitive Motorized.
- This RMZ will be managed same as Trail of the Ancients above with following exceptions:
 - ROS Class: Roaded Natural.
 - Until analyzed in an implementation-level plan, dispersed camping on USFS-administered lands will be allowed as reflected in the 1991 Manti-La Sal National Forest Travel Management Plan/Travel Map and amended by the most current Monticello Ranger District Motor Vehicle Use Map. After completion of an implementation-level recreation area management plan/business plan, camping will be allowed in designated sites only.
 - After completion of an implementation-level camping plan, campfires will be allowed in designated sites only.

REC-26 (USFS)

Doll House RMZ

- No camping will be allowed in the RMZ.
- Human waste must be packed out.
- Campfires will not be allowed.
- Unavailable for private and/or commercial use of woodland products, including on-site collection of dead wood for campfires.
- No people will be allowed inside or on top of structures.

2.9 Riparian and Wetland Resources (RIP)

2.9.1 Goals and Objectives

- Manage riparian resources for properly functioning conditions, ensuring ecological diversity, stability, and sustainability, including the desired mix of vegetation types, structural stages, and landscape/riparian/watershed function and provide for native and special status plant, fish, and wildlife habitats.
- Manage riparian areas for PFC, and ensure stream channel morphology and functions are appropriate to the local soil type, climate, and landform.
- Avoid or minimize the destruction, loss, or degradation of riparian areas, wetlands and associated floodplains; preserve and enhance natural and beneficial values.

2.9.2 Management Actions

RIP-1 (BLM/USFS)

Dispersed recreation management: Limit use where the riparian area is being unacceptably damaged.

RIP-2 (BLM/USFS)

Reclaim disturbed soils where erosion could cause adverse impacts to Monument objects and values, including riparian areas and aquatic ecosystems.

RIP-3 (BLM/USFS)

Minimize surface-disturbing activities in riparian areas that alter vegetative cover, result in stream channel instability or loss of channel cross sectional area, or reduce water quality, unless the action is designed for long-term benefits to riparian, wetland, or aquatic habitats (e.g., side channel restoration).

RIP-4 (BLM/USFS)

Water quality management: Vegetate disturbed soils in sites where adverse impacts will occur according to the following priorities:

- Aquatic ecosystems
- Riparian ecosystems

RIP-5 (BLM/USFS)

New trails developed in riparian areas will be designed to minimize impacts to riparian function. Trails will cross streams at points that best maintain riparian and aquatic ecosystems as well as trail and stream geometry. Crossings (fords) will be located at points of low bank slope and firm surfaces to the extent feasible.

RIP-6 (BLM/USFS)

Reduce tamarisk, Russian olive, and other woody invasive species where appropriate using allowable vegetation treatments (approximately 5,000 acres will be treated over the lifespan of the plan). Reseed treatment areas, when appropriate, to avoid erosion damage or the reestablishment of invasive species. Additionally, reduce herbaceous invasive species where appropriate.

RIP-7 (BLM/USFS)

Floodplains and riparian/aquatic areas are:

- Subject to fire suppression if necessary to protect riparian habitat.
- Excluded from private and/or commercial use of woodland products, except for American Indian traditional purposes as determined on a site-specific basis; limited on-site collection of dead wood for campfires is allowed as Section 2.17.
- Available for habitat, range, and watershed improvements and vegetation treatments described in *The Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement* (BLM 2007).
- Excluded from surface disturbance by mechanized or motorized equipment (except as allowed above) and from structural development (unless there is no practical alternative and/or the development will enhance riparian/aquatic values).

RIP-8 (BLM/USFS)

Cottonwood and willow harvest will be allowed for American Indian ceremonial uses through a permit system. Restrictions on this harvest will be implemented as necessary to achieve or maintain PFC.

RIP-9 (BLM/USFS)

No camping allowed within 200 feet of isolated springs or water sources to allow wildlife and livestock access to water.

RIP-10 (BLM/USFS)

Discourage dispersed camping in riparian areas Functioning at Risk if camping is determined to be the causal factor.

RIP-11 (BLM/USFS)

Avoid or limit surface disturbance in drinking source water protection zones.

RIP-12 (BLM/USFS)

Range resource management: Avoid trailing livestock along the length of riparian areas except where existing trailing corridors occur. Rehabilitate existing trailing corridors where damage is

occurring in riparian areas. Implement BMPs if monitoring shows livestock are causing damage to riparian areas. If BMPs are ineffective, relocate livestock outside riparian area if possible and when necessary to achieve riparian area goals.

RIP-13 (BLM/USFS)

Riparian, floodplain, and wetland management: Prior to implementation of project activities, delineate and evaluate riparian areas and or wetlands that may be impacted. Project-specific impacts to riparian areas, floodplains, and wetlands will be analyzed at the site-specific level and mitigation measures will be developed and implemented as necessary to prevent unnecessary and undue resource degradation.

RIP-14 (BLM/USFS)

Initial attack and fire suppression: Restrict heavy equipment line construction in riparian areas unless other values are at risk. Avoid aquatic and riparian ecosystems with this equipment to the extent possible.

RIP-15 (BLM/USFS)

For both BLM- and USFS-administered lands, no new surface-disturbing activity will be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs and streams unless it meets at least one of the following exceptions:

- The activity is a vegetation treatment that does not impair riparian function.
- The activity is related to development of recreational or range infrastructure that does not impair riparian function.
- It can be shown that all long-term impacts can be fully mitigated.
- The activity will benefit the riparian area.
- It can be shown that there are no practical alternatives and that all long-term impacts can be fully mitigated.

RIP-16 (BLM/USFS)

If monitoring determines that a permitted activity is a causal factor in riparian areas Functioning at Risk or Nonfunctioning, steps will be taken to mitigate the impacts of that activity or temporarily restrict the activity, or, if necessary, the riparian area will be closed to that activity to provide for restoration and maintenance of riparian area PFC. In those cases where there are closures, those closures will be lifted if changes in the permitted activity provide for restoration and maintenance of riparian area PFC.

RIP-17 (BLM/USFS)

Requirements for a hydrologic study will be determined at the implementation level based on groundwater levels and geologic conditions. Do not authorize land uses for water withdrawals that could negatively affect groundwater for seeps and springs and ensure that any authorized withdrawals will provide for the proper care and management of Monument objects.

RIP-18 (BLM/USFS)

During implementation-level travel planning: Locate new roads and trails, including motorized and non-motorized trails, outside riparian areas unless alternative routes have been reviewed and

rejected. Do not parallel streams when road/trail location must occur in riparian areas except where absolutely necessary. Cross streams at points that best complement riparian and aquatic ecosystems as well as road/trail and stream geometry. Locate crossings (fords) at points of low bank slope and firm surfaces to the extent feasible.

RIP-19 (BLM/USFS)

During implementation-level travel planning, designate routes, including hiking and equestrian trails, to avoid sensitive water and soil resources where monitoring has shown degradation from these recreational activities. These sensitive areas include the following:

- Sensitive soils
- Seeps and springs

RIP-20 (BLM/USFS)

Conduct vegetation treatments in riparian areas to remove nonnative vegetation, including tamarisk and Russian olive.

RIP-21 (BLM/USFS)

Vegetation treatment will require coordination with agency biologist to ensure compliance with the Migratory Bird Treaty Act and the Endangered Species Act.

RIP-22 (BLM/USFS)

Treatment type will be determined on a case-by-case basis at the implementation level based on what is deemed consistent with maintaining Monument objects and values.

2.10 Soil and Water Resources (SOLW)

2.10.1 Goals and Objectives

- Manage BLM- and USFS-authorized activities to promote sustainable soil functions, reduce threats to soil resources, and maintain or improve soils to a suitable level of functionality, with soil properties appropriate to site-specific climate and landform.
- Manage actions to protect, to the extent practicable, highly sensitive soils and biological soil crusts.
- Manage actions on BLM- and USFS-administered lands in the Monument to provide for long-term sustainability of soil.
- Manage actions on BLM- and USFS-administered lands in the Monument to promote watershed function and meet State water quality standards.

2.10.2 Management Actions

SOLW-1 (BLM/USFS)

Maintain or improve soil quality and long-term soil productivity through the implementation of *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997), *USFS Handbook 2209.21 - Rangeland Ecosystem Analysis and Monitoring Handbook* (USFS 2004), and other soil protection measures.

SOLW-2 (BLM/USFS)

Manage uses to minimize and mitigate impacts to soil and water resources.

SOLW-3 (BLM/USFS)

Maintain and/or restore overall watershed health and water quality conditions by reducing erosion, stream sedimentation, and salinization of water.

SOLW-4 (BLM/USFS)

Assess watershed function using Utah's Standards for Rangeland Health (BLM 1997); USFS desired conditions for rangelands; riparian PFC; Assessment, Inventory, and Monitoring methodology; and State water quality standards.

SOLW-5 (BLM)

Where Utah's Standards for Rangeland Health (BLM 1997) are not met or are not making progress toward meeting standards due to the impairment of biological soil crusts, apply guidelines from Biological Soil Crusts: Ecology and Management (BLM 2001, as revised) or other published literature based on the best available science, as appropriate.

SOLW-6 (BLM/USFS)

If surface-disturbing activities cannot be avoided on slopes between 21% and 40%, an erosion control plan will be required. The plan must be approved by the agencies prior to construction and maintenance and include the following:

- An erosion control strategy
- The BLM and USFS accepted and/or approved survey and design of the erosion control plan

SOLW-7 (BLM/USFS)

For slopes greater than 40%, no surface disturbance will be allowed unless it is determined that other placement alternatives are not practicable, or when surface-disturbing activities (e.g., trail construction) are necessary to reduce or prevent soil erosion. In those cases, an erosion control plan will be required for review and approval by the BLM and USFS prior to permitting the activity.

SOLW-8 (BLM/USFS)

Water quality and soil productivity will be maintained or improved.

SOLW-9 (BLM/USFS)

Identified watershed improvement needs will be completed at a reasonable rate throughout the planning period, which will reduce soil erosion and stream sedimentation.

SOLW-10 (BLM/USFS)

Permit only those special uses that will not impair water quality or quantity.

SOLW-11 (BLM/USFS)

Avoid or limit surface disturbance in drinking water source protection zones.

SOLW-12 (BLM/USFS)

Implement BMPs relative to water quality according to the *Utah Statewide Nonpoint Source Pollution Management Plan* (UDEQ 2013).

SOLW-13 (BLM/USFS)

Provide for harvest of forest products when the activity will improve water production and/or does not adversely affect water quality.

SOLW-14 (BLM/USFS)

Manage actions on BLM- and USFS-administered lands in the Monument in accordance with relevant recommendations published in the State of Utah's Total Maximum Daily Load reports.

SOLW-15 (BLM/USFS)

Requirements for a hydrologic study will be determined at the implementation level based on groundwater levels and geologic conditions. Do not authorize land uses for water withdrawals that could negatively affect groundwater for seeps and springs and ensure that any authorized withdrawals will provide for the proper care and management of Monument objects.

SOLW-16 (BLM/USFS)

For both BLM- and USFS-administered lands, no new surface-disturbing activity will be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs and streams unless it meets at least one of the following exceptions:

- The activity is a vegetation treatment that does not impair riparian function.
- The activity is related to development of recreational or range infrastructure that does not impair riparian function.
- It can be shown that all long-term impacts can be fully mitigated.
- The activity will benefit soil and water resources.
- It can be shown that there are no practical alternatives and that all long-term impacts can be fully mitigated.

SOLW-17 (BLM/USFS)

If degradation of sensitive resources is observed or documented through monitoring in areas with designated trails, hikers will be encouraged to stay on the trail and leave no trace through placement of signs and/or use of barriers. If impacts from off-trail hiking continue, hiking off-trail could be prohibited.

SOLW-18 (BLM/USFS)

During implementation-level travel planning, avoid locating new hiking and equestrian trails and reduce duplicate trails within 100 meters of water sources or on sensitive soils (including steep slopes) whenever possible and practical to minimize impacts to soil and water resources.

2.11 Special Designations (SPEC)

2.11.1 Goals and Objectives

- Manage areas with special designations to provide special management as required to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems or processes.
- Maintain the long-term sustainability of the values for which special designations are managed.

2.11.2 Management Actions

SPEC-1 (BLM)

If WSAs within the Monument are released by Congress, the agencies will conduct a land use plan amendment of this MMP with accompanying NEPA analysis to determine how those lands will be managed. The Monument includes all or portions of the Fish Creek Canyon and Mule Canyon WSAs (Appendix B Map B-13).

SPEC-2 (BLM)

WSAs will continue to be managed as per BLM Manual 6330, including being managed as Visual Resource Management (VRM) Class I, closed to OHV use, and ROW exclusion areas.

SPEC-3 (USFS)

The Arch Canyon IRA will be managed consistent with the 2001 Roadless Rule (36 CFR Part 294).

SPEC-4 (BLM)

San Juan River ACEC (Appendix B Map B-14)

- Vehicle access, including OHVs/mechanized, limited to designated routes.
- Unavailable for private and/or commercial use of woodland products except for limited on-site collection of dead wood for campfires; woodland use within the floodplain will be limited to collection of driftwood for campfires.
- Available for livestock use October 1–May 31. Grazing must incorporate rest-rotation and/or deferred management systems. Riparian areas must meet or exceed PFC to the extent affected by grazing.
- Available for watershed, range, wildlife habitat improvements, and vegetation treatments.
- Managed to limit recreation use if wildlife values are being adversely impacted.
- Camping closed in areas as necessary to protect cultural, wildlife, and natural processes.
- Designated access trails to cultural sites as necessary to protect cultural resources.
- No camping in cultural sites.
- Ropes and other climbing aids not allowed for access to ruins, cultural sites, and nesting raptors.
- All areas intersected by the San Juan Hill RMZ are ROW avoidance areas.

- Recreation management prescriptions identified for the San Juan Hill RMZ in the Recreation and Visitor Services section of this MMP (Section 2.8) will also be followed and are consistent with the management outlined above.

SPEC-5 (BLM)

Mule Canyon WSA (Appendix B Map B-13)

- Stock use (in-canyon) will not be allowed with the exception of stock associated with permitted livestock grazing.
- SRPs: Competitive events, vending, and OHV and mechanized use will not be allowed. All organized events/activities must involve BLM coordination. In general, for all events/activities, an SRP or letter of agreement will be required if an organized event/activity group size exceeds 12 individuals (limited to 12 individuals in-canyon). If monitoring indicates significant impacts to Monument objects and values, group size thresholds will be reduced during implementation-level planning. Any group size limits developed during implementation-level planning that exceed those described above will also require a plan amendment.
- A permit (ISRP) for private, non-commercial Special Area use will continue to be required for in-canyon day and overnight use. Group size is limited to 12.
- Camping: In-canyon camping could be limited to certain designated areas if resource or cultural damage occurs. Dispersed vehicle camping will not be allowed in the WSA.
- Campfires will not be allowed.

2.12 Special Status Species (SSP)

2.12.1 Goals and Objectives

- Manage special status species habitat to maintain viable species populations and prevent Federal listing.
- Inventory and monitor special status species and their habitats to contribute to a greater understanding of their abundance and distribution within the Monument.
- Implement recovery actions for listed species with U.S. Fish and Wildlife Service recovery plans such that the measurable results of these actions contribute to meeting de-listing criteria for a given species.

2.12.2 Management Actions

SSP-1 (BLM/USFS)

Raptor management will be guided by the practices in Appendix E, utilizing seasonal and spatial buffers as well as mitigation, to maintain and enhance raptor nesting and foraging habitat, while allowing other resource uses.

SSP-2 (BLM/USFS)

Any nonessential routes developed for a project located in special status species habitat will be closed and rehabilitated when the project is complete.

SSP-3 (BLM/USFS)

Habitat and vegetation management actions will be coordinated with other resource programs to ensure consistency with management of Monument objects and values.

SSP-4 (BLM/USFS)

Protect bat roosting, hibernating, and breeding habitat from disturbance. Abandoned Mine Lands will be monitored/surveyed prior to reclamation in accordance with the Utah Division of Wildlife Resources and the Utah Division of Oil, Gas and Mining Abandoned Mine Reclamation Program *Memorandum of Understanding: Conservation and Management of Bats in Abandoned Mines in Utah* (Utah Division of Wildlife Resources 2015). If bats are present, bat gates will be installed unless human safety is at risk.

SSP-5 (USFS)

In suitable northern goshawk nesting habitat, complete territory occupancy surveys prior to management actions. When an active nest area is identified, identify the active nest area (generally 30 acres), two alternative nest areas, and three replacement nest areas where USFS vegetation management is designed to maintain or improve desired nest area habitat.

SSP-6 (USFS)

When non-vegetative management activities are proposed that will result in loss of suitable goshawk habitat, sufficient mitigation measures will be employed to ensure an offset of the loss.

SSP-7 (USFS)

In active northern goshawk nest areas, restrict USFS management activities and human uses for which the USFS issues permits during the active nesting period (does not include livestock permits) unless it is determined that the disturbance is not likely to result in nest abandonment.

SSP-8 (USFS)

Identify a post-fledging area for goshawk that encompasses the active, alternative, and replacement nest areas and additional suitable habitat (600 acres including nest areas). Vegetative manipulation within the post-fledging area should be designed to maintain or improve goshawk habitat. Created openings in ponderosa pine and mixed conifer types should not exceed 2 acres. Management activities should be restricted during the active nesting period (March 1 to September 30).

SSP-9 (BLM/USFS)

Prohibit commercial overnight use in designated Mexican spotted owl nesting areas (i.e., protected activity centers) from March 1 to August 31.

SSP-10 (BLM/USFS)

Avoid loss or degradation and promote restoration of side channel, backwater, or other off-channel habitats important for special status aquatic species.

SSP-11 (BLM/USFS)

Maintain, restore, and/or improve critical habitat requirements for threatened and endangered fish, including restoration and enhancement of backwater, side channel, and floodplain habitats. Manage habitat to minimize disturbance except when conducting riparian and aquatic habitat projects.

2.13 Travel and Transportation Management (TM)

2.13.1 Goals and Objectives

- Manage the transportation system so it provides safe and reasonable access for public travel, recreation uses, traditional and cultural uses, and land management and resource protection activities, and contributes to the social economic sustainability of local communities while providing proper care and management of Monument objects and values.
- Support a culture of surface travel user stewardship and conservation of the landscape during user travel.

2.13.2 Management Actions

TM-1 (BLM/USFS)

Identify the entire BENM as a travel management area for the purposes of current and future travel management.

TM-2 (BLM/USFS)

This plan will guide future implementation-level travel management planning including mechanized and other modes of travel where the agencies will designate travel routes within the Shash Jáa Unit as per Presidential Proclamation 9558, as modified by Proclamation 9681. This will be done outside of this Monument management planning process through a site-specific implementation-level travel plan. Until an implementation-level travel management plan or emergency order is completed for the Shash Jáa Unit, all current implementation-level route designations within areas designated in the MMP as OHV limited areas will remain in effect. This will include the routes designated in the Monticello RMP and the USFS Motorized Vehicle Use Map (Appendix B Map B-15). Management and use of routes on BLM-administered lands will be consistent with BLM Travel and Transportation Manual 1626, Handbook 8342, and other applicable guidance.

TM-3 (BLM/USFS)

Any additional roads or trails designated for OHV use as part of implementation-level travel planning must be for the purpose of public safety or protection of Monument objects and values.

TM-4 (BLM/USFS)

Implementation-level travel planning in SRMAs and Extensive Recreation Management Areas (ERMAs) will recognize the San Juan County OHV route system and integrate it to the extent possible in travel management and recreational goals and objectives.

TM-5 (BLM/USFS)

Implementation-level travel planning will consider Monument objects and values in the determination of which routes to designate, develop, or close. Details regarding resource-specific criteria for implementation-level travel planning are provided, as applicable, in the respective resource sections.

TM-6 (BLM/USFS)

As part of implementation-level travel planning, monitor OHV use areas and, if unacceptable impacts to natural and cultural resources are occurring, develop implementation-level limitations including route designation, route closure, motorized vehicle size and weight limitations, or other mitigation measures as necessary to address those impacts.

TM-7 (BLM)

Any lands acquired by the BLM over the life of the MMP will be managed with the same OHV area designations of adjoining BLM-administered lands or as stated or implied in the land transfer. If clarification is absent, the BLM will manage the acquired lands as OHV limited. The type of limitation will be determined by implementation-level travel planning. Until that implementation-level travel planning is completed, the OHV limited use will continue in the same manner and degree consistent with the proper care and management of Monument objects and values.

TM-8 (BLM/USFS)

Mechanized travel (e.g., bicycles) is limited to routes where OHV use is allowed and trails specifically designated for mechanized use.

TM-9 (BLM)

Management of the Mule Canyon and Fish Creek Canyon WSAs in the Monument will be according to BLM Manual 6330, Management of BLM Wilderness Study Areas.

TM-10 (BLM/USFS)

Any of the following trails found wholly within the Monument will be managed for non-motorized and non-mechanized use:

- McLoyd Canyon, North Mule Canyon, South Mule Canyon, Lower Mule Canyon from Comb Wash, Mule Canyon or Cave Canyon towers, Butler Interpretive Trail, Monarch Cave Trail, Fish Mouth Trail, Cold Springs Trail, Procession Panel Trail, Wolf Man Panel Trail, Moon House Trail, Ball Room Cave Trail, and Lower Mule Canyon from Comb Wash
- On USFS lands: Butts Canyon, Texas Canyon, Arch Canyon, West Rim Texas Canyon, East Rim Texas Canyon, and South Long Point.

TM-11 (BLM/USFS)

The Monument will be designated as an OHV limited area except for the following, which are designated as OHV closed areas (Appendix B Map B-16):

- Mule Canyon WSA
- Dark Canyon Wilderness
- San Juan Hill RMZ closed area
- Arch Canyon IRA (USFS)
- Fish Creek Canyon WSA

TM-12 (BLM/USFS)

Until implementation-level travel planning is completed, OHV use within areas designated in the MMP as OHV limited areas will be managed according to the Monticello Field Office travel management plan and the USFS Motorized Vehicle Use Map.

TM-13 (USFS)

Determine whether specific roads and motorized trails in the Milk Ranch Point Area are compatible and suitable with Monument objects and values when developing the travel management plan actions such as retention, rerouting, and/or closure for the BENM.

2.14 Vegetation (VEG)

2.14.1 Goals and Objectives

- Identify the desired composition and range of conditions for vegetation communities throughout the Monument.
- Manage vegetation and native plant communities relative to their associated landform(s) to optimize plant community health and resilience to landscape-wide impacts.
- Manage vegetation to support fish and wildlife habitat and healthy watersheds.
- Manage vegetation to support medicinal plants and other vegetative resources deemed by Tribes as being culturally relevant where management is consistent with the proper care and management of Monument objects and values.
- Incorporate traditional knowledge in the identification and management of culturally relevant plants.

2.14.2 Management Actions

VEG-1 (BLM/USFS)

Areas that meet Utah's Standards for Rangeland Health (BLM 1997) or USFS desired conditions for rangelands will be open to private seed gathering and plant collection.

VEG-2 (BLM/USFS)

Cooperating agreements with other Federal, State, local, and private organizations will be developed to control invasive nonnative species, control insect pest species, and implement fuels vegetation treatments and wildland urban interface risk assessments and management.

VEG-3 (BLM/USFS)

Pack stock and riding stock users on agency-administered land will be required to use certified weed-seed-free feed.

VEG-4 (BLM/USFS)

Restoration and rehabilitation activities will be required to use certified weed-seed-free seed mixes, mulch, fill, etc.

VEG-5 (BLM/USFS)

The power washing of equipment used for permitted or administrative uses will be required in areas with known weed populations or vectors to known weed populations to help control noxious weeds.

VEG-6 (BLM/USFS)

The agencies will provide for the management, protection, and access to vegetation types important to American Indian ceremonial or other traditional uses.

VEG-7 (BLM/USFS)

Maintain or increase existing levels of vegetation treatments. Treatment priorities will be identified to make progress in moving areas in VCC III to II, and VCC II to I.

VEG-8 (BLM/USFS)

The entire Monument or certain localities may be closed to seed gathering as necessary to provide for sustainable annual seed production of native plants. An exception to this will be made to allow for private seed gathering and plant collection for American Indian traditional, medicinal, and ceremonial purposes.

2.15 Visual Resource Management (VRM)

2.15.1 Goals and Objectives

- Manage public lands in a manner that will protect the quality of the scenic (visual) values of these lands for present and future generations.
- Manage BLM-administered lands using the VRM system according to VRM class objectives and manage visual resources on USFS-administered lands to SIO classes that are determined first through consideration of existing scenic quality followed by consideration of other resource values and land use allocations.
- Establish VRM and SIO classes for the Monument.
- Promote BMPs for reclamation of landscapes, restoration of native habitats, and rehabilitation of waterways and riparian areas to enhance natural and historical scenic values that have been negatively altered. These will include BMPs found in *Best Management Practices for Reducing Visual Impacts of Renewable Energy Facilities on BLM-Administered Lands* (BLM 2013).

2.15.2 Management Actions

VRM-1 (BLM/USFS)

Promote BMPs for reclamation of landscapes, restoration of native habitats, and rehabilitation of waterways and riparian areas to enhance natural and historical scenic values that have been negatively altered.

VRM-2 (BLM/USFS)

The following management will be implemented to minimize impacts to night skies:

- Limit the use of artificial lighting during nighttime operations to only those determined necessary for the safety of operations and personnel.

- Utilize shielding and aiming techniques, and limit the height of light poles to reduce glare and avoid light shining above horizon(s).
- Use lights only where needed, use light only when needed, and direct all lighting on-site. No permanent lighting will be allowed in VRM Class I areas.
- Use motion sensors, timers, or manual switching for areas that require illumination but are seldom occupied.
- Any authorized facilities will use the best technology available to minimize light emissions.
- Reduce lamp brightness and select lights that are not broad spectrum or bluish in color. Use lamp types such as sodium lamps, which are less prone to atmospheric scattering.
- Require a lightscape management plan where an extensive amount of long-term lighting is proposed.

VRM-3 (BLM/USFS)

Manage 25,046 acres as VRM Class I (on BLM-administered lands) and SIO Very High (on USFS-administered lands)

Manage 176,663 acres as VRM Class II (on BLM-administered lands) and SIO High (on USFS-administered lands)

The following areas will be managed as VRM Class I (on BLM-administered lands) or SIO Very High (on USFS-administered lands):

- WSAs
- Wilderness
- San Juan River ACEC
- IRAs

All areas not managed as VRM Class I (on BLM-administered lands) or SIO Very High (on USFS-administered lands) will be managed as VRM Class II (on BLM-administered lands) and SIO High (on USFS-administered lands) (Appendix B Map B-17).

VRM-4 (BLM)

An exception to VRM Class II will be allowed for recreation infrastructure, such as trailheads, campgrounds, contact stations, and toilet facilities, when this infrastructure is consistent with the proper care and management of Monument objects and values. Exception areas will be managed to VRM Class III objectives. The contrast will be allowed only to the extent needed for the function of the facility, which will reflect design excellence and be a positive element for the built environment following existing color, line, form, and texture. Structures will blend into the landscape while retaining functionality.

2.16 Wildlife and Fisheries Resources (FWL)

2.16.1 Goals and Objectives

- Protect critical and crucial fish and wildlife habitat including transitional and stop-over habitat for native wildlife.
- Engage local, State, Federal, and Tribal partners in program and project design to address management issues and minimize or avoid impacts to fish and wildlife species and their habitats across jurisdictional boundaries.

- Inventory and monitor fish and wildlife species and their habitats, and facilitate fish and wildlife researchers to coordinate with agency biologists to contribute to a greater understanding of species abundance and distribution within the Monument.
- Protect large undisturbed blocks of wildlife habitat, and, where possible, consolidate and create larger protected blocks of habitat through land acquisition.
- Protect and maintain wildlife habitat connectivity.
- Promote and restore healthy riparian habitat throughout the Monument.
- Maintain and preserve aquatic connectivity through land acquisition and maintenance of instream flows and by removal of barriers where practicable.

2.16.2 Management Actions

FWL-1 (BLM/USFS)

Wildlife habitat objectives will be considered in all reclamation activity. Priority will be given to meeting or making progress toward meeting *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997) or USFS desired conditions for rangelands.

FWL-2 (BLM/USFS)

Ground-disturbing actions that adversely impact fish and wildlife species and habitats will be avoided where possible. Where unavoidable disturbances are required, the BLM and the USFS will follow current agency policy regarding the application of appropriate minimization and mitigation measures.

FWL-3 (BLM/USFS)

In areas lacking proper water distribution or natural water sources, allow for installation of precipitation catchments (guzzlers) or the development of springs on rangelands.

FWL-4 (BLM/USFS)

Raptor management will be guided by the use of raptor BMPs (see Appendix E), utilizing seasonal and spatial buffers and mitigation to maintain and enhance raptor nesting and foraging habitat while allowing other resource uses.

FWL-5 (BLM/USFS)

Maintain or provide habitat requirements for deer and elk, including forage areas, hiding cover, and migration routes when detected. Manage crucial deer and elk habitat to minimize disturbance except when conducting habitat projects for big game.

FWL-6 (USFS)

Provide habitat needs for Abert's squirrel in ponderosa pine habitat. Maintain occupied habitats to produce good habitat condition (1 squirrel/10 acres) to very good habitat condition (2–4 squirrels/10 acres). Maintain and/or improve habitat conditions on at least 60% of the ponderosa pine habitat type.

FWL-7 (BLM/USFS)

Agencies will work with stakeholder and volunteer groups to educate climbers on methods to protect significant natural and cultural resources.

FWL-8 (BLM/USFS)

Agencies will post or otherwise provide educational information to reduce climbing and canyoneering impacts on active raptor nests.

FWL-9 (BLM/USFS)

Maintain, restore, and/or improve critical habitat requirements for native fish and amphibian and aquatic species, including restoration and enhancement of backwater, side channel, and floodplain habitats. Manage habitat to minimize disturbance except when conducting riparian and aquatic habitat improvement projects.

FWL-10 (BLM/USFS)

From April 1 to July 31 or if nesting birds are observed, avoid or minimize surface-disturbing activities and vegetation-altering projects and broad-scale use of pesticides in identified and occupied priority migratory bird habitat.

FWL-11 (BLM/USFS)

Temporarily close areas (amount of time depends on species) near raptor nests to rock climbers or other activities if activity may result in nest abandonment.

2.17 Woodlands and Forestry (FOR)

2.17.1 Goals and Objectives

- Maintain or develop healthy resilient forests that include diversity in age class, stand structure, and desired species composition.
- Allow for opportunities for woodland harvests outlined in the Monument objects and values.
- Maintain or increase woodland harvest to meet demand while maintaining forest health.
- While managing woodlands and forest resources, design vegetation treatments to maintain old-growth.
- For USFS lands, the following goals and objectives will be considered when managing forestry and woodlands:
 - When initiating vegetative management treatments in forested cover types, provide for a full range of seral stages by forested cover type that achieves a mosaic of habitat conditions and diversity. Each seral stage should contain a strong representation of early seral tree species.
 - Planned vegetative management treatments (excluding unplanned and unwanted wildland fire) in the mature and/or old structural groups in a landscape that is at or below the desired percentage of land area in mature and old structural stages (40% conifer and 30% aspen) should be designed to maintain or enhance the characteristics of these structural stages.

- When initiating vegetative management treatments in forested cover types, leave a minimum of 200 snags/100 acres in the ponderosa pine and aspen cover types and 300 snags/100 acres in the mixed conifer cover type. The minimum preferred size of snags is 18 inches diameter at breast height and 30 feet tall. If the minimum number of snags is unavailable, green trees should be substituted. If the minimum size is unavailable, use largest trees available on-site. The number of snags should be present at the stand level on average and, where they are available, distributed over each treated 100 acres.
- When initiating vegetative management treatments, prescriptions should be designed to retain a minimum of 30 down logs (12-inch mid-point diameter and 8 feet long) and 50 tons of coarse woody debris/10 acres in the ponderosa pine cover type, 50 down logs and 100 tons of coarse woody debris/10 acres in mixed conifer, and 50 down logs and 30 tons of coarse woody debris/10 acres in the aspen type.
- Vegetative treatment should be designed to maintain or promote a vegetative structural stage 4, 5, and/or 6 group. The percentage of the group acreage covered by clumps of trees with interlocking crowns should typically range from 40% to 70% in post-fledgling and foraging areas and from 50% to 70% in nest areas. To manage outside this range, it should either be shown that the range is not within PFC for the site or the biological evaluation process determines that managing outside the range will be consistent with landscape needs of the goshawk and its prey. Use the best information available and deemed most reliable to make determinations. Groups are made up of multiple clumps of trees. Groups should be of a size and distribution in a landscape that is consistent with disturbance patterns defined in regional or local PFC assessments. Clumps typically have between two and nine trees in the vegetative structural stage 4, 5, or 6 size class with interlocking crowns.

2.17.2 *Management Actions*

FOR-1 (BLM/USFS)

Follow the agencies' forest health and forest management standards and guidelines to assess conditions and guide management decisions for woodland resources.

FOR-2 (BLM/USFS)

Cottonwood and willow harvest will be allowed for American Indian ceremonial uses only by permit. Restrictions on this permitted harvest will be implemented as necessary to achieve or maintain PFC, and to maintain or improve threatened and endangered species or special status species, wildlife, and aquatic habitat.

FOR-3 (BLM)

On BLM-administered lands, allow woodland harvest in areas where the BLM has approved fuels treatment or habitat treatment projects (unless otherwise prohibited).

FOR-4 (BLM/USFS)

Forest products harvest for USFS-administered and BLM-administered lands will be managed as follows:

Terms and conditions for product removal will be exclusive to the product plans for each individual agency's landownership (i.e., There is no overreaching forest products removal plan for the entire Bears Ears National Monument).

Both the USFS and the BLM have administrative maps that are issued with the forest products permit that highlight areas where no product removal is allowed. These are either permanent exclusion areas or sites that may change from year to year in response to current management issues (e.g., wood cutting excluded in areas of active vegetation treatment).

Distances for collection of other forest products vary and are typically denoted in the permit. Permit prices vary for each type of forest product removal.

FOR-5 (BLM/USFS)

Permits for private use of woodland products will continue to be issued to the public, consistent with the availability of woodland products and the protection of other resource values.

FOR-6 (BLM/USFS)

Utilize native plant species from locally adapted seed sources in management activities when and where practical. Nonnative plant species have the potential to cause systems to move outside of historic range of variation, and therefore the use of nonnative species should be justified to indicate how their use is important for maintaining or restoring a cover type to functioning conditions.

FOR-7 (USFS)

USFS-administered lands will be designated as unsuitable for timber production and will be withdrawn from that use to allow those lands to meet other resource purposes, including proper care and management of Monument objects and values. This will not preclude pre-commercial and commercial harvest to meet other resource objectives.

FOR-8 (BLM)

No commercial woodland harvest on BLM-administered lands in Monument.

FOR-9 (BLM/USFS)

Prioritize treatment in high-value/high-risk areas (wildland urban interface, developed recreation facilities including campgrounds, Fire Regime Condition Class III areas).

FOR-10 (BLM/USFS)

Within designated woodland harvest areas, private use woodland harvest on BLM- and USFS-administered lands will be allowed in areas with pinyon pine and juniper encroachment where site-specific analysis indicates that harvest will be useful for restoration of the diversified vegetative community.

FOR-11 (BLM/USFS)

Provide for woodland harvest to support fuel treatment projects, as needed.

FOR-12 (BLM/USFS)

Zones in the planning area considered for private use of woodland products (Appendix B Map B-18): South Cottonwood, North Comb Ridge, Cedar Mesa, and White Canyon.

FOR-13 (BLM/USFS)

Exclude all WSAs and IRAs from woodland product use except for limited on-site collection of dead wood for campfires.

FOR-14 (BLM/USFS)

Exclude all woodland product harvest from developed recreation sites, livestock/wildlife exclosures, and cultural sites, including on-site collection of dead wood for campfires.

FOR-15 (BLM/USFS)

Exclude floodplains and riparian and aquatic areas from woodland product use except for American Indian ceremonial purposes as determined on a site-specific basis.

FOR-16 (BLM/USFS)

Existing limitations on off-road travel for wood gathering could be modified as necessary to maintain long-term sustainability or facilitate wood gathering where resource impacts are not a concern.

FOR-17 (BLM/USFS)

Prior to authorizing private woodland product harvest, the agencies will ensure that the activity is consistent with the proper care and management of Monument objects and values.

FOR-18 (BLM/USFS)

If monitoring of vegetation cover and soil erosion indicates that woodland harvest is having potentially irretrievable or irreversible impacts on natural or cultural resources or is conflicting with Monument objects and values, the Authorized Officer (BLM)/Line Officer (USFS) will alter the designated woodland harvest area or harvest season as necessary to allow for resource reclamation and/or to protect that resource or resource use.

FOR-19 (BLM)

On BLM-administered lands, the Authorized Officer (BLM) will limit OHV access for wood gathering to designated routes or may grant OHV travel off designated routes if consistent with the objects and values of the Monument. This determination will be made based on monitoring of existing vegetation cover and soils erosion at the site-specific project level.

FOR-20 (USFS)

On USFS-administered lands, the Responsible Official (USFS) will limit OHV cross-country travel for permitted wood gathering to within 150 feet of a designated route, as reflected in the 1991 Manti-La Sal National Forest Travel Management Plan/Travel Map and amended by the most current Monticello Ranger District Motor Vehicle Use Map. Cross-country OHV use for wood gathering following fuels treatment farther than 150 feet from designated routes will be required to be reclaimed after woodland harvest.

FOR-21 (BLM/USFS)

Cross-country OHV use for wood gathering following fuels-treatment farther than 150 feet from designated routes will be required to be reclaimed after woodland harvest.

3 MANAGEMENT PLAN IMPLEMENTATION

3.1 Plan Implementation

Plan implementation is a continuous and active process. Decisions presented in the Management Decisions section of this Approved MMP for the Shash Jáa Unit include immediate and one-time decisions.

Immediate decisions: These decisions go into effect upon signature of the Record of Decision. These decisions include the goals, objectives, and management actions such as the allocation of lands as limited or closed for OHV use, ROW avoidance and exclusion areas, and areas available or unavailable for livestock grazing. These decisions require no additional analysis and guide future land management actions and subsequent site-specific implementation decisions in the Monument. Proposals for future actions, such as an application for a new ROW and other allocation-based actions, will be reviewed against these decisions in the MMP to determine if the proposal conforms with the applicable plan objective and management action.

One-time decisions: These types of decisions are those that are not implemented until additional decision-making and site-specific analysis are completed. Examples are development of an activity-level cultural resources management plan or a recreation area management plan. One-time decisions require additional analysis and decision-making and are prioritized as part of the BLM and USFS budget process. Priorities for implementing one-time MMP decisions will be based on National and Statewide BLM and USFS management direction and program emphasis and available resources.

3.1.1 General Implementation Schedule of “One-Time” Decisions

Decisions in this plan will be implemented over a period of years depending on budget and staff availability. After issuing the Record of Decision/Approved MMP for the Shash Jáa Unit, the BLM and USFS will prepare an Implementation Plan that establishes tentative timeframes for completion of “one-time” decisions identified in the Approved MMP for the Shash Jáa Unit. Most of these decisions require additional analysis and site-specific activity planning. This schedule does not include the decisions that are effective immediately upon approval of the plan or the decisions that describe the ongoing management that will be incorporated and applied as site-specific proposals are analyzed on an ongoing basis. This schedule will assist BLM and USFS managers and staff in preparing budget requests and in scheduling work. However, the proposed schedule will be affected by future funding, changing program priorities, non-discretionary workloads, and cooperation by partners and external publics. Periodic review of the plan will provide consistent tracking of accomplishments and provide information that can be used to develop annual budget requests to continue implementation.

3.2 Public Involvement

As the BLM and USFS implement the Shash Jáa Unit MMP, the public may remain involved in several ways. The public will have the opportunity to participate in the NEPA process as individual actions are reviewed and implemented, including the development of implementation-level plans identified in the MMP, such as an activity-level cultural resources management plan, travel management plan, and recreation area management plan. The agencies are also responsible for engaging the Monument Advisory Committee, engaging the Shash Jáa Commission, and continuing government-to-government Tribal consultation. The public may engage with the Monument Advisory Committee through the Committee’s regular meetings, which are open to all interested parties and include the opportunity for public comment.

3.3 Plan Evaluation and Maintenance

3.3.1 *Plan Evaluation*

Evaluation is a process in which the plan and monitoring data are reviewed to see if management goals and objectives are being met and if management direction is sound. Land use plan evaluations determine if decisions are being implemented, whether mitigation measures are satisfactory, whether there are significant changes in the related plans of other entities, whether there are new data of significance to the plan, and if decisions should be changed through amendment or revision. Monitoring data gathered over time are examined and used to draw conclusions on whether management actions are meeting stated objectives, and if not, why. Conclusions are then used to make recommendations on whether to continue current management or to identify what changes need to be made in management practices to meet objectives.

The BLM and USFS will use land use plan evaluations to determine if the decisions in the MMP, supported by the accompanying NEPA analysis, are still valid in light of new information and monitoring data. Evaluation of the MMP will generally be conducted every 5 years, unless unexpected actions, new information or significant changes in other plans, legislation, or litigation triggers an evaluation.

Evaluations will follow the protocols established by the BLM Land Use Planning Handbook (H-1601-1), USFS land use planning regulations (36 CFR Part 219), or other appropriate guidance in effect at the time the evaluation is initiated.

3.3.2 *Plan Maintenance*

Land use plan decisions and supporting information can be maintained to reflect minor changes in data, but maintenance is limited to refining, documenting, and/or clarifying previously approved decisions. Some examples of maintenance actions include the following:

- Correcting minor data, typographical, mapping, or tabular data errors
- Refining baseline information as a result of new inventory data (e.g., changing the boundary of an archaeological district; refining the known habitat of special status species or big game crucial ranges; or adjusting the boundary of a fire management unit based on updated fire regime condition class inventory, fire occurrence, monitoring data, and/or demographic changes)

The BLM and USFS expect that new information gathered from field inventories and assessments, research, other agency studies, and other sources will update baseline data and/or support new management techniques, BMPs, and scientific principles. Where monitoring shows land use plan actions or BMPs are not effective, modifications or adjustments may occur without amendment or revision of the plan as long as assumptions and impacts disclosed in the analysis remain valid and broad-scale goals and objectives are not changed.

Plan maintenance will be documented in supporting records. Plan maintenance does not require formal public involvement, interagency coordination, or the NEPA analysis required for making new land use plan decisions.

3.4 Monitoring the Plan

The BLM and USFS will conduct both plan implementation and effectiveness monitoring. Plan implementation monitoring will be used to determine whether planned activities have been implemented consistently with the approved MMP. Effectiveness monitoring determines if the implementation of activities has achieved the MMP goals and objectives. Monitoring strategies for specific resources are found in Appendix C (Monitoring Strategy) and Appendix D (Cultural Resources Monitoring Framework). The strategies identify monitoring questions, intervals, and standards. Monitoring intervals will vary by resource and will consider the expected rate of change for each resource.

The regulations in 43 CFR 1610.4-9 require that land use plans establish intervals and standards for monitoring and evaluations based on the sensitivity of the resource decisions involved. Additionally, BLM Manual 6220 requires that land use plans for National Monuments analyze and consider measures to ensure that objects and values are conserved, protected, and restored. Considering staffing and funding, monitoring will be prioritized consistent with the goals and objectives of the BENM MMPs in cooperation with local, State, other Federal agencies; American Indian Tribes; the Shash Jáa Commission or comparable entity; and the Monument Advisory Committee. Data will be assessed to determine whether the resource conditions are meeting the goals identified in the MMPs; whether a change has occurred and, if so, identifying the cause; and which appropriate action should be taken to achieve the desired outcome if the goal or objective is not being met. The BLM will develop recommendations to be considered by management for continuation, modification, or replacement of current management actions, subject to NEPA and land use planning regulations.

3.5 Changing the Plan

The Approved MMP for the Shash Jáa Unit may be changed, should conditions warrant, through a plan amendment or plan revision process. A plan amendment may become necessary if major changes are needed or to consider a proposal or action that is not in conformance with the plan. The results of monitoring, evaluation of new data, or policy changes and changing public needs might also provide the impetus for an amendment. Generally, an amendment is issue-specific. If several areas of the plan become outdated or otherwise obsolete, a plan revision may become necessary. Plan amendments and revisions are accomplished with public input and the appropriate level of environmental analysis conducted according to the BLM and USFS's land use planning and NEPA requirements, Council on Environmental Quality regulations, and U.S. Department of the Interior and BLM policies and procedures implementing NEPA.

LIST OF ABBREVIATIONS

ACEC	Area of Critical Environmental Concern
BENM, or Monument	Bears Ears National Monument
BLM	Bureau of Land Management
BMP	best management practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
DWFC	Desired Wildland Fire Condition
EIS	Environmental Impact Statement
ERMA	Extensive Recreation Management Area
ES&R	Emergency Stabilization & Reclamation
ESA	Endangered Species Act
FLPMA	Federal Land Policy and Management Act
MMP	Monument Management Plan
NEPA	National Environmental Policy Act of 1969
NOA	Notice of Availability
NOI	Notice of Intent
NPS	National Park Service
NRHP	National Register of Historic Places
OHV	off-highway vehicle
PFC	proper functioning condition
RMP	Resource Management Plan
RMZ	Recreation Management Zone
ROW	right-of-way
SRMA	Special Recreation Management Areas
SRP	Special Recreation Permit
SUP	Special Use Permit
TCP	traditional cultural properties
UDWR	Utah Division of Wildlife Resources
USC	United States Code
USFS	U.S. Forest Service
VCC	Vegetation Condition Class
VRM	Visual Resource Management
WSA	Wilderness Study Area

GLOSSARY

American Indian Tribe: Any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994 (Pub. L. 103-454; 108 Stat. 4791; 25 USC 479a-1.).

Animal unit month: A standardized measurement of the amount of forage necessary for the sustenance of one cow unit or its equivalent for 1 month. Approximately 800 pounds of forage.

Area of Critical Environmental Concern (ACEC): Areas within the public lands where special management attention is required to: (1) protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes, or (2) protect life and safety from natural hazards.

Authorized Officer: The Federal employee who has the delegated authority to make a specific decision.

Avoidance areas: Areas with sensitive resource values where rights-of-way or special use permits would be strongly discouraged. Authorization made in avoidance areas would have to be compatible with the purpose for which the area was designated and not is otherwise feasible on lands outside the avoidance area.

Best management practices (BMP): A suite of techniques that guide, or may be applied to, management actions to aid in achieving desired outcomes. Best management practices are often developed in conjunction with land use plans, but they are not considered a land use plan decision unless the land use plan specifies that they are mandatory. They may be updated or modified without a plan amendment if they are not mandatory.

Big game: Large species of wildlife that are hunted, such as elk, deer, bighorn sheep, and pronghorn antelope.

Camping: Unless otherwise specified, camping in this document refers to vehicle-supported camping, whether at developed or dispersed sites.

Casual Use: Any short-term non-commercial activity which does not cause appreciable damage or disturbance to the public lands, their resources or improvements, and which is not prohibited by closure of the lands to such activities.

Closed: Generally denotes that an area is not available for a particular use or uses; refer to specific definitions found in law, regulations, or policy guidance for application to individual programs.

Code of Federal Regulations (CFR): The official, legal tabulation or regulations directing Federal government activities.

Conformance: That a proposed action shall be specifically provided for in the land use plan or, if not specifically mentioned, shall be clearly consistent with the goals, objectives, or standards of the approved land use plan.

Contiguous: Lands or legal subdivisions having a common boundary; lands having only a common corner are not contiguous.

Cooperating agency: Assists the lead Federal agency in developing an Environmental Analysis (EA) or Environmental Impact Statement (EIS). The Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act of 1969 (NEPA) defines a cooperating agency as any agency that has jurisdiction by law or special expertise for proposals covered by NEPA. Any tribe of Federal, State, or local government jurisdiction with such qualifications may become a cooperating agency through an agreement with the lead agency.

Corridor: A wide strip of land within which a proposed linear facility could be located.

Council on Environmental Quality (CEQ): An advisory council to the President of the United States established by NEPA of 1969. It reviews Federal programs for their effect on the environment, conducts environmental studies, and advises the president on environmental matters.

Critical habitat: For listed species, consists of (1) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, on which are found those physical or biological features (constituent elements) (a) essential to the conservation of the species and (b) which may require special management considerations or protection; and (2) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act upon a determination by the Secretary that such areas are essential for the conservation of the species. Designated critical habitats are described in 50 CFR Part 17 and Part 226.

Crucial habitat: Habitat on which a species depends for survival because there are no alternative ranges or habitats available.

Cultural resources: A definite location of human activity, occupation, or use identifiable through field inventory (survey), historical documentation, or oral evidence. The term includes archaeological, historic, or architectural sites, structures, or places with important public and scientific uses, and may include definite locations (sites or places) of traditional cultural or religious importance to specified social and/or cultural groups. Cultural resources are concrete, material places and things that are located, classified, ranked, and managed through the system of identifying, protecting, and utilizing for public benefit. They may be but are not necessarily eligible for the National Register of Historic Places.

Cultural site: Any location that includes prehistoric and/or historic evidence of human use or that has important sociocultural value.

Desired condition: Description of those factors that should exist within ecosystems both to maintain their survival and to meet social and economic needs.

Dispersed camping: Vehicle accessed and supported camping occurring outside of developed campgrounds.

Dispersed recreation: Recreation activities of an unstructured type, which are not confined to specific locations such as recreation sites. Example of these activities may be hunting, fishing, off-road vehicle use, hiking, and sightseeing.

Endangered species: A plant or animal species whose prospects for survival and reproduction are in immediate jeopardy, as designated by the Secretary of the Interior, and as is further defined by the Endangered Species Act.

Environmental Impact Statement (EIS): A detailed written statement required by the NEPA when an agency proposes a major Federal action significantly affecting the quality of the human environment.

Erosion: The wearing away of the land surface by running water, wind, ice, or other geological agents.

Exclusion area: Areas with sensitive resource values where rights-of-way would not be authorized.

Extensive Recreation Management Area (ERMA): An area where significant recreation opportunities and problems are limited and explicit recreation management is not required. Minimal management actions related to the BLM's stewardship responsibilities are adequate in these areas.

Federal Land Policy and Management Act of 1976 (FLPMA): Public Law 94-579. October 21, 1976, often referred to as the BLM's "Organic Act," which provides the majority of the BLM's legislated authority, direction, policy, and basic management guidance.

Federal Register: A daily publication that reports presidential and Federal agency documents.

Fire management plan: A plan that identifies and integrates all wildland fire management and related activities within the context of approved land/resource management plans. A fire management plan defines a program to manage wildland fires (wildfire and prescribed fire). The plan is supplemented by operational plans, including but not limited to, preparedness plans, preplanned dispatch plans, prescribed fire burn plans, and prevention plans. Fire management plans assure that wildland fire management goals and components are coordinated.

Floodplain: The relatively flat area or lowlands adjoining a body of standing or flowing water, which has been or might be covered by floodwater.

Fossil: Any remains, traces, or imprints of prehistoric non-human organisms preserved in or on the Earth's crust that provide information about the history of life on Earth.

Goal: A broad statement of a desired outcome. Goals are usually not quantifiable and may not have established time frames for achievement.

Guidelines: Actions or management practices that may be used to achieve desired outcomes, sometimes expressed as best management practices. Guidelines may be identified during the land use planning process, but they are not considered a land use plan decision unless the plan specifies that they are mandatory.

Habitat: A specific set of physical conditions that surround a species, group of species, or a large community. In wildlife management, the major constituents of habitat are considered to be food, water, cover, and living space.

Impact: A modification of the existing environment caused by an action. These environmental consequences are the scientific and analytical basis for comparison of alternatives. Effects may be either direct, which are caused by the action and occur at the same time and place, or indirect, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable, or cumulative.

Implementation decisions: Decisions that take action to implement land use plan decisions. They are generally appealable to Interior Board of Land Appeals.

Implementation plan: A site-specific plan written to implement decisions made in a land use plan. An implementation plan usually selects and applies best management practices to meet land use plan objectives. Implementation plans are synonymous with "activity" plans. Examples of implementation plans include interdisciplinary management plans, habitat management plans, and allotment management plans.

Interdisciplinary team: A group of individuals with different training, representing the physical sciences, social sciences, and environmental design arts, assembling to solve a problem or perform a task. The members of the team proceed to a solution with frequent interaction so that each discipline may provide insights to any stage of the problem and disciplines may combine to provide new solutions. The number and disciplines of the members preparing the plan vary with circumstances. A member may represent one or more disciplines or BLM program interests.

Irretrievable: An environmental effect caused by an action, or series of actions, that cannot be reversed or undone, until or unless the cause of the effect is removed or the effect is restored or rehabilitated (e.g., inundating a river canyon by construction of a dam, clear cut logging a forest). The loss of production of renewable resources during the life of a land use plan.

Land use allocation: The identification in a land use plan of the activities that are allowed, restricted, or excluded for all or part of the Monument, based on desired future conditions.

Land use plan decision: Establishes desired outcomes and the actions needed to achieve them. Decisions are reached using the BLM and USFS planning process. When they are presented to the public as proposed decisions, they can be protested to the BLM Director. They are not appealable to Interior Board of Land Appeals.

Land use plan or resource management plan: A set of decisions that establish management direction for land within an administrative area, as prescribed under the planning provisions of FLPMA and National Forest Management Act; an assimilation of land-use-plan-level decisions developed through the planning process, regardless of the scale at which the decisions were developed.

Management decision: A decision made by the BLM to manage public lands. Management decisions are made on both land use plan decisions and implementation decisions.

Mechanized travel: Travel by use of a machine, either motorized or non-motorized.

Minimize: To reduce the adverse impact of an operation to the lowest practical level.

Mitigation measures: Methods or procedures that reduce or lessen the impacts of an action.

Monument Management Plan (MMP): A land use plan as prescribed by the Federal Land Policy and Management Act and National Forest Management Act which establishes, for a National Monument and given area of land, land-use allocations, coordination guidelines for multiple-use, objectives and actions to be achieved.

Multiple use: The management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the lands for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some lands for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including but not limited to, recreation, range, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the lands and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or greatest unit output.

National Environmental Policy Act of 1969 (NEPA): An act that encourages productive and enjoyable harmony between man and his environment and promotes efforts to prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; enriches the understanding of the ecological systems and natural resources important to the Nation, and establishes the CEQ.

National Monument: An area created from any land owned or controlled by the federal government for the protection of objects of historical, cultural, and/or scientific interest. National Monuments can be created by proclamation of the President of the United States or by Congress.

Non-mechanized travel: Travel by foot or on an animal.

Noxious weeds: A plant species designated by Federal or State law as generally possessing one or more of the following characteristics: aggressive and difficult to manage; parasitic; a carrier or host of serious insects or disease; or non-native, new, or not common to the United States.

Objective: A description of a desired condition for a resource. Objectives can be quantified and measured and, where possible, have established time frames for achievement.

Off-highway vehicle (OHV) : Any motorized vehicle capable of, or designed for, travel on or immediately over land, water, or other natural terrain, excluding: (1) any nonamphibious registered motorboat; (2) any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes; (3) any vehicle whose use is expressly authorized by the Authorized Officer, or otherwise officially approved; (4) vehicles in official use; and (5) any combat or combat support vehicle when used in times of national defense emergencies.

Open: Generally denotes that an area is available for a particular use or uses. Refer to specific program definitions found in law, regulations, or policy guidance for application to individual programs.

Paleontological resources (fossils): Any fossilized remains, traces, or imprints of organisms, preserved in or on the Earth's crust, that are of paleontological interest and that provide information about the history of life on Earth.

Paleontology: The scientific study of prehistoric life based on the fossil record.

Permitted Use: Any use that requires a permit or other special authorization.

Planning Area: A geographical area, including all land ownerships, for which BLM land use and resource management plans (RMP) are developed and maintained for the BLM-administered lands within that geographical area.

Planning criteria: The standards, rules, and other factors developed by managers and interdisciplinary teams for their use in forming judgments about decision making, analysis, and data collection during planning. Planning criteria streamline and simplify the resource management planning actions.

Prescribed fire: Any fire intentionally ignited by management actions in accordance with applicable laws, policies, and regulations to meet specific objectives.

Primitive and unconfined recreation: Non-motorized, non-mechanized and undeveloped types of recreational activities.

Public land: Land or interest in land owned by the United States and administered by the Secretary of the Interior through the BLM or Secretary of Agriculture through the USFS, except lands located on the Outer Continental Shelf, and land held for the benefit of Indians, Aleuts, and Eskimos.

Rangeland: Land used for grazing by livestock and big game animals on which vegetation is dominated by grasses, grass-like plants, forbs, or shrubs.

Raptor: Bird of prey with sharp talons and strongly curved beaks such as hawks, owls, vultures, and eagles.

Record of decision: A document signed by a responsible official recording a decision that was preceded by the preparing of an EIS.

Relict: A remnant or fragment of the vegetation of an area that remains from a former period when the vegetation was more widely distributed.

Resource use: Human uses of resources for the social and economic benefit of society, including mining, energy production, livestock production (grazing), recreation (motorized, non-motorized), forest production (timber, fire wood, fence posts), utility corridors (power lines, pipelines, roads), and communication sites. Land use plans identify allowable uses of the public lands and set goals and objectives for desired outcomes for resource uses.

Resource: The natural, biological, and cultural components of the environment, including air, soil, water, vegetation, wildlife, minerals, historic and prehistoric (cultural) sites and features, and fossils. Land use plans set goals and objectives for desired outcomes for management of the various resources in a planning area.

Right-of-way (ROW): A ROW grant is an authorization to use a specific piece of BLM-administered public land for a specific project. The grant authorizes rights and privileges for a specific use of the land for a specific period of time.

Riparian area: A form of wetland transition between permanently saturated wetlands and upland areas. Riparian areas exhibit vegetation or physical characteristics that reflect the influence of permanent surface or subsurface water. Typical riparian areas include lands along, adjacent to, or contiguous with perennially and intermittently flowing rivers and streams, glacial potholes, and the shores of lakes and reservoirs with stable water levels. Excluded are ephemeral streams or washes that lack vegetation and depend on free water in the soil.

Route: A linear line for motorized travel.

Scenic byways: Highway routes, which have roadsides or corridors of special aesthetic, cultural, or historic value. An essential part of the highway is its scenic corridor. The corridor may contain outstanding scenic vistas, unusual geologic features, or other natural elements.

Sensitive species: All species that are under status review, have small or declining populations, live in unique habitats, or need special management. Sensitive species include threatened, endangered, and proposed species as classified by the Fish and Wildlife Service and National Marine Fisheries Service.

Significant: An effect that is analyzed in the context of the proposed action to determine the degree or magnitude of importance of the effect, whether beneficial or adverse. The degree of significance can be related to other actions with individually insignificant but cumulatively significant impacts.

Slope: The degree of deviation of a surface from the horizontal.

Special Recreation Management Area (SRMA): Areas that require explicit recreation management to achieve recreation objectives and provide specific recreation opportunities.

Special Recreation Management Area (SRP): SRPs are issued to businesses, organizations, and individuals to allow the use of specific public land and related waters for commercial, competitive, and organized group use. SRPs allow the land stewards to coordinate and track commercial and competitive use of public lands. They also provide resource protection measures to ensure the future enjoyment of those resources by the public.

Special status species: Includes proposed species, listed species, and candidate species under the Endangered Species Act; State listed species; and BLM State Director designated sensitive species (see BLM Manual 6840-Special Status Species Policy).

Special use permit (SUP): An SUP an authorization to use a specific piece of USFS-administered public land for a specific project. The SUP authorizes rights and privileges for a specific use of the land for a specific period of time.

Stipulations: Requirements that are part of the terms of a BLM or USFS land use approval. Some stipulations are standard on all approval. Other stipulations may be applied to the lease at the discretion of the surface management agency to protect valuable surface resources and uses.

Surface disturbance: Activities that normally result in more than negligible disturbance to public lands and that accelerate the natural erosive process. These activities normally involve use and/or occupancy of the surface, cause disturbance to soils and vegetation, and are usually caused by motorized or mechanical actions. Surface disturbance may result from activities using earth-moving equipment; off road vehicle travel; the use of pyrotechnics and explosives; and construction of facilities like power lines, pipelines, recreation sites, livestock facilities, wildlife waters, or new roads. Surface disturbance is not normally caused by casual use. Activities that are not typically surface-disturbing include, but are not limited to, proper livestock grazing, cross-country hiking, minimum impact filming and vehicle travel on designated routes.

Sustainability: The ability of an ecosystem to maintain ecological processes and functions, biological diversity, and productivity over time.

Threatened species: Any plant or animal species defined under the Endangered Species Act as likely to become endangered within the foreseeable future throughout all or a significant portion of its range; listings are published in the Federal Register.

Utility corridor: A parcel of land that has been identified by law, Secretarial order, through a land use plan or by other management decision as being the preferred location for existing and future ROW grants and suitable to accommodate one type of ROW or one or more ROWs which are similar, identical or compatible.

Vegetation type: A plant community with distinguishable characteristics described by the dominant vegetation present.

Visual resources: The visible physical features of a landscape (topography, water, vegetation, animals, structures, and other features) that constitute the scenery of an area.

Water quality: The chemical, physical, and biological characteristics of water with respect to its suitability for a particular use.

Watershed: All lands, which are enclosed by a continuous hydrologic drainage, divide and lay upslope from a specified point on a stream.

Wilderness characteristics: Features of the land associated with the concept of wilderness that specifically deal with size, naturalness, opportunities for solitude and primitive and unconfined recreation, and supplemental values. These characteristics may be considered in land use planning when BLM determines that those characteristics are reasonably present, of sufficient value (condition, uniqueness, relevance, importance), and need (trend, risk), and are practical to manage. Key characteristics of wilderness listed in section 2 (c) of the Wilderness Act of 1964 are used by BLM in conducting wilderness inventories. These characteristics are features of land associated with the concept of wilderness.

Wilderness Study Area (WSA): A roadless area or island of undeveloped Federal land that has been inventoried and found to possess wilderness characteristics described under Title VI, Section 603 of FLPMA and Section 2C of the Wilderness Act of 1964. These characteristics are: (1) generally appears to have been affected mainly by the forces of nature, with human imprints substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least 5,000 acres or is large enough to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historic value.

Wilderness: A Congressionally designated area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation that is protected and managed to preserve its natural conditions as described in Section 2A of the Wilderness Act of 1964.

Wildfire: Unplanned ignition of a wildland fire (such as a fire caused by lightning, volcanoes, and unauthorized and accidental human-caused fires) and escaped prescribed fires.

Wildland fire: A general term describing any non-structure fire that occurs in the wildland.

Woodland: A forest community occupied primarily by noncommercial species such as juniper, mountain mahogany, or quaking aspen groves; all western juniper forestlands are classified as woodlands, since juniper is classified as a noncommercial species.

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APPENDIX A

Resources, Objects, and Values Identified within the Bears Ears National Monument

NATIONAL MONUMENTS

The Antiquities Act of 1906 grants the President authority to designate national monuments to protect “objects of historic or scientific interest.” Since 1906, Presidents and Congress have designated more than 125 national monuments, 27 of which are maintained by the Bureau of Land Management (BLM). Since 1911, the Antiquities Act has also been used at least 18 times by Presidents to reduce the size of 16 national monuments. On December 28, 2016, President Barack Obama designated the Bears Ears National Monument (BENM) by Presidential Proclamation 9558. On December 4, 2017, President Donald J. Trump modified the BENM by Presidential Proclamation 9681. The text of both Presidential Proclamations is provided within this appendix.

The BLM's Monuments are managed as part of the National Landscape Conservation System; its mission is to conserve, protect, and restore nationally significant landscapes recognized by the President or Congress for their outstanding ecological, cultural, or scientific resources and values.

According to BLM policy (Manual 6220) and Federal court precedent, the Federal Land Policy and Management Act (FLPMA) mandate requiring the BLM to manage public lands for multiple use and sustained yield includes managing specially designated public lands for the purposes for which they were designated.

The BLM's objectives in managing a National Monument are as follows:

- A. Comply with the Presidential Proclamations by conserving, protecting, and restoring the objects and values for which the Monument was designated for the benefit of present and future generations.
- B. Effectively manage valid existing rights and compatible uses within a Monument.
- C. Manage discretionary uses within a Monument to ensure the proper care and management of the objects and values for which the Monument was designated.
- D. Utilize science, local knowledge, partnerships, and volunteers to effectively manage a Monument.
- E. Provide appropriate recreational opportunities, education, interpretation, and visitor services to enhance the public's understanding and enjoyment of a Monument.

The BLM is also required to inventory and monitor the objects and values for which a Monument was designated. Identification of the location and extent of such objects and values is critically important, as the BLM must ensure the compatibility of any uses within a Monument with the proper care and management of objects and values. A discussion of resources, objects, and values within the BENM can be found immediately following the Presidential Proclamations in this appendix.

Proclamation 9558

Establishment of the Bears Ears National Monument by the President of the United States of America

A PROCLAMATION

Rising from the center of the southeastern Utah landscape and visible from every direction are twin buttes so distinctive that in each of the native languages of the region their name is the same: Hoon'Naqvut, Shash Jáa, Kwiyaḡatu Nukavachi, Ansh An Lashokdiwe, or "Bears Ears." For hundreds of generations, native peoples lived in the surrounding deep sandstone canyons, desert mesas, and meadow mountaintops, which constitute one of the densest and most significant cultural landscapes in the United States. Abundant rock art, ancient cliff dwellings, ceremonial sites, and countless other artifacts provide an extraordinary archaeological and cultural record that is important to us all, but most notably the land is profoundly sacred to many Native American tribes, including the Ute Mountain Ute Tribe, Navajo Nation, Ute Indian Tribe of the Uintah Ouray, Hopi Nation, and Zuni Tribe.

The area's human history is as vibrant and diverse as the ruggedly beautiful landscape. From the earliest occupation, native peoples left traces of their presence. Clovis people hunted among the cliffs and canyons of Cedar Mesa as early as 13,000 years ago, leaving behind tools and projectile points in places like the Lime Ridge Clovis Site, one of the oldest known archaeological sites in Utah. Archaeologists believe that these early people hunted mammoths, ground sloths, and other now-extinct megafauna, a narrative echoed by native creation stories. Hunters and gatherers continued to live in this region in the Archaic Period, with sites dating as far back as 8,500 years ago.

Ancestral Puebloans followed, beginning to occupy the area at least 2,500 years ago, leaving behind items from their daily life such as baskets, pottery, and weapons. These early farmers of Basketmaker II, and III and builders of Pueblo I, II and III left their marks on the land. The remains of single family dwellings, granaries, kivas, towers, and large villages and roads linking them together reveal a complex cultural history. "Moki steps," hand and toe holds carved into steep canyon walls by the Ancestral Puebloans, illustrate the early people's ingenuity and perseverance and are still used today to access dwellings along cliff walls. Other, distinct cultures have thrived here as well—the Fremont People, Numic- and Athabaskan-speaking hunter-gatherers, and Utes and Navajos. Resources such as the Doll House Ruin in Dark Canyon Wilderness Area and the Moon House Ruin on Cedar Mesa allow visitors to marvel at artistry and architecture that have withstood thousands of seasons in this harsh climate.

The landscape is a milieu of the accessible and observable together with the inaccessible and hidden. The area's petroglyphs and pictographs capture the imagination with images dating back at least 5,000 years and spanning a range of styles and traditions. From life-size ghostlike figures that defy categorization, to the more literal depictions of bighorn sheep, birds, and lizards, these drawings enable us to feel the humanity of these ancient artists. The Indian Creek area contains spectacular rock art, including hundreds of petroglyphs at Newspaper Rock. Visitors to Bears Ears can also discover more recent rock art left by the Ute, Navajo, and Paiute peoples. It is also the less visible sites, however—those that supported the food gathering, subsistence and ceremony of daily life—that tell the story of the people who lived here. Historic remnants of Native American sheep-herding and farming are scattered throughout the area, and pottery and Navajo hogans record the lifeways of native peoples in the 19th and 20th centuries.

For thousands of years, humans have occupied and stewarded this land. With respect to most of these people, their contribution to the historical record is unknown, but some have played a more public role. Famed Navajo headman K'aayélie 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. Another renowned 19th century Navajo leader, "Hastiin Ch'ihaajin" Manuelito, was also born near the Bears Ears.

The area's cultural importance to Native American tribes continues to this day. As they have for generations, these tribes and their members come here for ceremonies and to visit sacred sites. Throughout the region, many landscape features, such as Comb Ridge, the San Juan River, and Cedar Mesa, are closely tied to native stories of creation, danger, protection, and healing. The towering spires in the Valley of the Gods are sacred to the Navajo, representing ancient Navajo warriors frozen in stone. Traditions of hunting, fishing, gathering, and wood cutting are still practiced by tribal members, as is collection of medicinal and ceremonial plants, edible herbs, and materials for crafting items like baskets and footwear. 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. Such knowledge is, itself, a resource to be protected and used in understanding and managing this landscape sustainably for generations to come.

Euro-Americans first explored the Bears Ears area during the 18th century, and Mormon settlers followed in the late 19th century. The San Juan Mission expedition traversed this rugged country in 1880 on their journey to establish a new settlement in what is now Bluff, Utah. To ease the passage of wagons over the slick rock slopes and through the canyonlands, the settlers smoothed sections of the rock surface and constructed dugways and other features still visible along their route, known as the Hole-in-the-Rock Trail. Cabins, corrals, trails, and carved inscriptions in the rock reveal the lives of ranchers, prospectors, and

early archaeologists. Cattle rustlers and other outlaws created a convoluted trail network known as the Outlaw Trail, said to be used by Butch Cassidy and the Sundance Kid. These outlaws took advantage of the area's network of canyons, including the aptly-named Hideout Canyon, to avoid detection.

The area's stunning geology, from sharp pinnacles to broad mesas, labyrinthine canyons to solitary hoodoos, and verdant hanging gardens to bare stone arches and natural bridges, provides vital insights to geologists. In the east, the Abajo Mountains tower, reaching elevations of more than 11,000 feet. A long geologic history is documented in the colorful rock layers visible in the area's 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, and near-volcanoes punched up through the rock, leaving their marks on the landscape without reaching the surface. 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. Later, in the Late Triassic Period more than 200 million years ago, seasonal monsoons flooded an ancient river system that fed a vast desert here.

The paleontological resources in the Bears Ears area are among the richest and most significant in the United States, and protection of this area will provide important opportunities for further paleontological study. Many sites, such as Arch Canyon, are teeming with fossils, and research conducted in the Bears Ears area is revealing new insights into the transition of vertebrate life from reptiles to mammals and from sea to land. Numerous ray-finned fish fossils from the Permian Period have been discovered, along with other late Paleozoic Era fossils, including giant amphibians, synapsid reptiles, and important plant fossils. Fossilized traces of marine and aquatic creatures such as clams, crayfish, fish, and aquatic reptiles have been found in Indian Creek's Chinle Formation, dating to the Triassic Period, and phytosaur and dinosaur fossils from the same period have been found along Comb Ridge. Paleontologists have identified new species of plant-eating crocodile-like reptiles and mass graves of lumbering sauropods, along with metoposaurus, crocodiles, and other dinosaur fossils. Fossilized trackways of early tetrapods can be seen in the Valley of the Gods and in Indian Creek, where paleontologists have also discovered exceptional examples of fossilized ferns, horsetails, and cycads. 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. In Pleistocene Epoch sediments, scientists have found traces of mammoths, short-faced bears, ground sloths, primates, and camels.

From earth to sky, the region is unsurpassed in wonders. The star-filled nights and natural quiet of the Bears Ears area transport visitors to an earlier eon. Against an absolutely black night sky, our galaxy and others more distant leap into view. As one of the most intact and least roaded areas in the contiguous United States, Bears Ears has that rare and arresting quality of deafening silence.

Communities have depended on the resources of the region for hundreds of generations. Understanding the important role of the green highlands in providing habitat for 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. Local communities seeking to protect the mountains for their watershed values have long recognized the importance of the Bears Ears' headwaters. Wildfires, both natural and human-set, have shaped and maintained forests and grasslands of this area for millennia. Ranchers have relied on the forests and grasslands of the region for ages, and hunters come from across the globe for a chance at a bull elk or other big game. 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.

The diversity of the soils and microenvironments in the Bears Ears area provide habitat for a wide variety of vegetation. The highest elevations, in the Elk Ridge area of the Manti-La Sal National Forest, contain pockets of ancient Engelmann spruce, ponderosa pine, aspen, and subalpine fir. Mesa tops include pinyon-

juniper woodlands along with big sagebrush, low sage, blackbrush, rabbitbrush, bitterbrush, four-wing saltbush, shadscale, winterfat, Utah serviceberry, western chokecherry, hackberry, barberry, cliff rose, and greasewood. Canyons contain diverse vegetation ranging from yucca and cacti such as prickly pear, claret cup, and Whipple's fishhook to mountain mahogany, ponderosa pine, alder, sagebrush, birch, dogwood, and Gambel's oak, along with occasional stands of aspen. Grasses and herbaceous species such as bluegrass, bluestem, giant ryegrass, ricegrass, needle and thread, yarrow, common mallow, balsamroot, low larkspur, horsetail, and peppergrass also grow here, as well as pinnate spring parsley, Navajo penstemon, Canyonlands lomatium, and the Abajo daisy.

Tucked into winding canyons are vibrant riparian communities characterized by Fremont cottonwood, western sandbar willow, yellow willow, and box elder. Numerous seeps provide year-round water and support delicate hanging gardens, moisture-loving plants, and relict species such as Douglas fir. A few populations of the rare Kachina daisy, endemic to the Colorado Plateau, hide in shaded seeps and alcoves of the area's canyons. A genetically distinct population of Kachina daisy was also found on Elk Ridge. The alcove columbine and cave primrose, also regionally endemic, grow in seeps and hanging gardens in the Bears Ears landscape. Wildflowers such as beardtongue, evening primrose, aster, Indian paintbrush, yellow and purple beeflower, straight bladderpod, Durango tumble mustard, scarlet gilia, globe mallow, sand verbena, sego lily, cliffrose, sacred datura, monkey flower, sunflower, prince's plume, hedgehog cactus, and columbine, bring bursts of color to the landscape.

The diverse vegetation and topography of the Bears Ears area, in turn, support a variety of wildlife species. Mule deer and elk range on the mesas and near canyon heads, which provide crucial habitat for both species. The Cedar Mesa landscape is home to bighorn sheep which were once abundant but still live in Indian Creek, and in the canyons north of the San Juan River. Small mammals such as desert cottontail, black-tailed jackrabbit, prairie dog, Botta's pocket gopher, white-tailed antelope squirrel, Colorado chipmunk, canyon mouse, deer mouse, pinyon mouse, and desert woodrat, as well as Utah's only population of Abert's tassel-eared squirrels, find shelter and sustenance in the landscape's canyons and uplands. Rare shrews, including a variant of Merriam's shrew and the dwarf shrew can be found in this area.

Carnivores, including badger, coyote, striped skunk, ringtail, gray fox, bobcat, and the occasional mountain lion, all hunt here, while porcupines use their sharp quills and climbing abilities to escape these predators. Oral histories from the Ute describe the historic presence of bison, antelope, and abundant bighorn sheep, which are also depicted in ancient rock art. Black bear pass through the area but are rarely seen, though they are common in the oral histories and legends of this region, including those of the Navajo.

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, red-spotted toad, Woodhouse's toad, canyon tree frog, Great Basin spadefoot, and northern leopard frog. Even the most sharp-eyed visitors probably will not catch a glimpse of the secretive Utah night lizard. Other reptiles in the area include the sagebrush lizard, eastern fence lizard, tree lizard, side-blotched lizard, plateau striped whiptail, western rattlesnake, night snake, striped whipsnake, and gopher snake.

Raptors such as the golden eagle, peregrine falcon, bald eagle, northern harrier, northern goshawk, red-tailed hawk, ferruginous hawk, American kestrel, flammulated owl, and great horned owl hunt their prey on the mesa tops with deadly speed and accuracy. The largest contiguous critical habitat for the threatened Mexican spotted owl is on the Manti-La Sal National Forest. Other bird species found in the area include Merriam's turkey, Williamson's sapsucker, common nighthawk, white-throated swift, ash-throated flycatcher, violet-green swallow, cliff swallow, mourning dove, pinyon jay, sagebrush sparrow, canyon towhee, rock wren, sage thrasher, and the endangered southwestern willow flycatcher.

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, pallid bat, Townsend's big-eared bat, spotted bat, and silver-haired bat. Tinajas, rock depressions filled with rainwater, provide habitat for many specialized aquatic species,

including pothole beetles and freshwater shrimp. Eucosma navajoensis, an endemic moth that has only been described near Valley of the Gods, is unique to this area.

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 prehistoric, historic, and scientific values of this area remain for the benefit of all Americans. 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. The area contains numerous objects of historic and of scientific interest, and it provides world class outdoor recreation opportunities, including rock climbing, hunting, hiking, backpacking, canyoneering, whitewater rafting, mountain biking, and horseback riding. Because visitors travel from near and far, these lands support a growing travel and tourism sector that is a source of economic opportunity for the region.

WHEREAS, section 320301 of title 54, United States Code (known as 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 objects of scientific and historic interest on the Bears Ears lands;

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 Bears Ears National Monument (monument) and, for the purpose of protecting those objects, reserve as part thereof all lands and interests in lands owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 1.35 million acres. The boundaries described on the accompanying map are confined to the smallest area compatible with the proper care and management of the objects to be protected.

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, or other disposition under the public land laws or laws applicable to the U.S. Forest Service, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

The establishment of the monument is subject to valid existing rights, including valid existing water rights. If the Federal Government acquires ownership or control of any lands or interests in lands that it did not previously own or control within the boundaries described on the accompanying map, such lands and interests in lands shall be reserved as a part of the monument, and objects identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the Federal Government.

The Secretary of Agriculture and the Secretary of the Interior (Secretaries) shall manage the monument through the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM), pursuant to their respective applicable legal authorities, to implement the purposes of this proclamation. The USFS shall manage that portion of the monument within the boundaries of the National Forest System (NFS), and the BLM shall manage the remainder of the monument. The lands administered by the USFS shall be managed as part of the Manti-La Sal National Forest. The lands administered by the BLM shall be managed as a unit of the National Landscape Conservation System, pursuant to applicable legal authorities.

For purposes of protecting and restoring the objects identified above, the Secretaries shall jointly prepare a management plan for the monument and shall promulgate such regulations for its management as they deem appropriate. The Secretaries, through the USFS and the BLM, shall consult with other Federal land management agencies in the local area, including the National Park Service, in developing the management plan. In promulgating any management rules and regulations governing the NFS lands within the monument and developing the management plan, the Secretary of Agriculture, through the USFS, shall consult with the Secretary of the Interior through the BLM. The Secretaries shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with federally recognized tribes and State and local governments. In the development and implementation of the management plan, the Secretaries shall maximize opportunities, pursuant to applicable legal authorities, for shared resources, operational efficiency, and cooperation.

The Secretaries, through the BLM and USFS, shall establish an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) to provide information and advice regarding the development of the management plan and, as appropriate, management of the monument. This advisory committee shall consist of a fair and balanced representation of interested stakeholders, including State and local governments, tribes, recreational users, local business owners, and private landowners.

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, a Bears Ears Commission (Commission) is hereby established to provide guidance and recommendations on the development and implementation of management plans and on management of the monument. The Commission shall 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 may adopt such procedures as it deems necessary to govern its activities, so that it may effectively partner with the Federal agencies by making continuing contributions to inform decisions regarding the management of the monument.

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

To further the protective purposes of the monument, the Secretary of the Interior shall 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 the BLM outside the boundary of the monument. The Secretary of the Interior shall report to the President by January 19, 2017, regarding the potential for such an exchange.

Nothing in this proclamation shall be construed to interfere with the operation or maintenance, or the replacement or modification within the current authorization boundary, of existing utility, pipeline, or telecommunications facilities located within the monument in a manner consistent with the care and management of the objects identified above.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Indian tribe. The Secretaries 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 monument and

provide access by 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.

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.

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 to ensure the ongoing consistency with the care and management of the objects identified above.

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.

Nothing in this proclamation shall preclude low-level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the lands reserved by this proclamation consistent with the care and management of the objects identified above.

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.

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, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of December, 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

Proclamation 9681

Modifying the Bears Ears National Monument by The President of the United States of America

A PROCLAMATION

In Proclamation 9558 of December 28, 2016, and exercising his authority under section 320301 of title 54, United States Code (the “Antiquities Act”), President Barack Obama established the Bears Ears National Monument in the State of Utah, reserving approximately 1.35 million acres of Federal lands for the care and management of objects of historic and scientific interest identified therein. The monument is managed jointly by the Department of the Interior’s Bureau of Land Management (BLM) and the Department of Agriculture’s United States Forest Service (USFS). This proclamation makes certain modifications to the monument.

Proclamation 9558 identifies a long list of objects of historic or scientific interest. It describes cultural resources such as ancient cliff dwellings (including the Moon House and Doll House Ruins), Moki Steps, Native American ceremonial sites, tools and projectile points, remains of single-family dwellings, granaries, kivas, towers, large villages, rock shelters, caves, and a prehistoric road system, as well as petroglyphs, pictographs, and recent rock art left by the Ute, Navajo, and Paiute peoples. It also identifies other types of historic objects, such as remnants of Native American sheep-herding and farming operations and early engineering by pioneers and settlers, including smoothed sections of rock, dugways, historic cabins, corrals, trails, and inscriptions carved into rock, and the Hole-in-the-Rock and Outlaw Trails. It also describes landscape features such as the Bears Ears, Comb Ridge, Cedar Mesa, the Valley of the Gods, the Abajo Mountains, and the San Juan River, and paleontological resources such as the fossil remains of fishes, amphibians, reptiles, and mammals, as well as dinosaur trackways and traces of other terrestrial animals. Finally, it identifies several species, including animals like the porcupine, badger, and coyote; birds like the red-tailed hawk, Mexican spotted owl, American kestrel, and turkey vulture; and plants such as the Fremont cottonwood, Abajo daisy, western sandbar willow, and boxelder.

The Antiquities Act requires that any reservation of land as part of a monument be confined to the smallest area compatible with the proper care and management of the objects of historic or scientific interest to be protected. Determining the appropriate protective area involves examination of a number of factors, including the uniqueness and nature of the objects, the nature of the needed protection, and the protection provided by other laws.

Some of the objects Proclamation 9558 identifies are not unique to the monument, and some of the particular examples of these objects within the monument are not of significant scientific or historic interest. Moreover, many of the objects Proclamation 9558 identifies were not under threat of damage or destruction before designation such that they required a reservation of land to protect them. In fact, objects described in Proclamation 9558 were then—and still are—subject to Federal protections under existing laws and agency management designations. For example, more than 500,000 acres were already being managed to maintain, enhance, or protect their roadless character before they were designated as part of a national monument. Specifically, the BLM manages approximately 380,759 acres of lands within the existing monument as Wilderness Study Areas, which the BLM is required by law to manage so as not to impair their suitability for future congressional designation as Wilderness. On lands managed by the USFS, 46,348 acres are part of the congressionally designated Dark Canyon Wilderness Area, which, under the 1964 Wilderness Act, 16 U.S.C. 1131–1136, and the Utah Wilderness Act of 1984, Public Law 98–428, the USFS must manage so as to maintain or enhance its wilderness character. Approximately 89,396 acres of the USFS lands are also included in 8 inventoried roadless areas, which are managed under the USFS’s 2001 Roadless Rule so as to protect their wilderness character.

A host of laws enacted after the Antiquities Act provide specific protection for archaeological, historic, cultural, paleontological, and plant and animal resources and give authority to the BLM and USFS to condition permitted activities on Federal lands, whether within or outside a monument. These laws include the Archaeological Resources Protection Act of 1979, 16 U.S.C. 470aa–470mm, National Historic

Preservation Act, 54 U.S.C. 300101 et seq., Bald and Golden Eagle Protection Act, 16 U.S.C. 668–668d, Endangered Species Act of 1973, 16 U.S.C. 1531 et seq., Federal Cave Resources Protection Act of 1988, 16 U.S.C. 4301 et seq., Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq., Migratory Bird Treaty Act, 16 U.S.C. 703–712, National Forest Management Act, 16 U.S.C. 1600 et seq., Native American Graves Protection and Repatriation Act of 1976, 25 U.S.C. 3001 et seq., and Paleontological Resources Preservation Act, 16 U.S.C. 470aaa–470aaa–11. Of particular note, the Archaeological Resources Protection Act specifically protects archaeological resources from looting or other desecration and imposes criminal penalties for unauthorized excavation, removal, damage, alteration, or defacement of archaeological resources. Federal land management agencies can grant a permit authorizing excavation or removal, but only when undertaken for the purpose of furthering archaeological knowledge. The Paleontological Resources Preservation Act contains very similar provisions protecting paleontological resources. And the Migratory Bird Treaty Act and Endangered Species Act protect migratory birds and listed endangered and threatened species and their habitats. Moreover, the BLM and the USFS were already addressing many of the threats to objects identified in Proclamation 9558 in their governing land-use plans before designation of the monument.

Given the nature of the objects identified on the lands reserved by Proclamation 9558, the lack of a threat of damage or destruction to many of those objects, and the protection for those objects already provided by existing law and governing land-use plans, I find that the area of Federal land reserved in the Bears Ears National Monument established by Proclamation 9558 is not confined to the smallest area compatible with the proper care and management of those objects. The important objects of scientific or historic interest can instead be protected by a smaller and more appropriate reservation of 2 areas: Shash Jáa and Indian Creek. Revising the boundaries of the monument to cover these 2 areas will ensure that, in accordance with the Antiquities Act, it is no larger than necessary for the proper care and management of the objects to be protected within the monument.

The Shash Jáa area contains the heart of the national monument: the iconic twin buttes known as the Bears Ears that tower 2,000 feet above the surrounding landscape and are considered sacred to the Native American tribes that call this area their ancestral home. Many of the significant objects described by Proclamation 9558 can be found throughout the Shash Jáa area. Ancestral Puebloan occupation of the area began during the Basketmaker II period at least 2,500 years ago, and it left behind objects such as pit houses, storage pits, lithic scatters, campsites, rock shelters, pictographs, and baskets, as well as manos and metates for grinding corn. Occupation dating to the Basketmaker III period, from approximately 500 to 750 C.E., left additional evidence of maize- and bean-based agriculture, along with pottery, bows and arrows, pit houses, kivas, storage rooms, and dispersed villages.

New waves of human settlement occurred around 900 C.E., when the Pueblo I period gave rise to large villages near Comb Wash, and 1050 C.E., when inhabitants from the Pueblo II period built expansive and complex multi-family dwellings. Around 1150 C.E., the dawn of the Pueblo III period, the area's inhabitants increasingly sought shelter in cliff dwellings and left behind evidence of an era of unrest. Several centuries later, the Ute, Paiute, and Navajo came to occupy the area.

East of the Bears Ears is Arch Canyon, within which paleontologists have found numerous fossils from the Permian and Upper Permian eras. Cliff dwellings are hidden throughout the canyon, and the mouth of the canyon holds the fabled Arch Canyon ruin, which spans the Pueblo II and III periods and contains pictographs and petroglyphs ranging from the Archaic to the historic periods.

Just south of Arch Canyon are the north and south forks of Mule Canyon. Five-hundred feet deep, 5 miles long, and decorated with alternating layers of red and white sandstone, these 2 striking canyons contain shelter-cliff dwellings and other archaeological sites, including the scenic and accessible House on Fire Ruin, which includes differing masonry styles that indicate several episodes of construction and use.

Perched high on the open tablelands above the south fork of Mule Canyon are the Mule Canyon ruins, where visitors can see exposed masonry walls of ancient living quarters and a partially restored kiva. The deep canyons and towering mesas of the Shash Jáa area are full of similar sites, including rock art,

remains of single-family dwellings, granaries, kivas, towers (including the Cave Towers), and large villages primarily from the Pueblo II and III periods, along with sites from the Basketmaker and Archaic periods.

The Shash Jáa area also includes Comb Ridge, a north-south trending monocline that originates near the boundary of the Manti-La Sal National Forest, ends near the San Juan River, and contains remnants from the region's thousands of years of human habitation, including cliff dwellings, granaries, kivas, ceremonial sites, and the Butler Wash ruin, a world-famous Ancestral Puebloan ruin with multiple rooms and kivas. Comb Ridge also includes world-class examples of ancient rock art, such as the Butler Wash Kachina Panel, a wall-sized mural of San Juan Anthropomorph figures that dates to the Basketmaker period and is considered to be one of the Southwest's most important petroglyph panels for understanding the daily life and rituals of the Basketmaker people. Significant fossil sites have also been discovered in Butler Wash.

Just north of upper Butler Wash, the aspen-filled Whiskers Draw contains a series of alcoves that have sheltered evidence of human habitation for thousands of years, including Cave 7, the site where Richard Wetherill, as part of the Hyde Expedition in 1893, first identified what we know today as the Basketmaker people. The nearby Milk Ranch Point is home to a rich concentration of kivas, granaries, dwellings, and other evidence that Pueblo I farmers used this area to cultivate corn, beans, and squash.

The Shash Jáa area also contains the Comb Ridge Fossil site, which includes a trackway created by a giant arthropod (*Diplichnites cuithensis*), the first recorded instance of such a trackway in Utah. Also, the diverse landscape of the Shash Jáa area provides habitat for the vast majority of plant and animal species described by Proclamation 9558.

Finally, the Shash Jáa area as described on the accompanying map includes 2 non-contiguous parcels of land that encompass the Moon House Ruin, an example of iconic Pueblo-decorated architecture, which was likely the last occupied site on Cedar Mesa, as well as Doll House Ruin, a fully intact and well-preserved single room granary that is associated with an extensive agricultural area on the mesa top. These significant ruins are important examples of cultural resource objects that should remain within the monument's boundaries.

The Indian Creek area likewise contains objects of significance described in Proclamation 9558. At its center is the broad Indian Creek Canyon, which is characterized by sheer red cliffs and spires of exposed and eroded layers of Navajo, Kayenta, Wingate, and Cedar Mesa sandstone, including the iconic North and South Six-Shooter Peaks.

Also located within the Indian Creek area is the Canyonlands Research Center. Spanning lands managed by the National Park Service, BLM, USFS, and private landowners, this unique partnership works to increase our understanding of the complex natural systems on the landscape, providing their custodians with information they need to adapt to the challenges of a changing Colorado Plateau.

Newspaper Rock, a popular attraction in the Indian Creek area, is a roadside rock art panel that has been listed on the National Register of Historic Places since 1976. This site displays a significant concentration of rock art from multiple periods, etched into Wingate sandstone. The older art is attributed to the Ancestral Puebloan people who inhabited this region for 2,000 years, while the more recent rock art is attributed to the Ute people who still live in the Four Corners area.

In addition to Newspaper Rock, the Indian Creek area contains numerous other significant rock art sites, including the distinctive and well-preserved petroglyphs in Shay Canyon. The area also provides opportunities for cultural and scientific research and paleontological study. Dinosaur tracks in the bottom of the Shay Canyon stream bed are a unique visual reminder of the area's distant past. Additional paleontological resources can be found throughout the Indian Creek area, including vertebrate and invertebrate fossils, primarily in the Chinle Formation. The Indian Creek area also includes 2 prominent mesas, Bridger Jack Mesa and Lavender Mesa, which are home to relict plant communities, predominantly composed of pinyon-juniper woodland, with small, interspersed sagebrush parks, that exist only on these isolated islands in the desert sea and are, generally, unaltered by humans. These mesas provide the

opportunity for comparative studies of pinyon-juniper woodland and sagebrush communities in other parts of the Colorado Plateau. Additionally, the Indian Creek area includes the exposed Chinle Formation, known for abundant fossilized flora and fauna, including pelecypods, gastropods, arthropods, fishes, amphibians, and reptiles (including dinosaurs). Finally, the area is well known for vertebrate trackways, including tetrapod footprints.

Some of the existing monument's objects, or certain examples of those objects, are not within the monument's revised boundaries because they are adequately protected by existing law, designation, agency policy, or governing land-use plans. For example, although the modified boundaries do not include the San Juan River or the Valley of the Gods, both of those areas are protected by existing administratively designated Areas of Critical Environmental Concern. Plant and animal species such as the bighorn sheep, the Kachina daisy, the Utah night lizard, and the *Eucosma navajoensis* moth are protected by the Endangered Species Act and existing land-use plans and policies protecting special-status species. Additionally, some of the range of these species falls within existing Wilderness Areas and Wilderness Study Areas. Finally, although Hideout Canyon is likewise not included within the modified boundaries, it is generally not threatened and is partially within a Wilderness Study Area.

The areas described above are the smallest compatible with the protection of the important objects identified in Proclamation 9558. The modification of the Bears Ears National Monument will maintain and protect those objects and preserve the area's cultural, scientific, and historic legacy.

WHEREAS, Proclamation 9558 of December 28, 2016, designated the Bears Ears National Monument in the State of Utah and reserved approximately 1.35 million acres of Federal lands for the care and management of the Bears Ears buttes and other objects of historic and scientific interest identified therein; and

WHEREAS, many of the objects identified by Proclamation 9558 are otherwise protected by Federal law; and

WHEREAS, it is in the public interest to modify the boundaries of the monument to exclude from its designation and reservation approximately 1,150,860 acres of land that I find are unnecessary for the care and management of the objects to be protected within the monument; and

WHEREAS, the boundaries of the monument reservation should therefore be reduced to the smallest area compatible with the protection of the objects of scientific or historic interest as described above in this proclamation;

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim that the boundaries of the Bears Ears National Monument are hereby modified and reduced to those lands and interests in land owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. I hereby further proclaim that the modified monument areas identified on the accompanying map shall be known as the Indian Creek and Shash Jáa units of the monument, the latter of which shall include the Moon House and Doll House Ruins. These reserved Federal lands and interests in lands cumulatively encompass approximately 201,876 acres. The boundaries described on the accompanying map are confined to the smallest area compatible with the proper care and management of the objects to be protected. Any lands reserved by Proclamation 9558 not within the boundaries identified on the accompanying map are hereby excluded from the monument.

At 9:00 a.m., eastern standard time, on the date that is 60 days after the date of this proclamation, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the public and National Forest System lands excluded from the monument reservation shall be open to:

- (1) entry, location, selection, sale, or other disposition under the public land laws and laws applicable to the U.S. Forest Service;
- (2) disposition under all laws relating to mineral and geothermal leasing; and
- (3) location, entry, and patent under the mining laws.

Appropriation of lands under the mining laws before the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law.

Nothing in this proclamation shall be construed to remove any lands from the Manti-La Sal National Forest or to otherwise revoke, modify, or affect any withdrawal, reservation, or appropriation, other than the one created by Proclamation 9558.

Nothing in this proclamation shall change the management of the areas designated and reserved by Proclamation 9558 that remain part of the monument in accordance with the terms of this proclamation, except as provided by the following 4 paragraphs:

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, Proclamation 9558 established a Commission to provide guidance and recommendations on the development and implementation of management plans and on management of the monument, and to partner with Federal agencies by making continuing contributions to inform decisions regarding the management of the monument. In order to ensure that the full range of tribal expertise and traditional historical knowledge is included in such guidance and recommendations, paragraph 29 of Proclamation 9558 is hereby revised to provide that the Bears Ears Commission shall be known as the Shash Jáa Commission, shall apply only to the Shash Jáa unit as described herein, and shall also include the elected officer of the San Juan County Commission representing District 3 acting in that officer's official capacity.

Proclamation 9558 is hereby revised to clarify that, pending preparation of the transportation plan required by paragraph 34 thereof, the Secretaries of the Interior and Agriculture may allow motorized and non-mechanized vehicle use on roads and trails designated for such use immediately before the issuance of Proclamation 9558 and maintain roads and trails for such use.

Paragraph 35 of Proclamation 9558 governing livestock grazing in the monument is hereby revised to read as follows: "Nothing in this proclamation shall be deemed to affect authorizations for livestock grazing, or administration thereof, on Federal lands within the monument. Livestock grazing within the monument shall continue to be governed by laws and regulations other than this proclamation."

Proclamation 9558 is amended to clarify that, consistent with the care and management of the objects identified above, the Secretaries of the Interior and Agriculture may authorize ecological restoration and active vegetation management activities in the monument.

If any provision of this proclamation, including its application to a particular parcel of land, is held to be invalid, the remainder of this proclamation and its application to other parcels of land shall not be affected thereby.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of December, in the year of our Lord two thousand seventeen, and of the Independence of the United States of America the two hundred and forty-second.

DONALD J. TRUMP

IDENTIFICATION OF MONUMENT OBJECTS AND VALUES

The Antiquities Act makes multiple references to “objects,” which include “objects of antiquity” and “objects of historic or scientific interest.” Objects are listed in the proclamation or enabling legislation and may include cultural artifacts or features, historic structures, paleontological or geological features, specific plant or animal species or habitats, and other resources. The BLM has generally interpreted objects as discrete physical items. A national monument may also have less tangible values, such as provision of opportunities for research.

The BLM is required to manage national monuments for the proper care and management of the objects of historic and scientific interest for which they were designated. Identifying the specific objects in a proclamation is critical to proper management of a national monument and to determine the management actions necessary to implement the law and manage monuments for the purposes for which they were designated. While deference is always given to the specific text in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, the BLM must clearly identify the objects for the agency to properly undertake land use planning or other analysis to ensure proper management of a national monument.

While not unlimited, courts have affirmed the BLM’s discretion to determine which items listed in a proclamation are the actual objects to be protected. The BLM has not established a process or policy for the identification of national monument objects; however, under standard agency practices, interdisciplinary teams analyze the proclamation and determine the objects, usually as part of a land use planning process or in advance of an analysis under the National Environmental Policy Act.

The text of Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, describes numerous objects, as well as supporting information about the values and opportunities within the Monument. The following themes have been identified as objects and/or values in BENM: archaeological, historic, and cultural resources; geological features and landscapes; paleontological resources; biological and ecological resources and processes; recreational opportunities; and economic opportunities.

Archaeological, Historic, and Cultural Resources

Archaeological resources within BENM encompass both prehistoric and historic sites and include abundant rock writings, ancient cliff dwellings, ceremonial sites, and countless other sites and artifacts. Archaeological objects are restricted to those archaeological resources determined to be historic properties or archaeological resources either listed in or eligible for the National Register of Historic Places (also defined at 36 CFR 800.16(I)). In this document, these resources are referred to as “eligible” sites.

Objects
<p>Generally, objects within BENM include the following:</p> <ul style="list-style-type: none">• Eligible historic properties, including, but not limited to cliff dwellings, granaries, kivas, ceremonial sites, pit houses, storage pits, lithic scatters, prehistoric campsites, and other less visible sites; rockshelters, baskets, manos and metates, pottery, bows and arrows, footwear, storage rooms; tinajas; prehistoric road systems and Moki steps; evidence of the historic settlement of the region, including the Hole-in-the-Rock Trail, cabins, corrals, trails, and rock writings (including petroglyphs and pictographs). <p>Specific cultural, archaeological, or historical objects noted in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, within BENM include the following:</p> <ul style="list-style-type: none">• Butler Wash Kachina Panel• Butler Wash Site• Arch Canyon Great House Complex• House on Fire• Arch Canyon Cultural Landscape• Texas Canyon Cultural Landscape• Butt Canyon Cultural Landscape• Mule Canyon Cultural Landscape• Whiskers Draw Cultural Landscape

Objects
<ul style="list-style-type: none"> • Milk Ranch Point Cultural Landscape • Moon House • Doll House • Newspaper Rock • Shay Canyon Petroglyphs • Indian Creek Cultural Landscape • Bears Ears Buttes • Bears Ears Headwaters • Comb Ridge • Medicinal plants and plants for religious use • Hole-in-the-Rock Trail and San Juan Hill • American Indian sacred and religious sites
Values
<p>Opportunities for archaeological research, interpretation, and protection</p> <p>Cultural landscapes</p> <p>Preservation of prehistoric, historic, and cultural values and objects</p> <p>Tribal expertise and traditional ecological and historical knowledge</p> <p>Areas of religious use</p> <p>Opportunities for American Indian and historic rural communities to conduct subsistence activities (hunting, gathering, wood cutting, etc.)</p> <p>Native stories and traditional historical knowledge (Long Walk, etc.)</p> <p>Opportunities to use traditional, ecological, and religious knowledge and practices</p> <p>American Indian and Euro-American livestock grazing, including old structures (e.g., log troughs)</p> <p>Opportunities for cultural and heritage tourism</p>

Geological Features and Landscapes

The geological features of BENM provide stunning vistas and opportunities for scientific study.

Objects
<p>Specific objects noted in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, include the following:</p> <ul style="list-style-type: none"> • Bears Ears Buttes • Comb Ridge • North and South Six-Shooter Peaks • North and South Forks of Mule Canyon • Indian Creek Canyon (geologic features and formations present within the Indian Creek Unit of the Monument) • Dark Canyon Wilderness
Values
<p>Opportunities for geologic research, education, protection, and interpretation</p>

Paleontological Resources

The paleontological resources in the BENM area are among the richest and most significant in the United States and provide important opportunities for further study.

Objects
<p>Generally paleontological objects within the BENM include the following:</p> <ul style="list-style-type: none"> • Vertebrate, invertebrate, plant, and trace fossils

<p>Specific objects noted in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, include the following:</p> <ul style="list-style-type: none"> • Vertebrate and invertebrate fossils within the Arch Canyon and Comb Ridge fossil sites, including pelecypods, gastropods, arthropods, fishes, amphibians, and reptiles in the exposed Chinle Formation • Dinosaur trackways, including, but not limited to, Shay Canyon fossil tracks and Butler Wash dinosaur tracksite • High potential fossil yield sites and sites of important discovery, such as Arch Canyon, Butler Wash, Comb Ridge, Indian Creek, and Shay Canyon
Values
<p>Opportunities for paleontological research, interpretation, and protection</p> <p>Opportunities for paleontological education and outreach</p> <p>Opportunities for the public to visit paleontological resources in situ</p>

Biological and Ecological Resources and Processes

BENM supports a broad diversity of plants, animal communities, and ecosystems.

Objects
<p>Specific objects noted in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, include the following:</p> <ul style="list-style-type: none"> • Bridger Jack Mesa and Lavender Mesa, which are home to relict plant communities, provide the opportunity for comparative studies in other parts of the Colorado Plateau. • Water sources, including springs, seeps, tinajas, and their associated riparian habitat (e.g., hanging gardens) • Perennial and intermittent streams and riparian corridors • Special status plant and wildlife species habitats
Values
<p>Continued opportunities for research and education, including via the Canyonlands Research Center</p> <p>Opportunities to protect headwaters and water supplies</p> <p>Diversity of wildlife species and associated habitats</p> <p>Diversity of native vegetation and habitats (including Elk Ridge, mesa tops, and canyons)</p> <p>Opportunities for ecological restoration and active vegetation management</p> <p>Opportunities to collect firewood</p> <p>Opportunities to collect plant materials and seeds</p> <p>Livestock grazing and associated management activities and structures as a tool to restore or maintain the health of watersheds and grasslands</p>

Recreational Opportunities

BENM contains recreational resources that also support economic opportunities within local communities.

Values
<p>Managing lands for world-class outdoor recreational opportunities and to support a growing travel and tourism sector</p> <p>Opportunities for cultural and heritage tourism</p> <p>Opportunities for experiencing dark skies and natural quiet</p> <p>Opportunities for education and interpretation</p>

Economic Opportunities

BENM contains resources that also support economic opportunities within local communities.

Value
Livestock grazing

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APPENDIX B

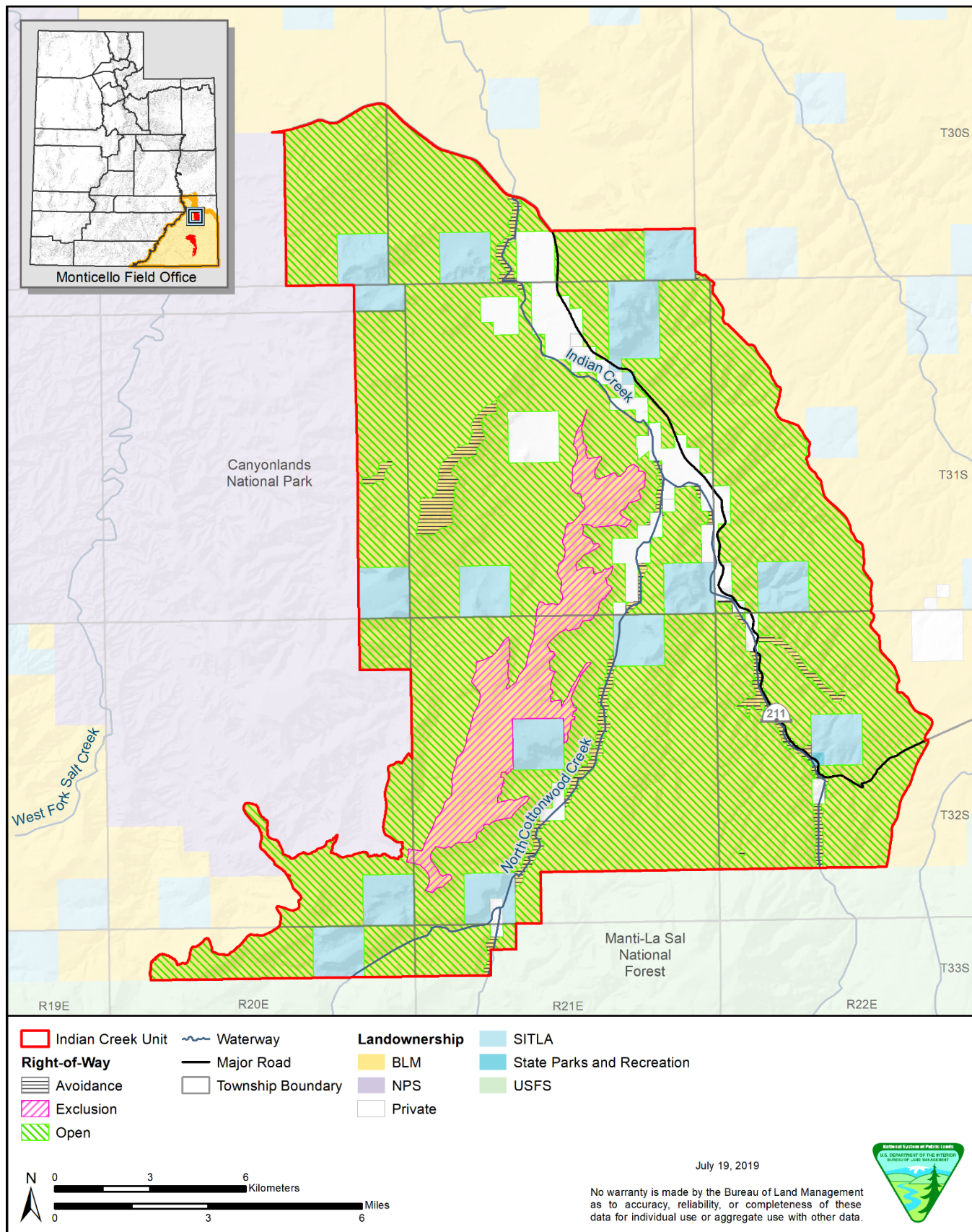
Maps

MAPS

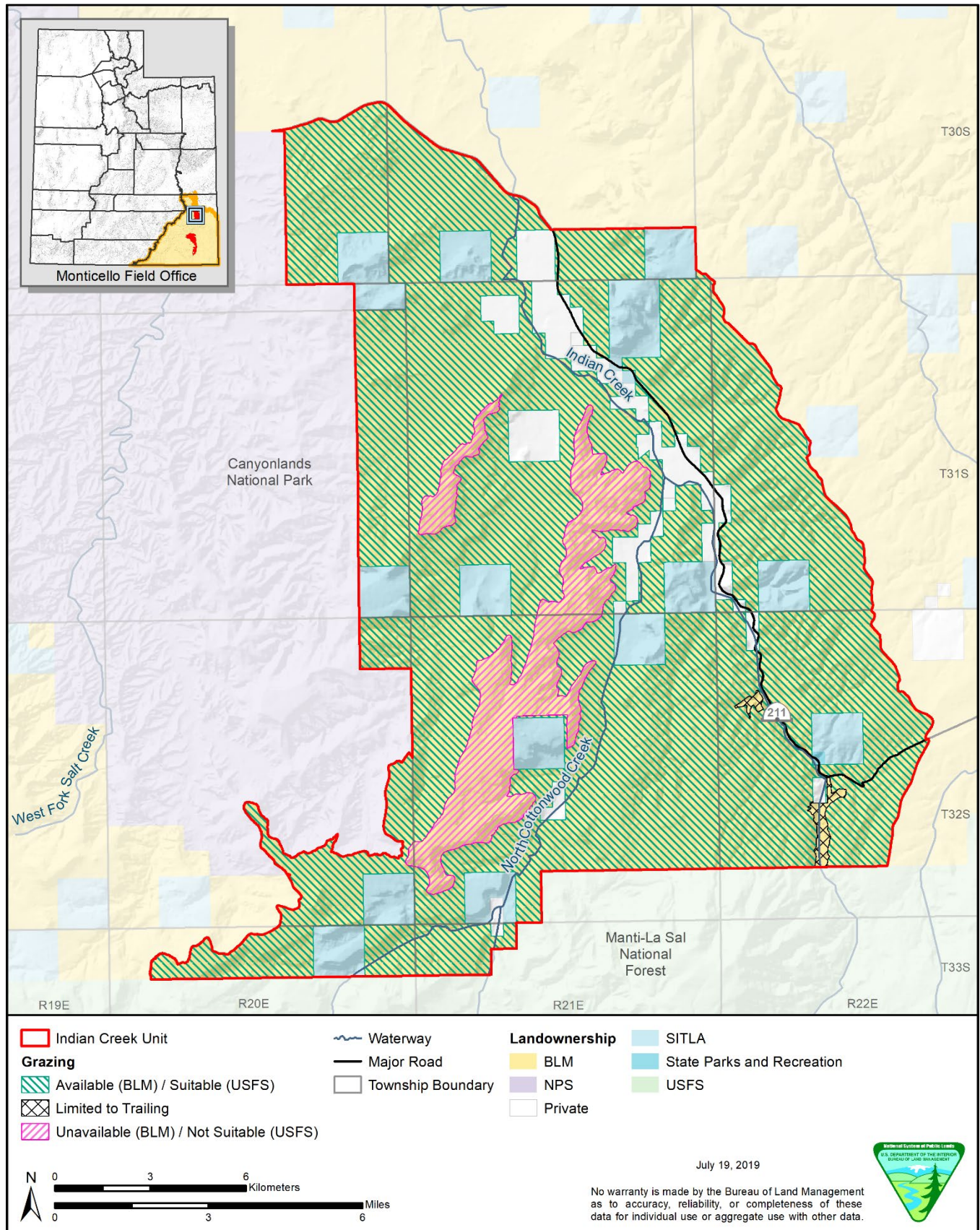
Map B-1. Indian Creek Unit: Right-of-Way Avoidance and Exclusion Areas	B-1
Map B-2. Indian Creek Unit: Areas Unavailable for Grazing or Limited to Trailing	B-2
Map B-3. Indian Creek Unit: Special Recreation Management Areas and Recreation Management Zones	B-3
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Map B-17. Shash Jáa Unit: Visual Resource Management	B-17
Map B-18. Shash Jáa Unit: Forestry and Woodlands	B-18

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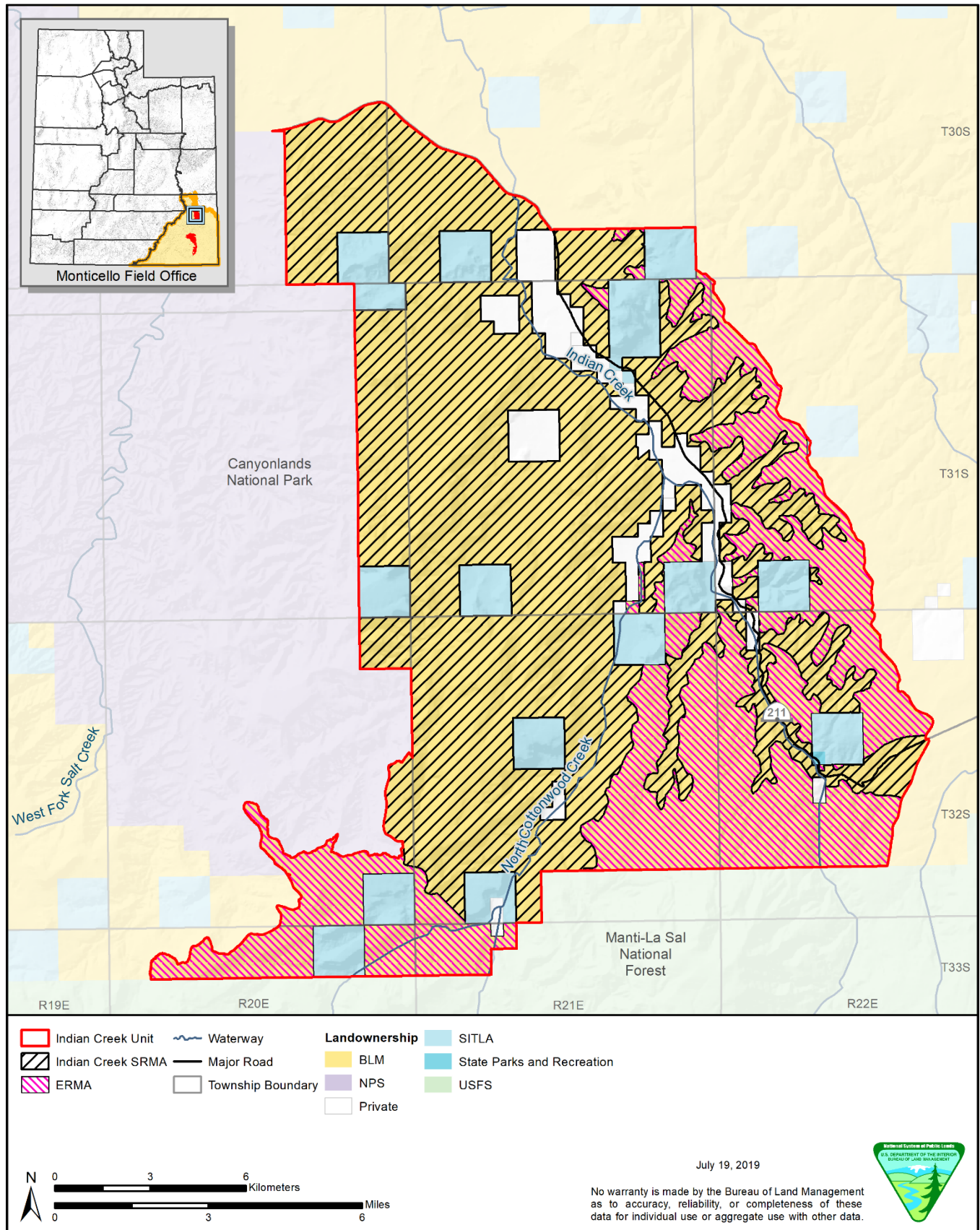
Map B-1. Indian Creek Unit: Right-of-Way Avoidance and Exclusion Areas



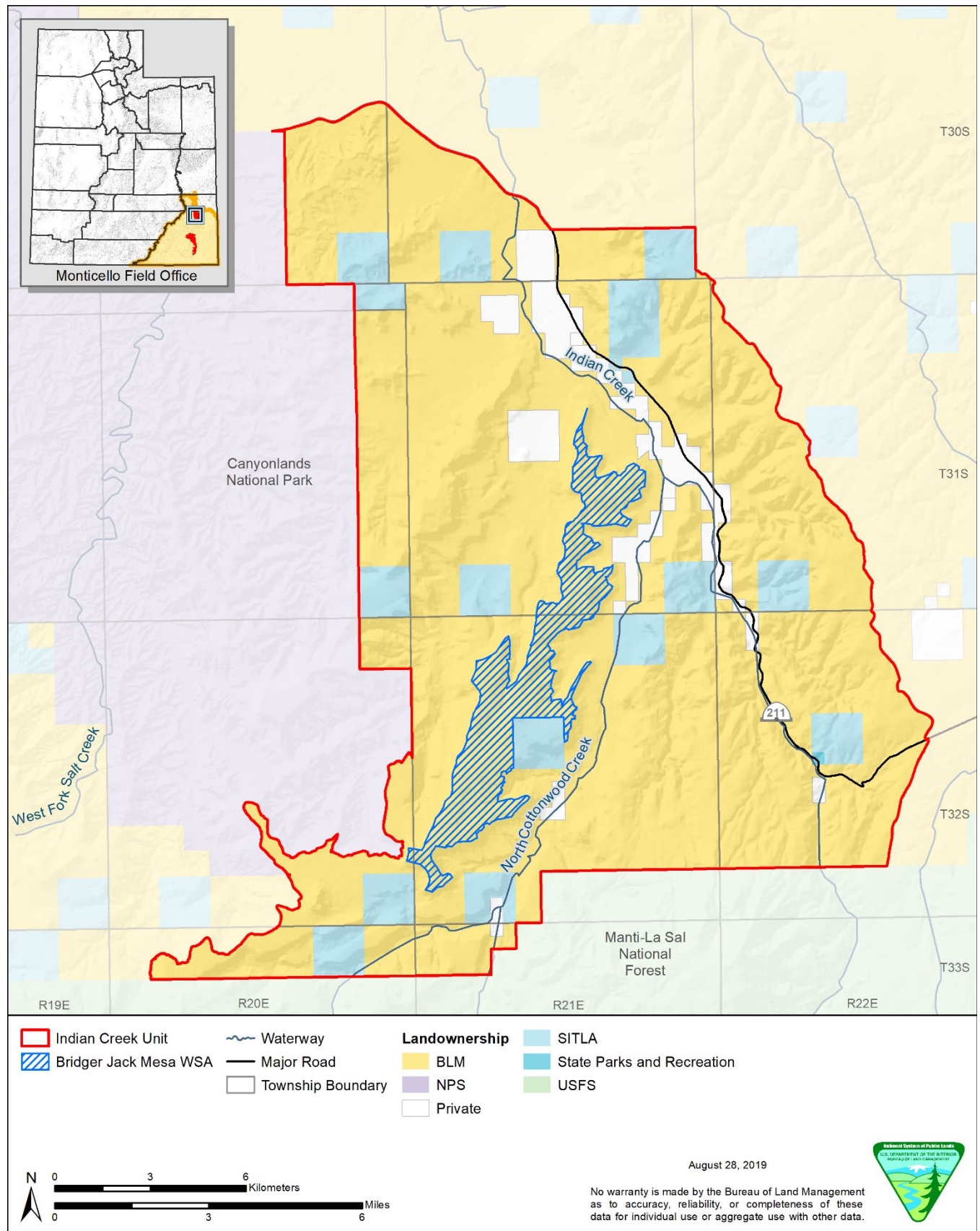
Map B-2. Indian Creek Unit: Areas Unavailable for Grazing or Limited to Trailing



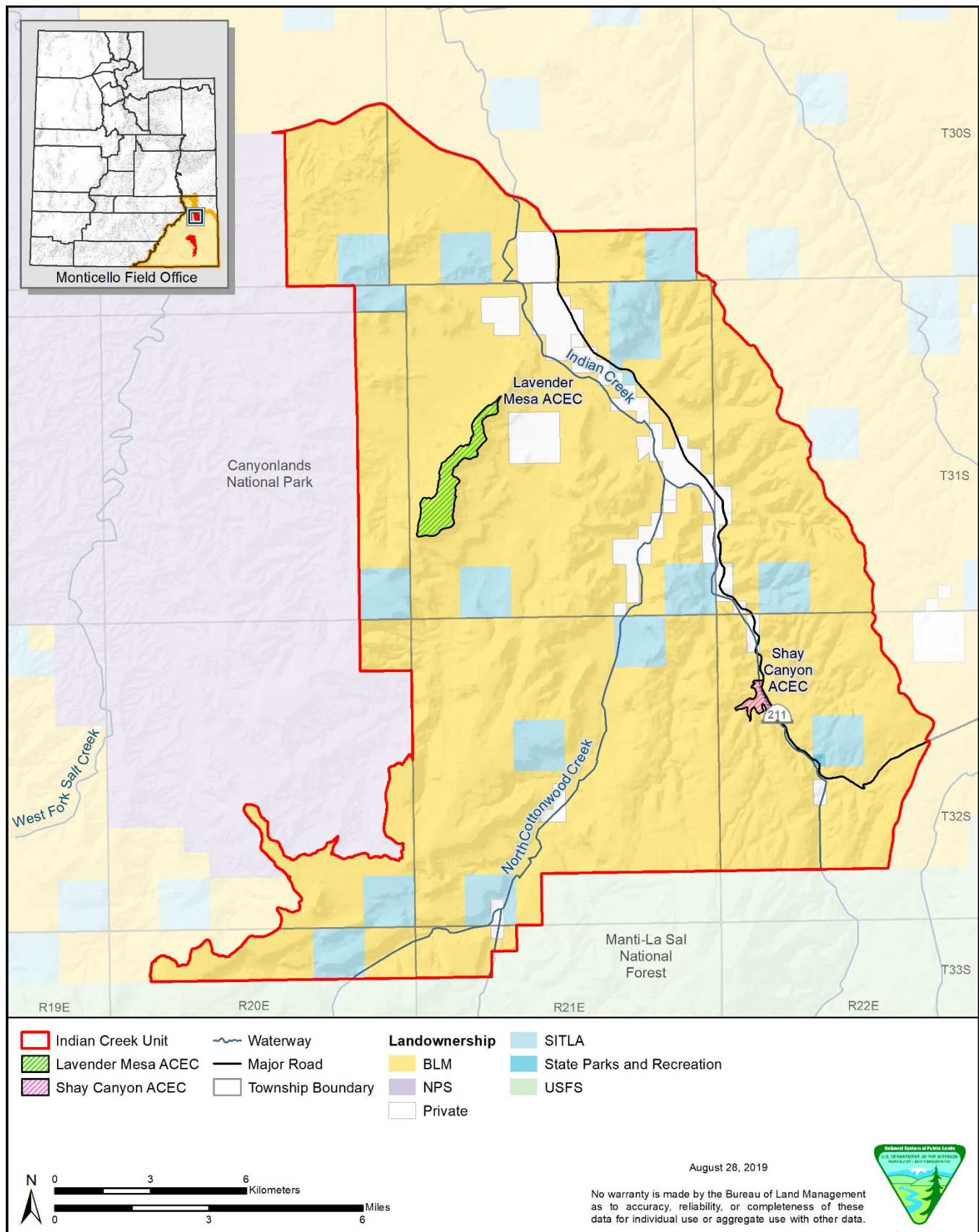
Map B-3. Indian Creek Unit: Special Recreation Management Areas and Recreation Management Zones



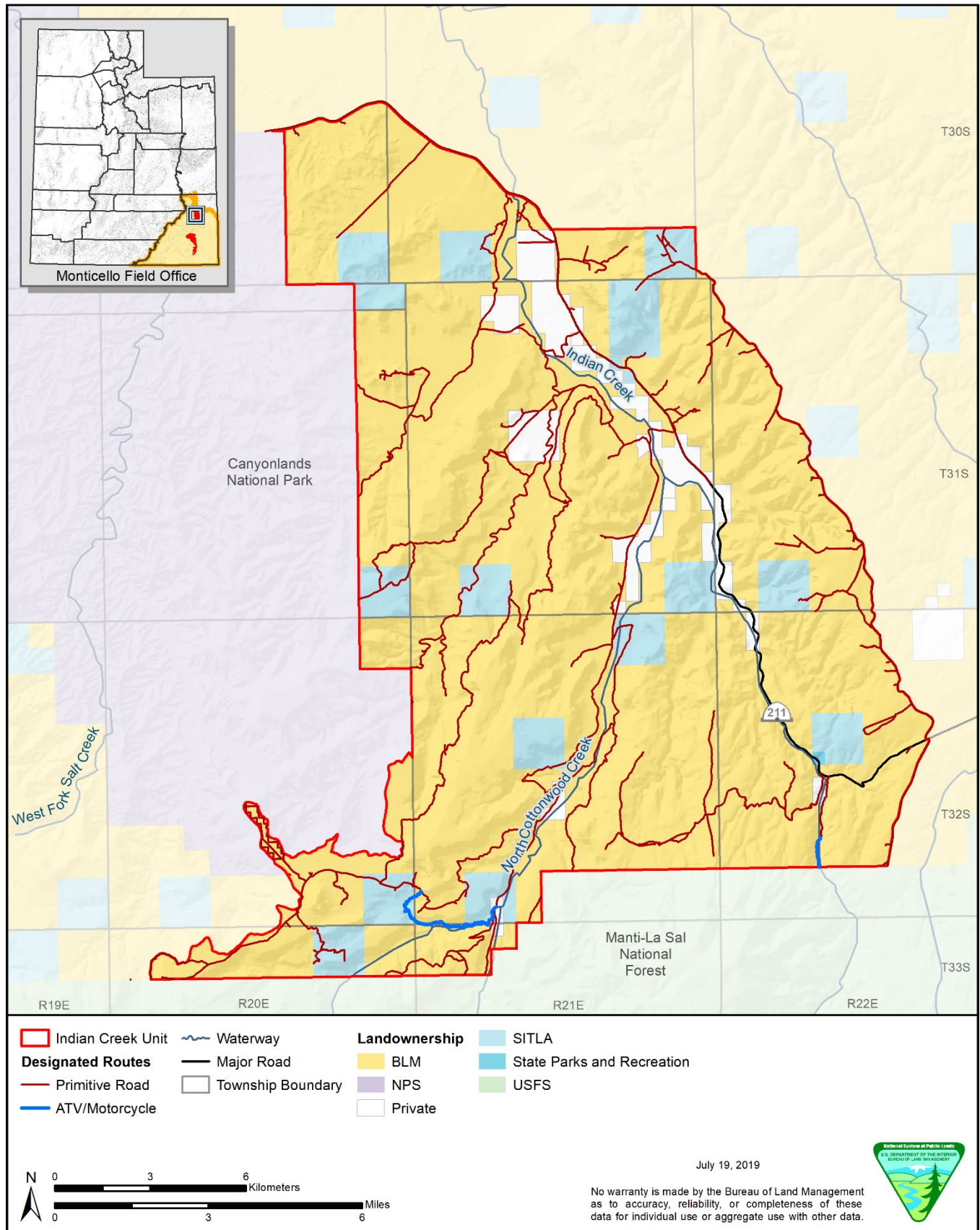
Map B-4. Indian Creek Unit: Existing Wilderness Study Areas



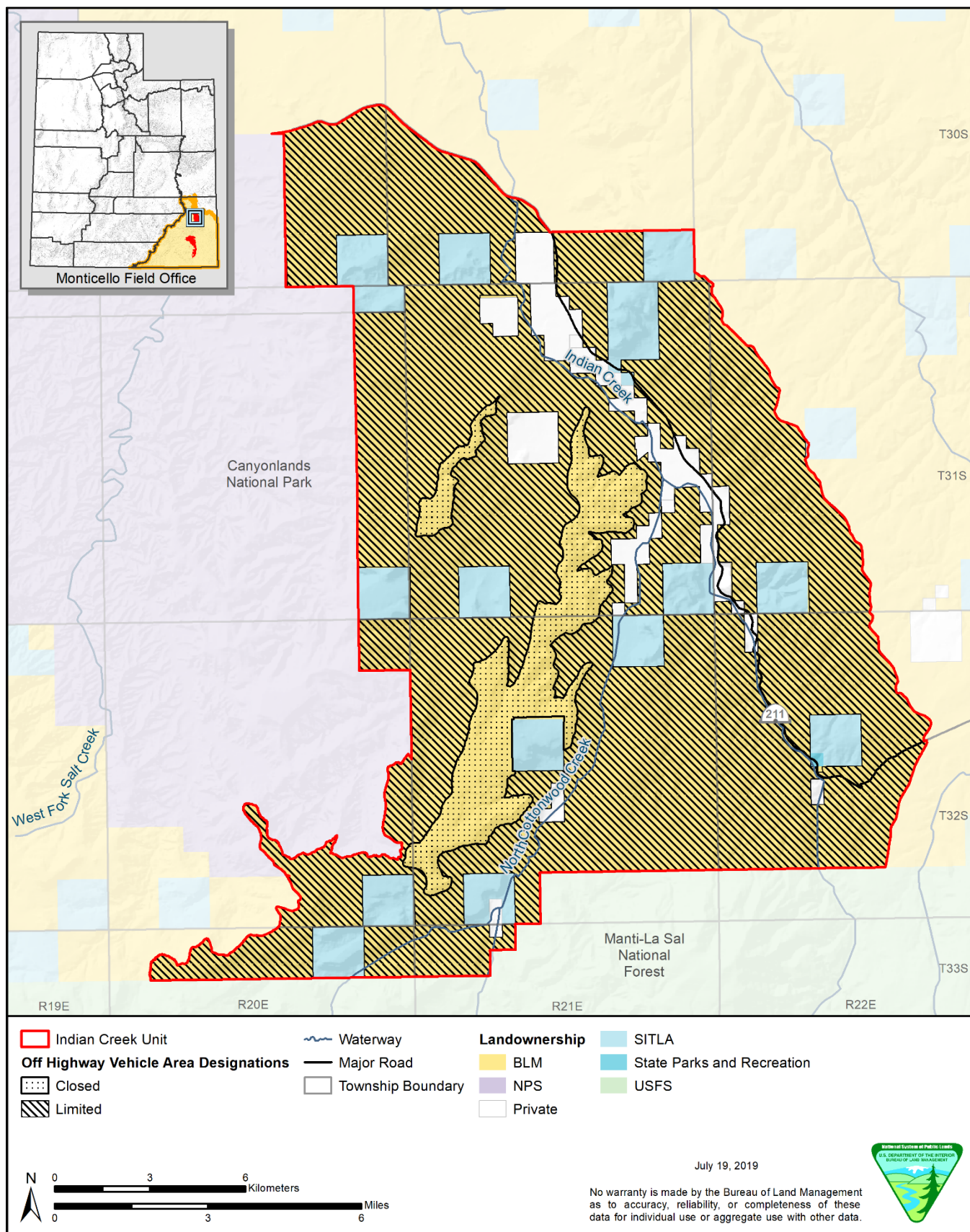
Map B-5. Indian Creek Unit: Areas of Critical Environmental Concern



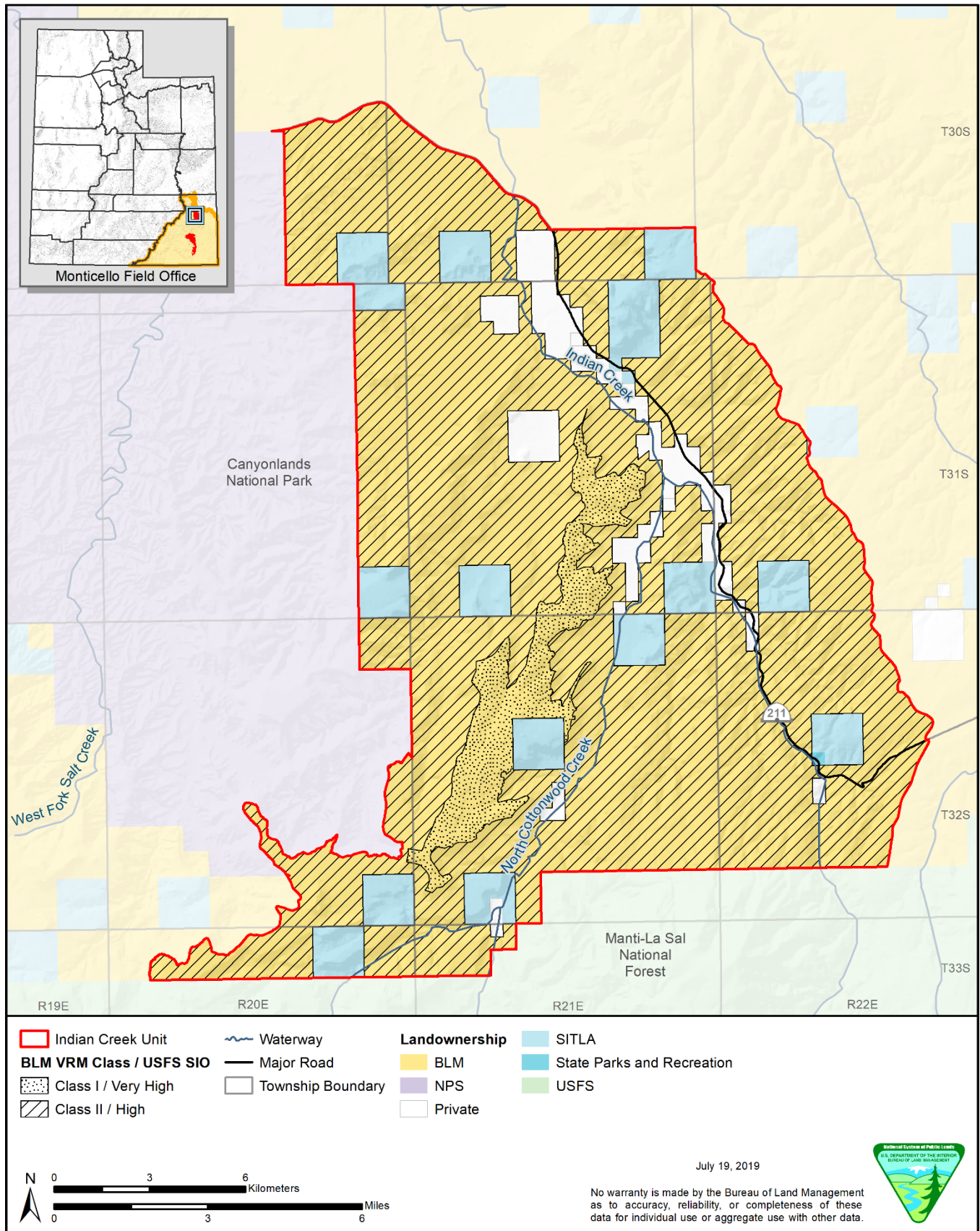
Map B-6. Indian Creek Unit: Existing Designated Routes



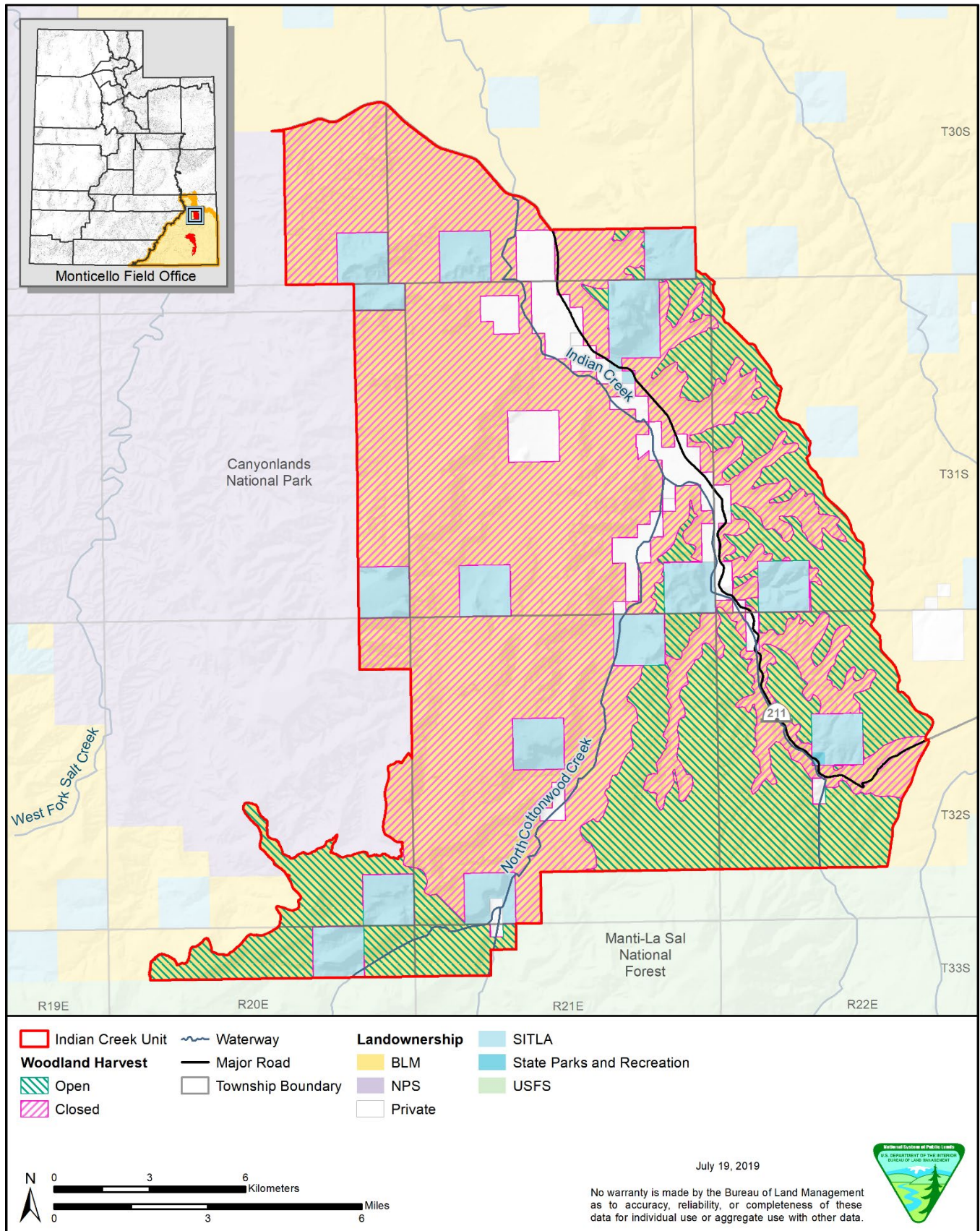
Map B-7. Indian Creek Unit: Off-Highway Vehicle Area Designations



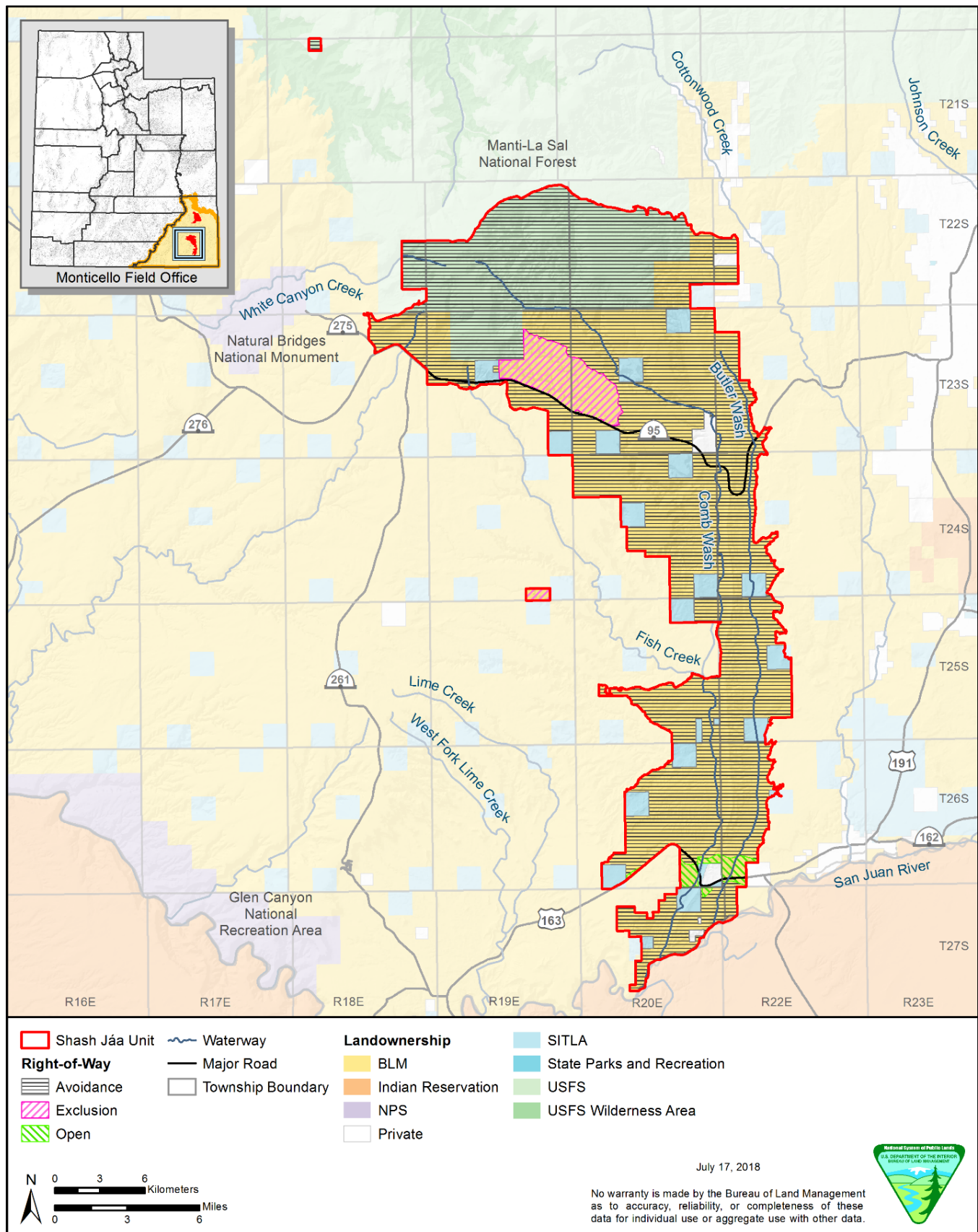
Map B-8. Indian Creek Unit: Visual Resource Management



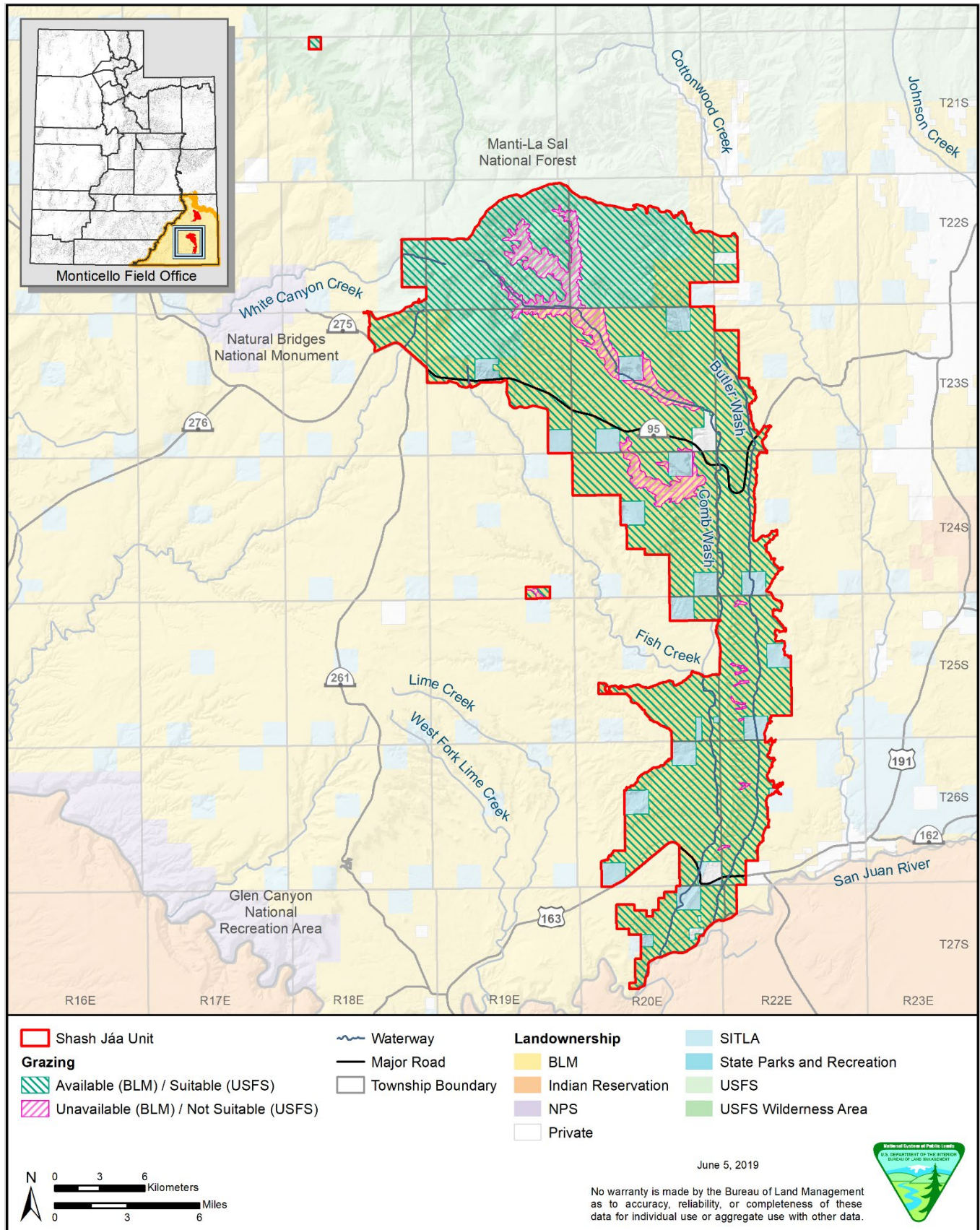
Map B-9. Indian Creek Unit: Forestry and Woodlands



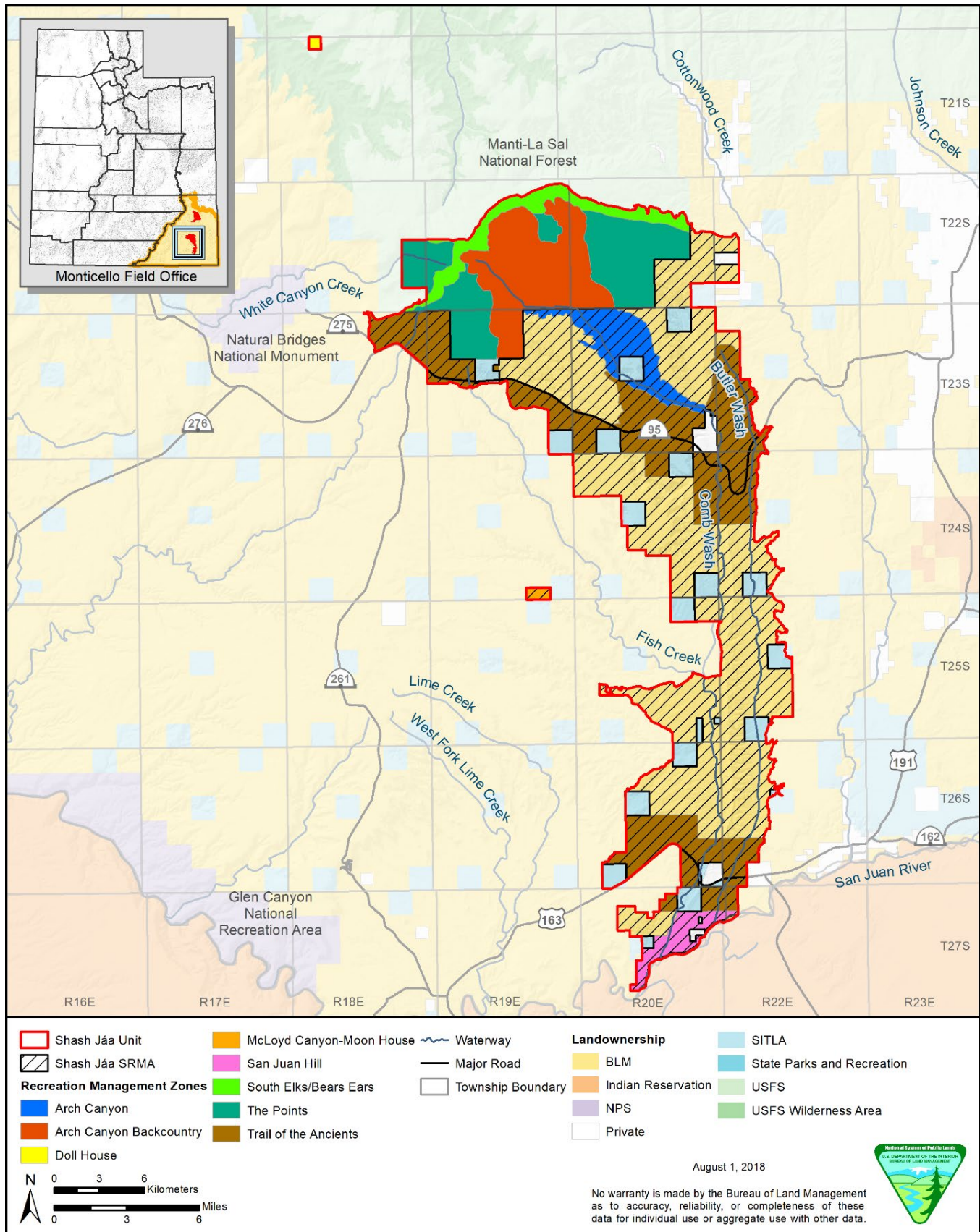
Map B-10. Shash Jáa Unit: Right-of-Way Avoidance and Exclusion Areas



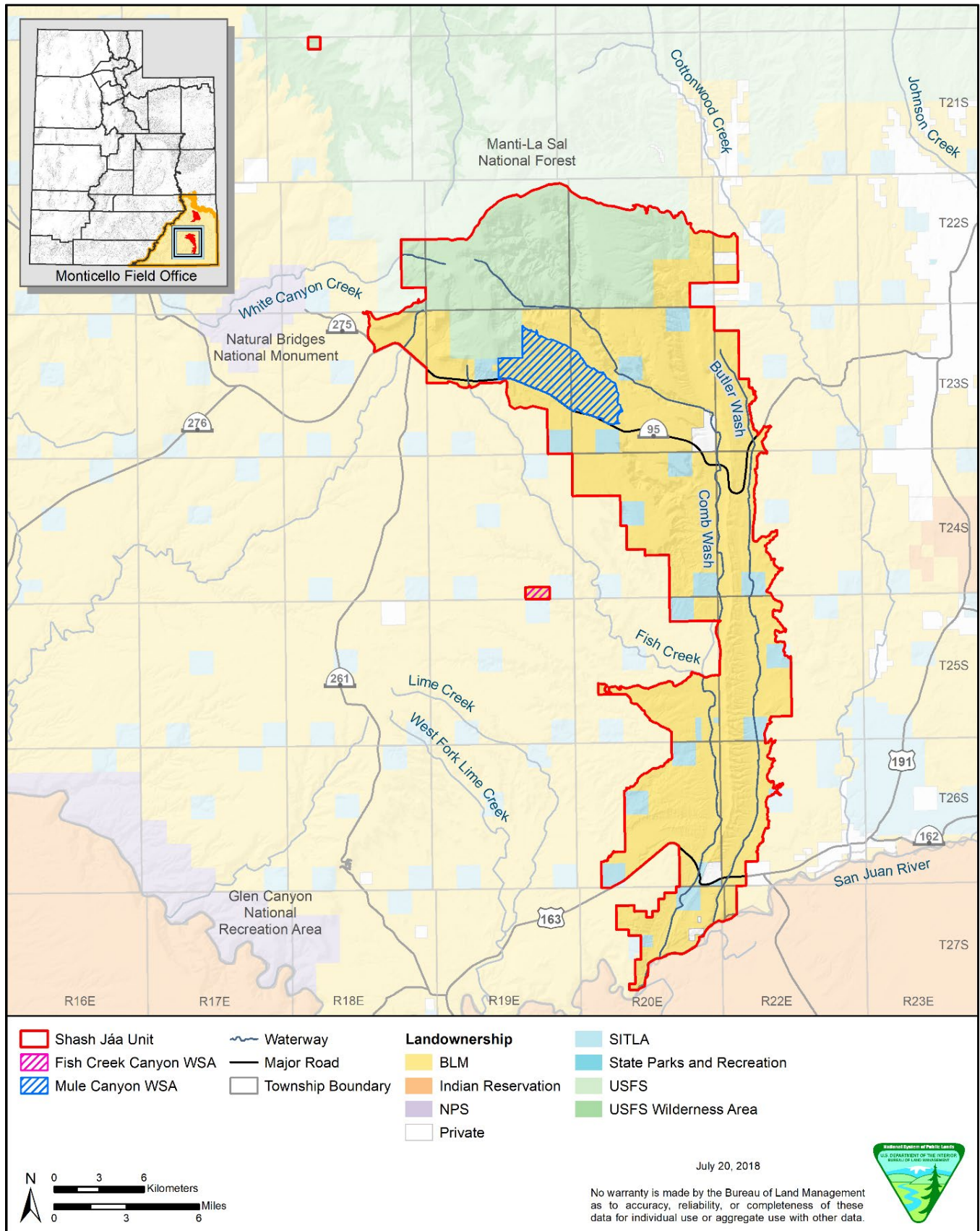
Map B-11. Shash Jáa Unit: Areas Unavailable (BLM)/Not Suitable (USFS) for Grazing



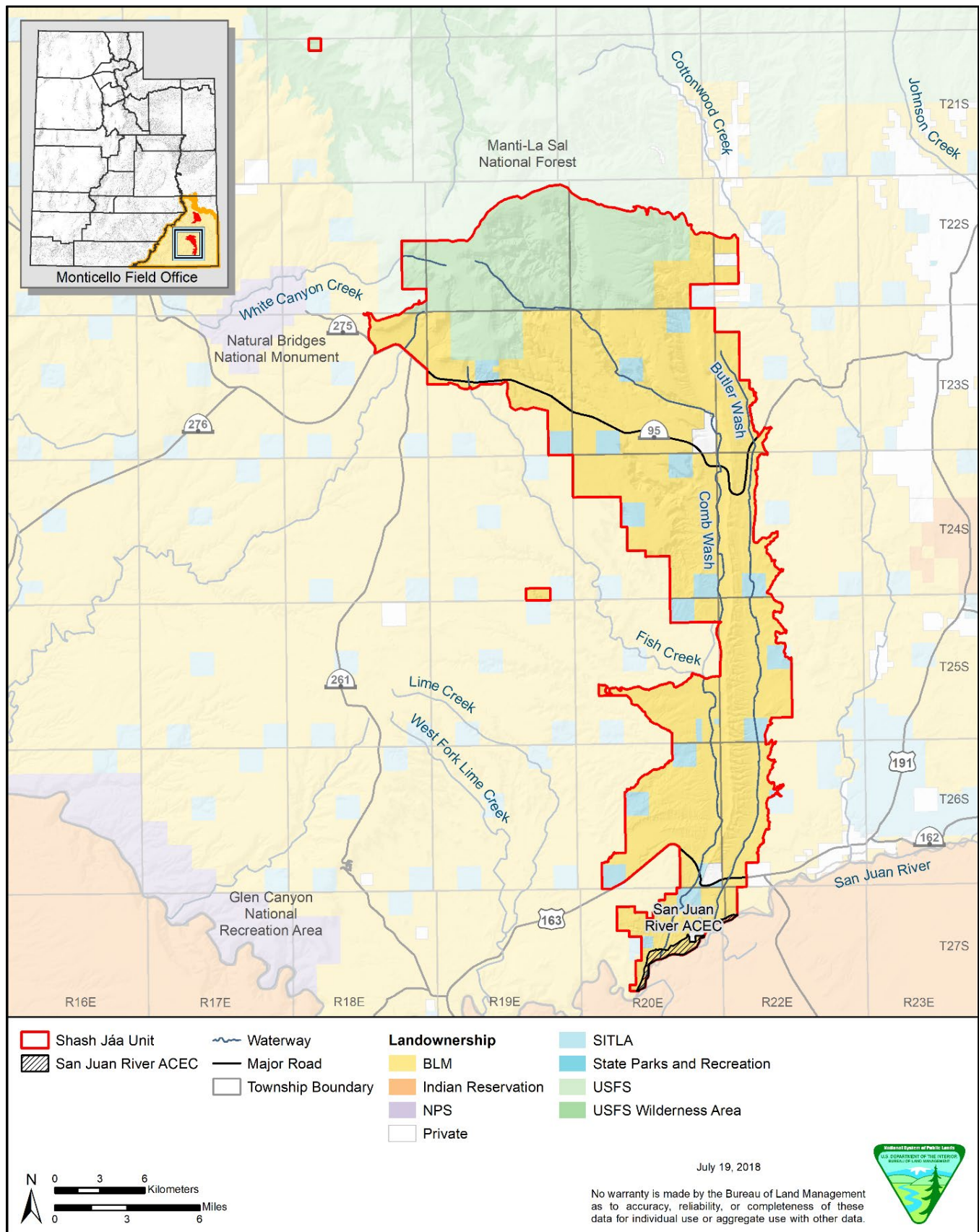
Map B-12. Shash Jáa Unit: Special Recreation Management Areas and Recreation Management Zones



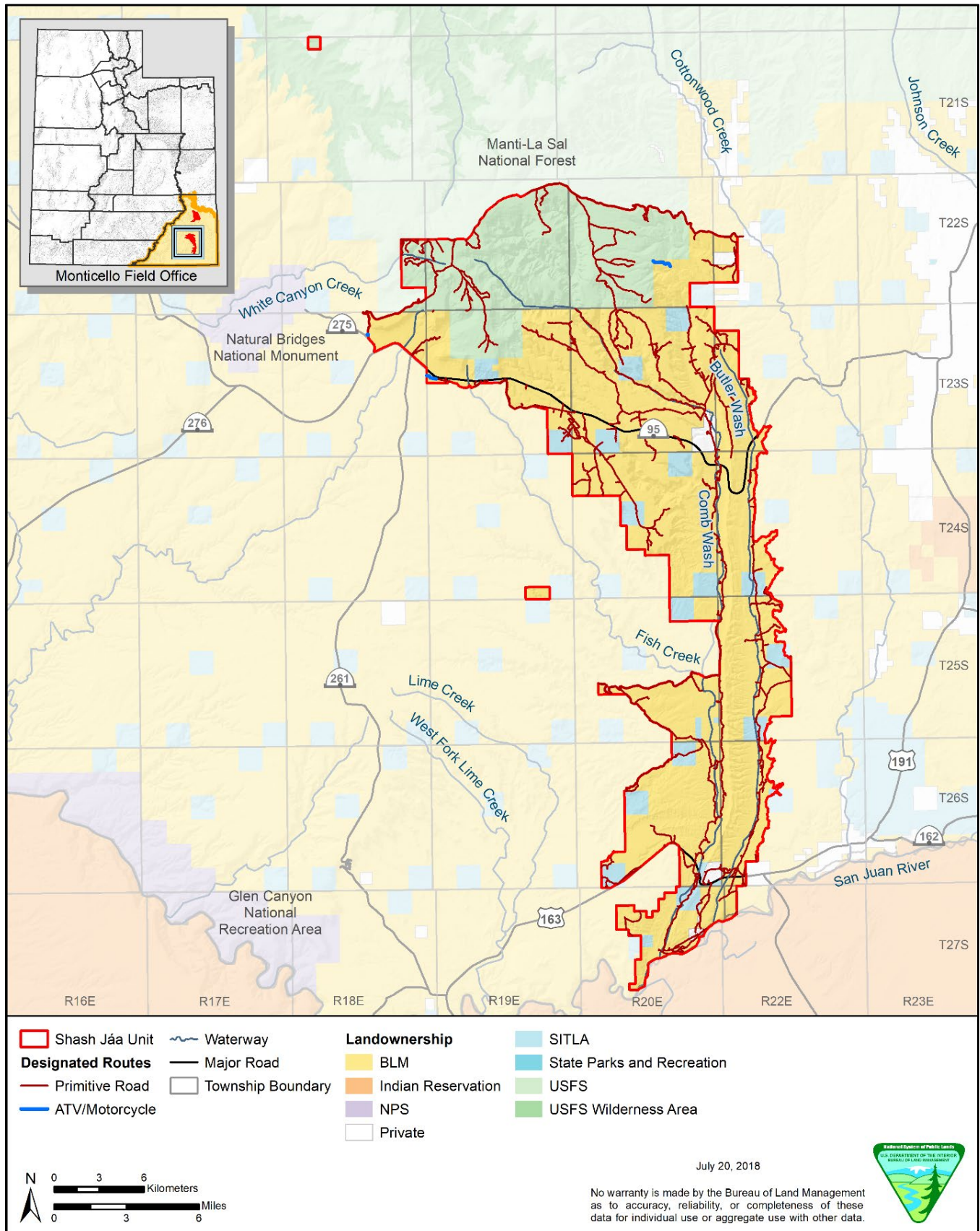
Map B-13. Shash Jáa Unit: Existing Wilderness Study Areas



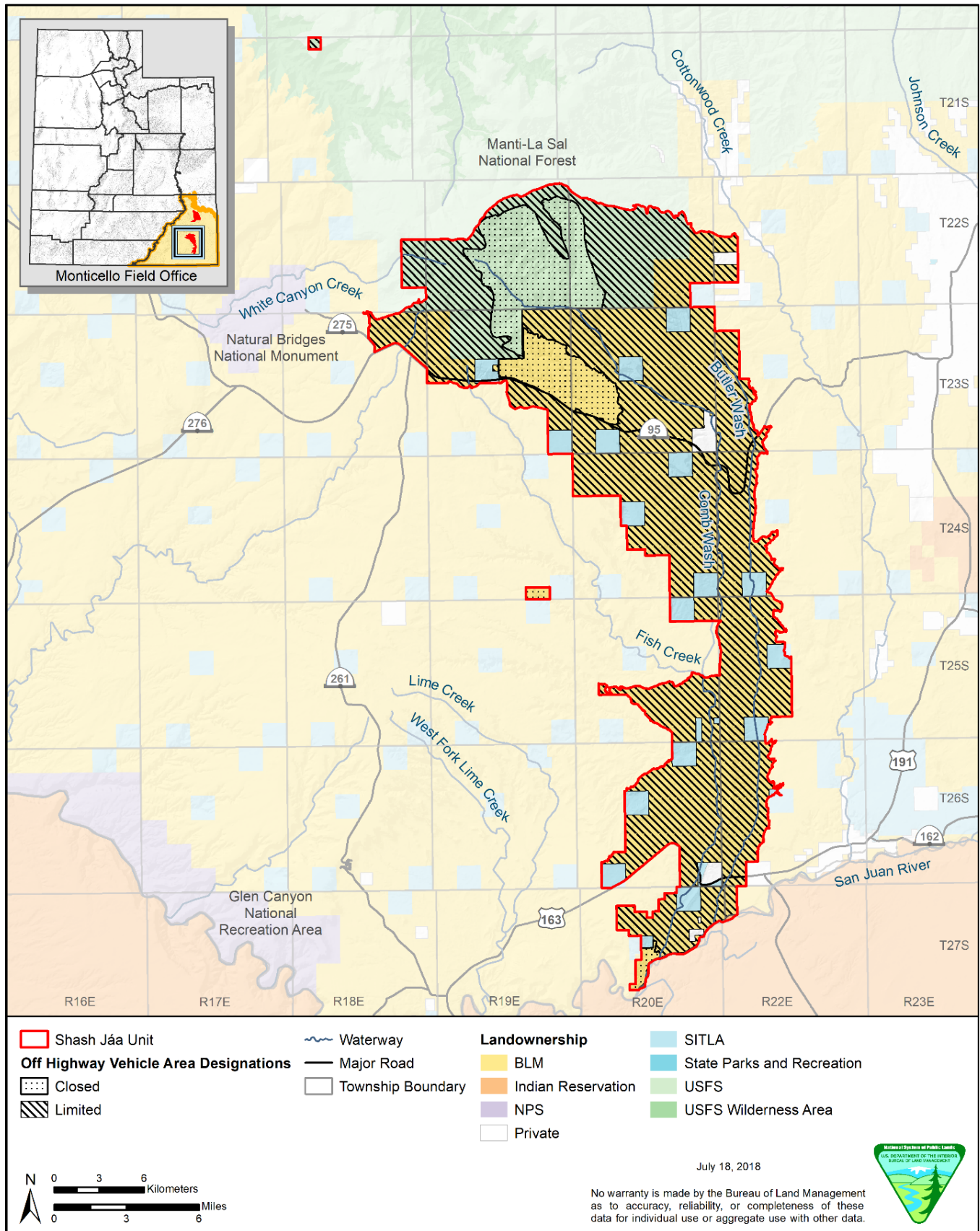
Map B-14. Shash Jáa Unit: Areas of Critical Environmental Concern



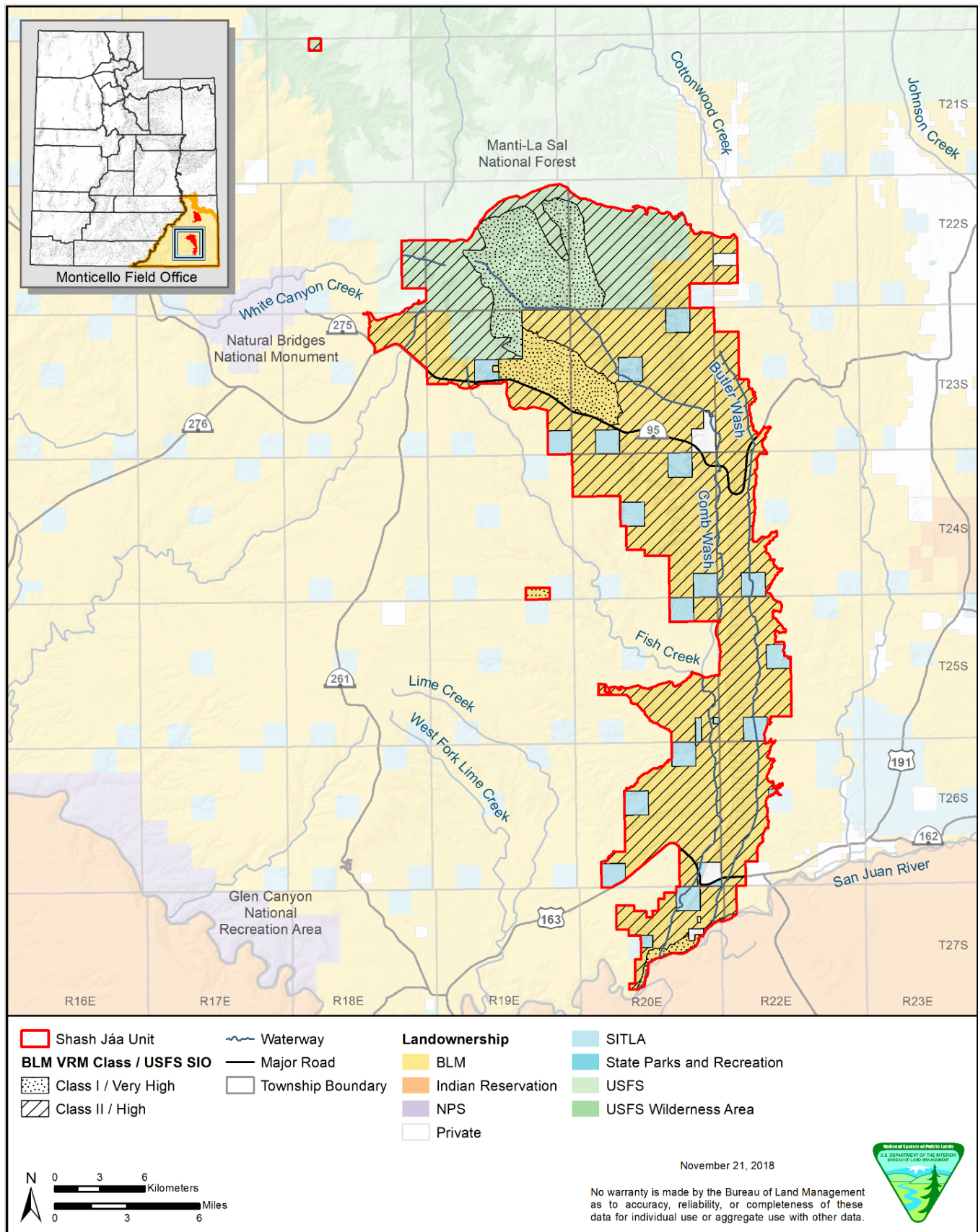
Map B-15. Shash Jáa Unit: Existing Designated Routes



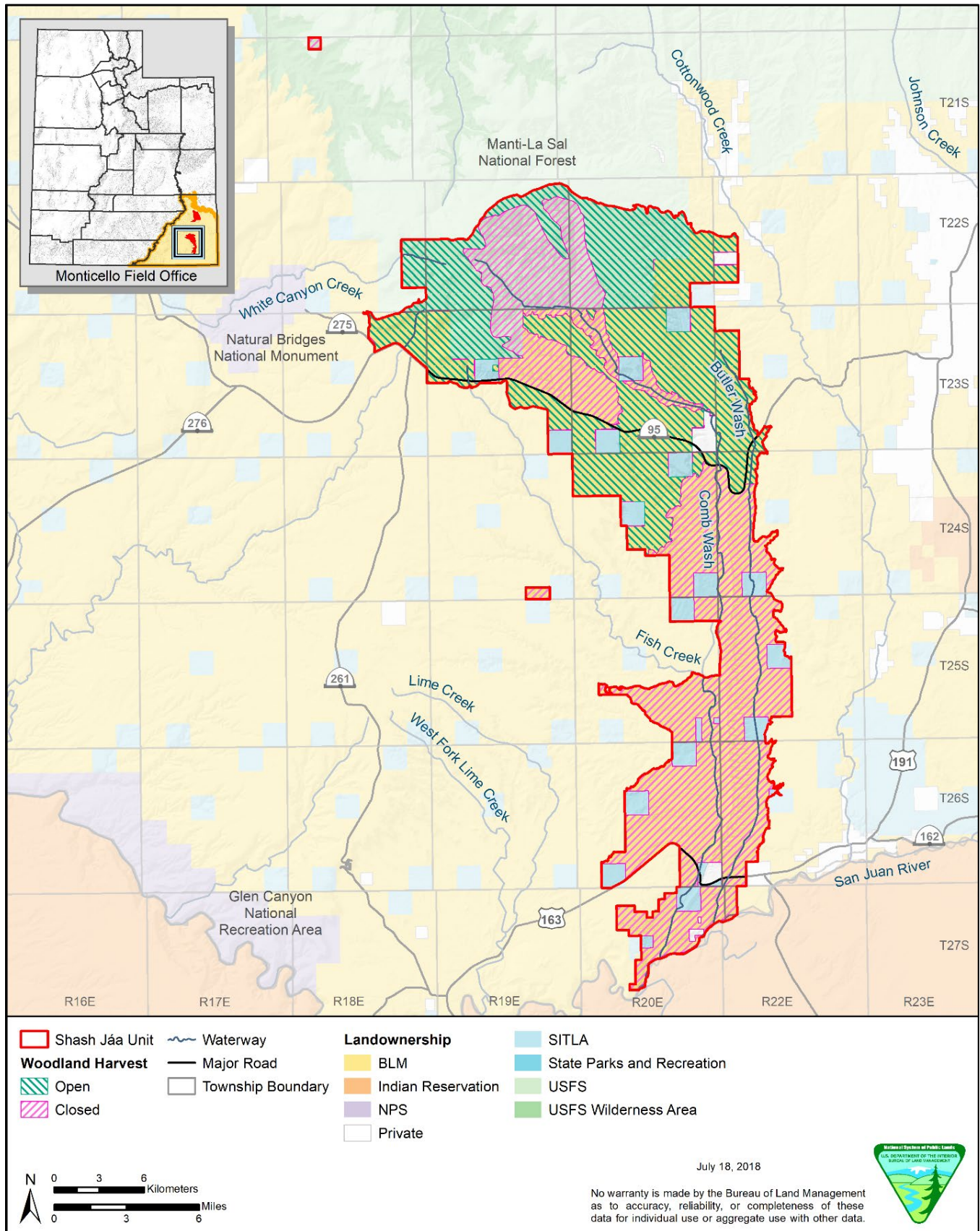
Map B-16. Shash Jáa Unit: Off-Highway Vehicle Area Designations



Map B-17. Shash Jáa Unit: Visual Resource Management



Map B-18. Shash Jáa Unit: Forestry and Woodlands



APPENDIX C

Monitoring Strategy

MONITORING STRATEGY

Introduction

This appendix provides an overview of the Bears Ears National Monument (BENM) monitoring protocol to meet the established objectives of the Monument Management Plans (MMPs) for resources, objects, and values within BENM. Land use plan monitoring is the process of 1) tracking the implementation of land use planning decisions (implementation monitoring), and 2) collecting the data/information necessary to evaluate the effectiveness of land use planning decisions (effectiveness monitoring). Monitoring documents the Bureau of Land Management's (BLM's) and U.S. Forest Service's (USFS's) progress toward full implementation of the land use plan and the achievement of desired outcomes. The monitoring plan for this RMP focuses specifically on monitoring the implementation and effectiveness of the MMP and is not intended as an all-encompassing strategy that addresses all ongoing monitoring and research efforts.

Conditions may change over the life of the land use plans, and such changes may require adaptive management to protect resources and minimize resource conflicts. To address changing conditions and provide management flexibility that incorporates best management practices (BMPs) (see Appendix E of this MMPs), the BLM and USFS review the effectiveness of management actions, assess the current resource conditions, and, if needed, alter management actions.

The regulations in 43 CFR 1610.4-9 require that land use plans establish intervals and standards for monitoring and evaluations based on the sensitivity of the resource decisions involved. Additionally, BLM Manual 6220 requires that land use plans for National Monuments analyze and consider measures to ensure that objects and values are conserved, protected, and restored. Specifically, plans must include a monitoring strategy that identifies indicators of change, methodologies, protocols, and time frames for determining whether desired outcomes are being achieved.

Giving consideration to staffing and funding, monitoring will be prioritized consistent with the goals and objectives of the BENM MMPs in cooperation with local, State, other Federal agencies, the Shash Jáa Commission or comparable entity, and the Monument Advisory Committee.

Data Collection

In cooperation with local, State, other Federal agencies, scientific academia, nongovernmental agencies, and volunteers, the BLM and USFS will collect, analyze, and report monitoring data that allow for the determination of cause and effect, conditions, trends, and predictive modeling of land use authorizations. Monitoring methods are implemented to collect data that establish current conditions and reveal any change in the indicators. Monitoring techniques consider when, where, and frequency. The data collected through monitoring provide a variety of information applicable to one or more resource uses. The Resource Monitoring section of this document (Section 1.5) contains additional information on protocols for resources. To increase effectiveness and efficiency and eliminate duplication, monitoring methods will address as many resources as possible. The BLM and USFS will collaborate with cooperating agencies and permittees to collect and share data.

Data Analysis

Data collected through this monitoring strategy will be analyzed to determine whether changes occur as a result of management actions. Data analysis will be conducted according to the suggested frequency for each resource, subject to time and funding. Data will be assessed to determine whether the resource conditions are meeting the goals identified in the MMP; whether a change has occurred and, if so, identifying the cause; and which appropriate action should be taken to achieve the desired outcome if the goal or objective is not being met. New technology and management methods will be reviewed to

determine their applicability in modifying or replacing current management actions. The BLM and USFS will collaborate with cooperating agencies to assist in or perform this data analysis, as appropriate.

Adaptive Management and Plan Maintenance

If data collection and analysis conclude that the desired outcome is not being achieved, the causal factors must be documented. A change or modification to management actions or agency actions at the implementation-level (e.g., adding additional avoidance or minimization measures to a site-specific action) may be warranted to address these causes. The MMPs include adaptive management that would be implemented as part of the approved plan. This adaptive management provides for indicators that will be monitored, and, if thresholds for those indicators are exceeded, additional management that would be instituted. If those indicators, thresholds, and the subsequent management are identified in the MMPs, implementation of this adaptive management would not require a plan amendment. However, the BLM and USFS will also develop recommendations to be considered by management for continuation, modification, or replacement of MMPs management actions, subject to NEPA and land use planning regulations. Adoption of new adaptive management that is not analyzed and disclosed through the MMPs/EIS process would require a plan amendment with accompanying NEPA analysis. Because adoption of a new management action may also require changes in the monitoring plan, the BLM and USFS will also evaluate the effectiveness of the monitoring and data collection methods and recommend continued use, modification, or elimination of the methods proposed in this appendix. New technologies or a better understanding of information may also result in changes to this monitoring strategy.

Resource Monitoring

Table 1 identifies monitoring questions to facilitate the determination of implementation and effectiveness of monitoring, the indicators that will be monitored to detect change in resource conditions, the method or technique of monitoring, the locations for monitoring, the unit of measurement for monitoring, the frequency (i.e., timeframes) for monitoring, and the action triggers that indicate the effectiveness of the management action. Resources or programs within the table that apply to or include identified objects and values within BENM are highlighted in green. During implementation, BLM and USFS will rely on the indicators, methods, and frequencies listed below to demonstrate that objects within BENM are conserved, protected, and restored. Refer to Appendix A of the AMS for a detailed description of objects and values. Footnotes in Table 1 indicate monitoring activities that are also generally conducted by stakeholders or cooperating agencies.

Table 1. Resource Monitoring Activities

Resource	Record No.	Indicator	Method or Technlque	Location	Unit of Measure	Frequency	Action Trlggers
Air quality ¹	M-1	Air quality	Ambient air sampling and air quality modeling	Established monitoring stations	Parts per million	Hourly to 24-hour samples in accordance with standards	Samples violating National Ambient Air Quality Standards
	M-2	Gaseous and particulate critical air pollutants	Emission inventory	Established monitoring stations	Pounds per hour and tons per year	Annually	Samples exceeding levels of concern or screening thresholds (included in the 2010 FLAG Report [U.S. Forest Service, National Park Service, and U.S. Fish and Wildlife Service 2010])
	M-3	Climate	Weather stations	Representative sample to detect weather patterns	Degrees, miles per hour, inches of precipitation, mb	Monthly and annually	Establish trends and use to correlate monitoring and research variables
Cultural resources ² (see Cultural Resources Monitoring Plan for specific information) Are cultural resources that are threatened by natural processes or human activity, including casual use, protected where warranted? Were previously unknown sites identified? For these and all other known sites, have there been noticeable, documented changes to the integrity of cultural resources?	M-4	National Register of Historic Places eligible sites, including archaeological, historic, or cultural objects within BENM	Site inspection	Planning Area wide	Number and types of incidents of damage to cultural resources	Case-by-case basis	Disturbance as a result of land uses or vandalism, fire, and severe weather events such as flooding and erosion
	M-5	Vulnerable sites and archaeological, historic, or cultural objects within BENM	Comprehensive monitoring utilizing archaeologists, law enforcement, rangers, and site stewards	Cultural sites that have been previously identified as being impacted; cultural sites identified on maps, brochures, or other media that bring the site into public awareness; sites that are known to be popular for public visitation; a representative sample of sites known to be prone to impacts from predictable sources	Number and types of incidents of damage to cultural resources	Case-by-case basis	Disturbance (e.g., from vandalism, erosion, grazing, recreation, or other)
Fish and wildlife ³ Have authorized actions maintained, provided, or restored fish and wildlife habitat, such as instream flows, forage areas, hiding cover, and migration routes?	M-6	Big game seasonal habitat	Aerial and field inspections	Crucial wildlife habitat areas	Numbers during occupancy periods	Annually	A change in numbers beyond the normal fluctuations
	M-7	Special status species occupancy and productivity	Aerial and field inspections. For fish: electrofishing, Passive Integrated Transponder (PIT) tags, and/or netting	Habitat areas and established buffer zones	Numbers during occupancy periods	Annually or biennially (fish)	A decline in numbers beyond the normal fluctuations
	M-8	Threatened and endangered species occupancy and productivity	Aerial and field inspections. For fish: electrofishing, PIT tags, and/or netting	Habitat areas and established buffer zones	Numbers during occupancy periods	Annually or biennially (fish)	A decline in numbers beyond the normal fluctuations
	M-9	Macroinvertebrate species and communities	Collect macroinvertebrates samples following National Aquatic Monitoring Center sampling protocols. At aquatic Assessment, Inventory, and Monitoring (AIM) sites using reach-wide or targeted riffle methods	Perennial stream reaches and spring-fed pools	Species and condition of macroinvertebrate communities, observed versus expected (O/E) ratios of macroinvertebrate species, etc., as determined by UDWQ staff in relation to state water quality standards	Sample in midsummer every 1 to 5 years	Declining presence or absence of macroinvertebrates that indicate good water quality in the stream; low or declining observed values versus expected values; presence of invasive species; stream not meeting state water quality standards, particularly the aquatic habitat parameters
	M-10	Neo-tropical bird habitat	Site visit	Planning Area wide	Numbers during occupancy period	As needed	Declining trend in habitat occupancy
	M-11	Raptors	Site visit	Planning Area wide	Nest occupancy rate	As needed	Declining trend in nest site occupancy
	M-12	Special status species	Site inspection	Special status species habitats	Population and trend	As needed	Declining trend in populations
	M-13	Bald eagle	Survey	Suitable bald eagle nesting habitat or identified concentration areas	Detection of bald eagle presence	As needed	Declining trend in nest site or habitat occupancy
	M-14	Mexican spotted owl	Survey	Designated critical habitat, identified protected activity centers, or breeding habitats where it has been determined that there is a potential for take	Detection of Mexican spotted owl presence	As needed	Adverse impacts on individuals or habitat Detection of Mexican spotted owl
	M-15	Southwestern willow flycatcher and western yellow-billed cuckoo	Surveys conducted by agency-approved personnel	Within habitat	Species occupancy data and distribution information	As needed	Adverse effects on southwestern willow flycatcher and habitat from ground-disturbing activities, including, but not limited to, recreation, mining, and oil and gas activities Species occurrence is verified Any level of anticipated take or incidental take
Geology	M-16	Geological objects within BENM	Survey	Planning Area wide	Acres of inventoried objects	As needed	Loss or damage to geologic objects as a result of human or natural causes
Lands with wilderness characteristics	M-17	Presence or absence of wilderness characteristics	Inventory in accordance with BLM Manual 6310	Planning Area wide	Acres of inventoried lands	Per BLM Manual 6310 guidance	Loss of acres of lands with wilderness characteristics that are managed for protection of wilderness characteristics
Lands recommended for wilderness on USFS-administered lands	M-18	Impacts to existing wilderness character	Field monitoring	Units recommended for wilderness	Acres of lands recommended for wilderness	Annually	Loss of acres of lands with wilderness characteristics that are managed for protection of wilderness characteristics

Resource	Record No.	Indicator	Method or Technique	Location	Unit of Measure	Frequency	Action Triggers
<p>Paleontological resources</p> <p>Are paleontological resources that are threatened by natural processes or human activity, including casual use, stabilized and protected, or excavated and the data recovered where warranted?</p> <p>Has the BLM inventoried for paleontological resources and, if so, what was identified?</p>	M-19	Significant paleontological resources and paleontological objects within BENM	Site inspection	Site	Degradation or loss of significant fossil resources	As needed	Loss or damage to significant fossil resources as a result of human or natural causes
<p>Soil resources</p> <p>How have the BLM and USFS promoted sustainable soil functions, including maintaining or improving soil productivity?</p> <p>Have actions been managed to protect sensitive soils and biological soils crusts?</p>	M-20	SRH Standard 1	Upland soils exhibit permeability and infiltration rates that sustain or improve site productivity, considering the soil type, climate, and landform. Soil stability tests indicate surface soil conditions.	Planning Area-wide where land use activities are occurring, especially on sensitive soil units or steeper slopes	Permeability rates, infiltration rates, soil stability classes	As required by the SRH	When monitoring and assessment indicate Standard 1 is not being met
<p>Water resources</p> <p>Is implementation of the MMP maintaining or restoring watershed health and water quality conditions and, if so, where? Are unauthorized or prohibited activities occurring in prohibited area as identified in the MMP? What has been done to eliminate these activities?</p>	M-21	Surface water quality ⁴	Water chemistry sampling, bacteriological sampling, macroinvertebrate sampling following Utah Division of Water Quality (UDWQ) protocols for assessing water quality conditions. Aquatic AIM protocols can be used as indicators of water quality conditions for temperature, pH, specific conductance, total nitrogen/phosphorus, and macroinvertebrates.	All surface waters, including streams and springs	UDWQ parameters for state water quality standards, including milligrams/ liter tons per day, O/E macroinvertebrate communities, aquatic AIM reaches - O/E macroinvertebrates, temperature, pH, specific conductance, total nitrogen/phosphorous	Sampling In coordination with the UDWQ at priority sites, conducted on a monthly basis for a minimum of 1 year at a time; less frequent sampling can indicate impairment of state water quality standards. Aquatic AIM sites sampled once by the BLM every 5 years can be indicators of water quality conditions.	Water quality does not meet state standards
	M-22	Groundwater quality ⁴	Groundwater sampling	Water wells and piezometers	Water chemistry parameters, including specific conductivity and total dissolved solids (TDS)	Using either continuous loggers in wells or seasonal testing	Water quality conditions are degrading (i.e., increased conductivity or TDS levels)
	M-23	Stream channel geometry	Stream channel cross sections, Multiple Indicator Monitoring (MIM), long-term photo points; aquatic AIM protocols include measurements of bankfull height, floodplain height, floodplain connectivity, wetted width, bank angle, residual pool depth/length, slope, and bank stability.	Intermittent and perennial stream reaches, 100-year floodplains; aquatic AIM sample design reaches on perennial streams	Changes in stream channel characteristics (width, depth, sinuosity, streambank characteristics [e.g., bank sloughing]); change in Rosgen stream channel type	Stream channel cross sections or MIM studies would be repeated every 1 to 3 years; aquatic AIM sites sampled once by the BLM every 5 years	Conditions are moving away from proper functioning condition, conditions determined by MIM to be degrading or impaired (i.e., quantifiable changes in stream channel characteristics, including floodplain width-depth ratios, stream channel width, depth, sinuosity, longitudinal characteristics [pools versus riffles], etc.)
	M-24	Ground and surface water quantity	Water well levels and stream flow measurements; aquatic AIM protocols include measuring wetted width, pool length, depth, and thalweg depth profile	Water wells and shallow water wells (piezometers), perennial and intermittent streams, springs and seeps; AIM sample design reaches on perennial streams	Ground and surface water quantities measured in gallons per minute (gpm) or cubic feet per second (cfs)	On a monthly basis over the course of a full water year (October 1 to September 30)	Decreased stream or spring flows either seasonally or annually, decreased peak flows in spring, decreased water levels in water wells, decreased size of wetlands or riparian areas Adequacy for BLM- and USFS-administered resources and cultural/traditional uses; loss of aquatic refugia for aquatic species
	M-25	Water sources and streams identified as objects within BENM	Water quality sampling, water quantity measurements	Where present within BENM	Parameters described by UDWQ state water quality standards, streamflows (cfs or gpm), spring discharges (cfs or gpm), depth to groundwater in water wells or piezometers from surface	Monthly or seasonally	Any changes to water sources and streams, including water quality conditions, streambank stability, or channel geometry; any changes to water-dependent vegetation, including in hanging gardens and adjacent to seeps, and in riparian areas
	M-26	Precipitation	Weather stations	Representative sample to detect precipitation patterns	Inches of precipitation	Monthly, quarterly, and/or annually	Drought (periods of abnormally low rainfall)

Resource	Record No.	Indicator	Method or Technique	Location	Unit of Measure	Frequency	Action Triggers
Vegetation Are noxious weeds and invasive plant species and populations stable, increasing or declining? What has been done to stop the establishment and spread of noxious weeds and invasive plant species? What actions have been taken to ensure riparian areas and wetlands function properly? How have authorized actions contributed to vegetation conditions meeting or making progress toward desired conditions?	M-27	Noxious weed and invasive plant trends ⁵	Remote sensing or site visit; terrestrial AIM plots	Priority areas; terrestrial AIM random sample design	Acres of established weeds and potential habitat areas. Terrestrial AIM - percent cover of invasive species, number of plots with high invasive species cover	Annually; terrestrial AIM sites every 5 years	Spreading or establishment of invasive species in new areas
	M-28	Wetland/riparian areas	Proper functioning condition; aquatic and terrestrial AIM protocols	All wetlands/riparian areas; aquatic AIM sample design	Riparian miles (lotic) or riparian acres (lentic); number of reaches with biological, physical, or chemical impairments	As-needed basis; aquatic AIM sites every 5 years, funding permitting	Not achieving proper functioning condition or not exhibiting movement toward achievement
	M-29	Vegetation treatments and large-scale invasive plant treatments	Pre- and post-treatment and controls monitoring per established USFS protocols	Within vegetation treatment areas	Effectiveness of vegetation treatments and large-scale invasive plant treatments	Pre- and post-implementation	Ability to meet objectives prescribed for treatment
	M-30	Vegetation condition	Nested Plot Frequency and/or terrestrial and aquatic AIM methods	Key areas and/or representative samples; terrestrial and aquatic AIM sample designs	Plant frequency, percent ground cover, trend; for AIM sites, compare against ecological site or other benchmark	Every 3 to 5 years; for AIM sites, once every 5 years, funding permitting	Downward trend
	M-31	Riparian areas within BENM	Proper functioning condition or Greenline/MIM, where applicable	Functioning at-risk and non-functioning riparian areas	Area (acres per linear feet)	As needed	Effects from surface-disturbing activities
	M-32	Desired species are maintained at a level appropriate for the site and species involved	Rangeland Health Assessment (Standard #3); terrestrial AIM protocol	Grazing allotment; terrestrial AIM sample design	Acres; terrestrial AIM sites - number of plots; individual plot cover estimates	As needed	When assessments indicate Standard 3 is not achieved nor progress being made toward achievement
	M-33	Springs, seeps, tinajas, and hanging gardens within BENM	Water quality sampling, water quantity measurements	Where present within BENM	Water quality parameters as described in UDWQ water quality standards, including specific conductivity, pH, temperature, etc.; water quantity measurements in gpm or cfs	Monthly or seasonally	Changes in water quantity or flows, decreasing water-dependent vegetation (species richness or overall density or aerial extent, encroachment of upland or invasive plant species, changes in water quality, including total dissolved solids, specific conductivity, temperature, etc.)
	M-34	Special status plant species – relict and rare and endemic plants	Site inspection on USFS Threatened, Endangered and Sensitive Plant Element Occurrence Protocol	Plant habitats	Population and trend	Annually	A declining trend in populations
	M-35	Threatened and endangered plant species	Surveys conducted by agency-approved and USFWS-approved personnel	Habitat areas	Population abundance, life stage, reproductive success, and distribution information	As needed; known populations may be monitored annually or biennially	Adverse impacts to individuals or habitat conditions
Fire Were fuels managed to reduce wildfire hazard, risk to communities, negative impacts to ecosystems, and highly valued resources, and maintain PFCs?	M-36	Fire fuels	Site inspection or Landfire	Wildland-urban interface and industrial interface areas	Acres	Annually or biannually	Presence of fire fuels that present a risk to communities and industrial sites
	M-37	Vegetation condition	Ecological site condition and trend studies or Landfire	Vegetation types where there is a history of fire in the ecosystem	Representative sample	Annually or biannually	Vegetation growth trend is moving away from desired conditions for the vegetation type
	M-38	Resource and property damage	Fire behavior	Individual fire	Fire temperature, flame length, burn rate, and acres burned	While the fire is burning	Acres burned and fire intensity that exceed the prescription
Visual resource management Is the level of change to the landscape character consistent with Visual Resource Management (VRM) Class I/ Scenic Integrity Objective (SIO) Very High and VRM Class II/SIO High objectives?	M-39	Project conformance with VRM class objectives	Remote sensing or site visit; visual resource contrast rating from key observation points; visual simulations	Class I and II, areas on BLM-administered lands; Very High, High, Moderate, and Low scenic objective areas on USFS-administered lands	Measure the degree of contrasting elements against the surrounding natural elements of the landscape (color, form, line, etc.) before and after implementation of an action	Visual contrast ratings will be prepared for projects in visually sensitive areas; comparison of pre- and post-implementation data will evaluate the sufficiency of project design features in meeting VRM class objectives.	Project elements that exceed thresholds for meeting VRM and SMS class objectives
Forestry and woodland products How have the BLM and USFS maintained or developed resilient forests while allowing opportunities for woodland harvests and forest products consistent with identified objects and values?	M-40	Forest health	Ecological site condition and trend	Forested lands	Representative sample area	Every 3 to 5 years	Disease, insect infestation, or encroachment of undesirable plant species threatens forest health
	M-41	Timber stands	Timber stand examination	Commercial forested areas	Board feet, age class, and damages	Every 10 to 20 years	Basal area growth does not meet timber type standards
Lands and realty	M-42	Realty authorization compliance	Site compliance inspection	Entire Planning Area	Number of site inspections	Annually	Noncompliance or nonuse

Resource	Record No.	Indicator	Method or Technique	Location	Unit of Measure	Frequency	Action Triggers
Livestock grazing Has grazing been managed to maintain or make progress toward long-term rangeland health, and to maintain a healthy and diverse vegetation community?	M-43	Vegetation condition	BLM- and USFS-approved monitoring methods (e.g., nested plot frequency); terrestrial and aquatic AIM protocols	Key areas in locations available (BLM)/suitable (USFS) for livestock grazing; terrestrial and aquatic AIM sample designs	Representative sample in grazing allotments; AIM - compare against ecological site or other benchmark	Every 3 to 5 years, as time and funding allow; AIM sites, once every 5 years, funding permitting	Conditions are not meeting goals and objectives for vegetation due specifically to livestock grazing management
	M-44	Livestock use	Monitor the intensity, duration, and timing of grazing use	Varies by allotment	Percent utilization and GRI score	Annual indicator (would not be done every year everywhere)	
	M-45	Standards for rangeland health	Rangeland health assessment (applicable standards Nos. 1–4)	Allotment	Acres	Every 10 years, as time and funding allow	When assessments indicate a standard is not achieved, nor progress being made toward achievement, and livestock grazing is a causal factor
Recreation Are BLM SRMAs, ERMA s, and RMZs managed in accordance with their planning frameworks? Are recreation opportunities, facilities, and basic visitor services available in appropriate areas and commensurate with needs?	M-46	General recreation use; realization of desired beneficial outcomes	On-site inspection, visitor use data, surveys; document user conflicts or complaints. National Visitor Use Monitoring (NVUM) on USFS lands	Planning Area–wide with emphasis on Special Recreation Management Areas (SRMAs) and Extensive Recreation Management Areas(ERMAs) with high visitation	Changes to desired recreation setting characteristics; changes in experiences and realized desired beneficial outcomes; changes in types, seasons, or levels of use. Consistent with ROS Classes on USFS-administered lands.	Prioritize areas and monitor higher priority areas: SRMAs, every 1 to 3 years and ERMA s with high visitation every 3 to 5 years NVUM every 5 years	When visitor surveys or public comments indicate that recreation area management objectives or recreation opportunity settings are not met; when desired settings, experiences, and beneficial outcomes are not realized; when change is causing undue or unnecessary degradation of the site or area; when change is causing goal interference and conflicts
	M-47	Developed/Concentrated recreational use	Inspect developed recreation sites and facilities; monitor developed sites to determine they are being managed to the standard on USFS lands	Recreation site	Condition of recreation sites, facilities, visits and visitor days	Annually	When change is causing undue or unnecessary degradation of facilities and use areas; public complaints
	M-48	Compliance with commercial authorization	Administrative review, site inspection	Activity site	Permit stipulations, resource conditions, and site restoration	During and after an event; annually for other commercial users	When noncompliance is determined or degradation of resources is occurring
Transportation Did the BLM appropriately consider and apply resource-specific criteria when designating routes?	M-49	Roads and trails ⁶	Route management categories and maintenance levels; on-site inspection or remote sensing; traffic counter data; Tracs surveys for USFS system trails	Planning Area wide	Miles.	Per facility asset management system Condition Assessment Plans; Tracs survey every 5 years for USFS system trails	Conditions represent a hazard to life and property; route conditions do not meet identified road or trail standards
	M-50	Seasonal closures ³	Aerial and field inspections	Travel management areas with seasonal closures for wildlife	Acres.	Every 5 years	Changes in use of seasonal habitat requiring closure
	M-51	Off-highway vehicle disturbance; establishment of unauthorized vehicle routes	Remote sensing or site visit; traffic counter data	Travel management area; site-specific to area of disturbance	Miles of routes; acres of disturbance	Prioritize areas and monitor higher priority areas every 1 to 3 years and lower priority areas every 2 to 4 years	Disturbance is exceeding the baseline, accelerated soil erosion is occurring, and vegetation is being removed
(BLM) Areas of Critical Environmental Concern	M-52	See other resource sections for relevant and important values (e.g., cultural, wildlife, etc.)	As prescribed for affected resource	Designated Areas of Critical Environmental Concern	As prescribed for affected resource	During 5-year evaluations	Undue or unnecessary degradation or loss of relevant and important resources as a result of human or natural causes
(BLM) Wilderness Study Areas	M-53	Wilderness characteristics (size, naturalness, outstanding opportunities for primitive and unconfined recreation or solitude, supplemental values)	Site visits; aerial monitoring	Wilderness Study Areas	Miles of linear human intrusions; acres disturbed; impacts to wilderness characteristics identified by on-site visit or public comment	Monthly, unless an alternative monitoring strategy is adopted	Failure to meet the non-impairment standard or other objectives outlined in BLM Manual 6330
(USFS) Inventoried roadless areas	M-54	Roadless character (absence of roads, size, outstanding opportunities for primitive and unconfined recreation or solitude, supplemental values)	Site visits; aerial monitoring	Arch Canyon IRA	Miles of linear human intrusions; acres disturbed; impacts to wilderness characteristics identified by on-site visit or public comment.-	Annually	Failure to meet the 2001 Roadless Rule

¹ Utah Division of Air Quality conducts data collection.

² The State Historic Preservation Officer conducts data collection.

³ Utah Division of Wildlife Resources conducts data collection.

⁴ Utah Division of Water Resources conducts data collection.

⁵ Utah Department of Agriculture and Food conducts data collection.

⁶ The county with jurisdiction conducts data collection.

In order to determine the effectiveness of the MMPs and the ability of the BLM and USFS to meet the goals and objectives (see the goals and objectives for each resource in Chapter 2 of the MMPs document), the standard protocols listed below will be used.

Cultural Resources

- Site stewards (i.e., citizens performing site stewardship) will be trained by an agency archaeologist or a partner organization that is certified by an agency archeologist to conduct such training. Cultural sites that are relevant and important values in Areas of Critical Environmental Concern and other selected sites will be monitored by the agency or site stewards at least annually. Sites with heavier traffic will have a goal of four visitations per year.
- Sites that are prone to vandalism and/or unauthorized camping will receive regular patrols and agency law enforcement rangers.

Fish and Wildlife

Big Game

- In conjunction with other Federal, State, or private agencies, will continue to monitor wildlife populations and habitats in the Planning Area. This will be done for individual species such as mule deer, elk, bighorn sheep, and pronghorn; and groups of species associated with source habitats such as sagebrush-steppe, juniper, and mixed conifer forest.

Raptors

- For raptors, nest site detection and monitoring will be conducted near high-use sites and near surface-disturbing projects, primarily with volunteers and as time and funding allow.

Special Status Species – Wildlife

- Follow U.S. Fish and Wildlife Service (USFWS) protocol for threatened and endangered species surveys/monitoring.
- Follow USFS protocol for a northern goshawk territory survey, inventory, and monitoring.
- As required by the Endangered Species Act, monitoring, using approved protocol, would be required on listed and non-listed special status species and their habitat that may be affected by agency authorization of any activities within that habitat.
- Monitor and protect known protected activity center sites according to USFWS recommendations and the Mexican spotted owl recovery plan.
- Monitor and protect known nesting sites according to USFWS recommendations and southwestern willow flycatcher recovery plan.
- Monitor and protect known nesting sites according to USFWS recommendations and yellow-billed cuckoo recovery plan.

Geological and Paleontological Resources:

- Review proposed activity plans/projects and associated maps.
- Determine location and cross reference existing geologic maps to determine the Potential Fossil Yield Classification of underlying bedrock. Note if known paleontological resource localities exist near the proposed activity.
- If the Potential Fossil Yield Classification of underlying bedrock is 4–5, a site survey must be completed by an agency official or agency-permitted paleontologist where the ground will be disturbed, with a 25-meter buffer surrounding the proposed disturbance. If fossils are found, locality forms should

be filed with the UTSO and BENM or the Canyon Country District with all information that can be determined about the fossil (location, rock formation, type of fossil, description, map, and photographs, if possible).

- If no significant fossils are discovered in survey, a stipulation for inadvertent discovery should be added to the proposal (basically, if the fossil is uncovered during the proposed action, all activity must cease until an agency official or agency-permitted paleontologist can travel to the site and determine what and if any mitigation must occur; once mitigation is completed, activity can resume).
- If significant fossil(s) are discovered in survey, an agency official and/or agency-permitted paleontologist will determine what and if any mitigation must occur and begin mitigation. This can include rerouting trails/roads/other infrastructure or collection/excavation of the resource.
- All paleontological surveys will be documented regardless of whether or not a fossil is found.

Soil Resources, Vegetation, Special Status Species Plants, and Fire and Fuels

- Assessment, Inventory, and Monitoring (AIM) methods (MacKinnon et al. 2011) and/or upland trend monitoring for upland rangelands will be implemented for soil, vegetation, special species plants, and post-fire monitoring.
- The agencies will follow standard monitoring protocols and methods for measuring vegetation.
- Rangeland Health Assessments will be conducted as required in the *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997).
- Soil stability testing protocol can be found in Herrick et al. (2005).

Water

- Water quality sampling will be conducted as part of the Cooperative Program with the State of Utah Division of Water Quality (UDWQ), and data will be used to assess whether a stream is meeting state water quality standards.
- Macroinvertebrate sampling will be conducted to assess water quality conditions based on the observed versus expected ratio determined by the UDWQ following protocols described by the National Aquatic Monitoring Center.
- The AIM National Aquatic Monitoring Framework: Introducing the Framework and Indicators for Lotic Systems, Technical Reference 1735-1 (BLM 2015a), and AIM National Aquatic Monitoring Framework: Field Protocol for Wadeable Lotic Systems, Technical Reference 1735-2 (BLM 2015b), will be used to collect hydrological data as a one-time indicator of macroinvertebrates, nutrient levels, pH, specific conductance, temperature, wetted width, and thalweg depth.
- Multiple Indicator Monitoring (MIM) of stream channels and streamside vegetation (BLM Tech Reference 1737-23) will be conducted to assess conditions that may affect water quality conditions (i.e., streambank stability versus sediment loading). Establish MIM long term, and conduct monitoring every 3 to 5 years.
- Stream flow measurements will be collected to determine trends in water quantity following USGS protocols. Water levels in water wells will be monitored to assess trends in water quantity using calibrated measuring devices such as piezometers.
- Spring inventory and sampling procedures will follow the Springs Ecosystem Inventory Protocols and Springs Ecosystem Assessment Protocol (as described by Stevens et al. 2016).
- Establish long-term stream channel cross section study sites and repeat surveys every 3 to 5 years using *Stream Channel Reference Sites: An Illustrated Guide to Field Technique* (Harrelson et al. 1994).

Visual Resources

- Visual contrast ratings (BLM Form 8400-4) will be documented for projects in VRM Class I, II, III, and IV areas to monitor how visual resource inventory's scenic quality factor ratings are affected and update the inventory. Scenic integrity monitoring will be conducted for all proposed projects on USFS-administered lands.

Forestry & Woodland Products

- Reforestation surveys (typically in the first, third, and fifth years) will be conducted in artificial and natural regeneration treatments per the National Forest Management Act of 1976. Small-sale public use permits will be monitored to ensure compliance.
- Areas where woodland harvest is prohibited will be monitored to ensure compliance.

Riparian/Wetlands

- Proper functioning condition assessments will be conducted in riparian and wetland areas.
- Aquatic AIM data (MacKinnon et al. 2011) will be conducted.
- Rangeland Health Assessments will be conducted to determine if riparian and wetland areas are meeting Standard 2 (i.e., are they in properly functioning condition; are stream channel morphology and functions appropriate to soil type, climate, and landform).
- Long-term MIM study sites will be established, and monitoring will be conducted every 3 to 5 years, as time and funding allow.

Livestock Grazing/Rangeland Management

- To determine long-term trends in vegetation, BLM and USFS monitoring protocols (e.g., nested plot frequency or upland trend monitoring, respectively) and/or AIM core methods (MacKinnon et al. 2011) will serve as baseline monitoring methods.
- Monitoring associated with livestock management will be prioritized by resource issue and the need to complete a land health assessment and/or permit renewal, as time and funding allow.
- AIM core methods (MacKinnon et al. 2011) may be collected at additional points according to an intensified design or at targeted sites when overarching AIM sites are not sufficient for local data needs.
- AIM points will be chosen by a stratified random design to meet local data needs.
- Allotment monitoring will be prioritized by designated Improve, Custodial, and Maintain (ICM) categories, land health assessments, permit renewals, and existing data and completed as time and funding allows.
- To determine short-term utilization of the proportion or degree of the current year's forage production that is consumed or removed by animals, the Key Species Method (BLM 1999) will be used.
- Utilization monitoring will be conducted at each allotment within the Planning Area, as funding and staff time allow.
- Compliance inspections on allotments will be periodically conducted. Frequency of compliance checks will be determined primarily on past noncompliance, climatic conditions, designated ICM category, and/or allotment prioritization.

Recreation and Travel Management

- Campsite monitoring, traffic counter data collection, visitor use surveys, and the sign inventory will be conducted, as time and funding allow.

- Visitor and site data collected for recreational sites will be entered into RMIS for the BLM and INFRA for the USFS.
- Information collected at visitor facilities will be entered into the Facilities Assessment Management System, Inventory and Deferred Maintenance Report.
- Social trail monitoring will be targeted for every 5 years, as time and funding allow.
- A baseline route inventory will be completed as part of the Travel Management Plan (TMP) process. Once vetted, this baseline will serve as the basis for comparison to determine future social or unauthorized use.
- A percentage of road condition surveys will be performed annually and inputted into the USFS database.
- Road maintenance will be performed on main access roads to the BENM site, as time and funding allow.

Wilderness Study Areas

- WSAs are required to be monitored at least once per month during the months the area is accessible by the public (BLM Manual 6330), unless an alternative monitoring strategy is adopted.

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APPENDIX D

Cultural Resources Monitoring Framework

PURPOSE AND NEED

The desired outcome of adaptive management strategies for cultural resources is to provide for the proper care and management of objects identified in Proclamation 9558, as modified by Proclamation 9681, by preserving and maintaining those characteristics of culturally significant properties—including historic properties eligible for or listed in the National Register of Historic Places (NRHP), traditional cultural properties (TCPs), American Indian sacred sites, or cultural landscapes—that make them important. Effective adaptive management to meet expected outcomes requires that clear resource indicators be established that can be measured to assess any changes to those resources, thresholds for implementation of new management actions, methodologies for monitoring resource conditions relative to stated indicators to determine whether management action thresholds have been met, and a suite of management actions to be taken should a threshold be crossed. This document outlines a framework for developing site-specific monitoring plans for cultural resource localities within the Monument where adaptive management strategies are applied and ongoing location-specific monitoring is necessary. The completed implementation-level cultural resource monitoring and management plan(s) will include the site-specific resource indicators, thresholds, and adaptive management actions to be taken when thresholds are crossed.

CULTURAL RESOURCE INDICATORS

National Register of Historic Places Criteria

Indicators of resource conditions for cultural resources such as historic properties, archaeological sites, TCPs, American Indian sacred sites (when they are or contain resources that are eligible for inclusion in the NRHP), and cultural landscapes are those criteria established for inclusion of a property in the NRHP. These criteria are detailed in 36 Code of Federal Regulations (CFR) 60.4:

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons significant in our past; or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information important in prehistory or history.

Types of Significance

The NRHP identifies four types of significance (36 CFR 60.4(a-d)). The National Park Service (NPS), which administers the NRHP, has provided guidance on the characteristics of properties that might meet one or more of these types of significance (NPS 1997:11–24). Table D-1 provides a summary of the definitions provided in that document for each type of NRHP significance criteria.

Table D-1. Definitions of Types of Significance for National Register of Historic Places Properties

Element of Integrity	Definition
Criterion A: Event	Properties can be eligible for the NRHP if they are associated with events that have made a significant contribution to the broad patterns of our history.
Criterion B: Person	Properties may be eligible for the NRHP if they are associated with the lives of persons significant in our past.
Criterion C: Design/construction	Properties may be eligible for the NRHP if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
Criterion D: Information potential	Properties may be eligible for the NRHP if they have yielded, or may be likely to yield, information important in prehistory or history.

Elements of Integrity

Of note among the criteria for considering the significance of a property for its inclusion in the NRHP are seven elements of integrity: location, design, setting, materials, workmanship, feeling, and association. The NPS (1997:44–45) has provided guidance that describes and better defines these elements of integrity. Definitions of each element of integrity as described by this guidance are summarized in Table D-2.

Table D-2. Definitions of Elements of Integrity for National Register of Historic Places Properties

Element of Integrity	Definition
Location	Location is the place where the historic property was constructed or the place where the historic event occurred.
Design	Design is the combination of elements that create the form, plan, space, structure, and style of a property.
Setting	Setting is the physical environment of a historic property.
Materials	Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
Workmanship	Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
Feeling	Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.
Association	Association is the direct link between an important historic event or person and a historic property.

Sacred Sites or Sites of Cultural or Religious Importance

Sacred sites or sites of cultural or religious importance may not exhibit characteristics amenable to evaluation of significance within the framework of NRHP eligibility. Such locations, however, can be of substantial cultural concern. Identification of these places occurs during consultation between American Indian Tribes, traditional communities, and the Bureau of Land Management (BLM) and/or the U.S. Forest Service (USFS). Appropriate indicators to evaluate possible ongoing or emerging impacts to such sites will be determined on a case-by-case basis during the consultation process.

THRESHOLDS FOR MANAGEMENT ACTION

Archaeological sites in Utah, both historic and prehistoric, are currently being documented as they are discovered on a Utah Archaeology Site Form (UASF) (Interagency Heritage Resources Work Group 2018). This form also allows for site information to be updated or for the site to be completely re-recorded, as appropriate, during subsequent visits. Sites on USFS lands may be recorded using USFS archaeological site forms, which record comparable data. Previously recorded sites are documented on earlier versions of Utah archaeological site forms. These forms are designed to prompt the collection of a host of data for each locality relevant for researchers and for land managers tasked with protecting and preserving

significant historic localities. These forms prompt researchers to document a number of characteristics of a locality that are relevant to those indicators of resource conditions discussed above. Changes in condition at cultural resource sites that have already been documented on standard site forms can also be recorded on site monitoring forms. Particularly salient among those characteristics for which researchers document resource condition observations are impacting agents, site condition, retention of integrity, and NRHP status. Changes to the features of a significant historic property, TCP, American Indian religious site, or cultural landscape that make it eligible for inclusion on the NRHP are appropriate thresholds across which consideration of a change in management action would be appropriate.

Impacting Agents

Impacting agents are those that may alter characteristics of a locality that make it eligible for listing on the NRHP, including those that may affect a site's type of significance or one or more elements of integrity. The UASF form provides a short list of common impacting agents that include erosion, livestock concentration, recreation, road/trail, vandalism/looting, none, and other. The form also provides a free-text entry portion, where researchers documenting a locality are expected to describe those agents impacting the site. Site monitoring forms contain similar impacting agents and text options. A change to a locality's impacting agents could be a threshold for consideration of new or increased management action if monitoring were to identify the addition of a new impacting agent or a change is observed in the relative effects of an already identified impacting agent.

Site Condition

Site condition is determined on-site by a qualified person conducting a site documentation or site monitoring visit. The BLM and USFS will determine the qualifications of those individuals qualified to evaluate site condition as the monitoring plan is completed. Qualifications may vary based on site type and sensitivity. However, in most cases it would be a Utah-permitted archaeologist or monitors trained by a similarly qualified archaeologist. The agencies will apply confidentiality provisions, as appropriate, for sacred sites and other sensitive Tribal cultural resources, as well as consider the use of Tribal monitors for sensitive sites. The UASF (or site monitoring) form provides a list of site conditions that include stable, deteriorating, imminently threatened, and destroyed. A stable site is defined as one where impacting agents such as erosion, decay, or other forces of nature are affecting the locality, as would be expected from the antiquity of the site. A deteriorating site is one where, if current impacts continue, the site is in danger of significant loss of integrity in a 3- to 15-year time frame. An imminently threatened locality is one where, if current impacts continue, the locality is likely to lose significant elements of integrity in less than 3 years. A destroyed site is one where impacting agents have left a locality completely devoid of any physical evidence of its one-time presence or have damaged a site's characteristics to the point that it no longer meets the criteria for listing in the NRHP. Changes to the condition of a site that adversely affect those characteristics of the site that make it eligible for the NRHP are threshold events that would trigger a change in management action in consultation with Tribes

Retention of Integrity

Integrity, as it relates to significant cultural resources such as historic properties, was described in Section 2.3. The UASF form asks researchers documenting a locality to assess which of the seven elements of integrity important for a site's NRHP eligibility are retained at a location. Deterioration of a locality such that an element of integrity once present at a site is lost is a threshold across which a management action would occur. Integrity for sacred sites or sites of cultural or religious importance to Tribes may not meet NRHP aspects of integrity.

National Register of Historic Places Status

NRHP status of a site refers to whether the site is currently listed in the register or whether the researcher documenting the site considers it to be eligible or not eligible for listing. Formal determinations of whether a site is eligible or not eligible for NRHP listing are made by agencies in consultation with the State Historic Preservation Officer during consultation required by Section 106 of the National Historic Preservation Act. NRHP eligibility can be reevaluated and changed by agencies in consultation with SHPO when better information is available on the elements of site integrity (see Table D-2). A change in the NRHP status of a locality is a threshold across which new management actions would occur. The BLM and USFS will consider eligibility of potential cultural and religious properties that are of importance to Tribes (as per 36 CFR Part 800).

CULTURAL RESOURCES MONITORING METHODOLOGIES

Location Selection

Known historic properties, archaeological sites, TCPs, American Indian sacred sites, or cultural landscapes for which adaptive management strategies are implemented will be subject to cultural resources monitoring. In addition, the agencies may select localities for monitoring if they determine that a particular location may be subject to impacts and management of that particular location necessitates monitoring site conditions. The agencies will also select localities for monitoring through government-to-government consultation with American Indian Tribes and, if applicable, Multi-Tribal Organizations, acknowledging that not all cultural sites are archaeological sites. Other consulting parties, as deemed appropriate, will be included in the location selection process.

Baseline Assessment

The initial step in establishing a site-specific monitoring program is to document the baseline conditions of the site so that any future changes to those conditions can be clearly identified. For newly discovered localities, the baseline assessment consists simply of a thorough documentation of the site on a current UASF form (or a USFS form), with careful attention given to a complete description of those aspects of the form relating to potential management action thresholds.

Localities that have been previously documented are not likely to have fully detailed descriptions of those site characteristics considered most critical when considering the adaptive management of a site. Nonetheless, providing important details about site condition allows relevant characteristics to be inferred. For baseline assessments of localities included in a monitoring program, these prior data will be carefully evaluated and considered. For each of these previously documented localities, the site will be visited and documented, incorporating information from prior documentation, as appropriate, to establish a baseline condition assessment. Baseline assessments will be updated as NRHP recommendations are updated, and the agencies will work with SHPO to formalize eligibility where applicable.

Cultural Resources Monitoring

Cultural resources monitoring of selected historic properties, archaeological sites, TCPs, American Indian sacred sites, or cultural landscapes will occur at a frequency determined by the agencies, in consultation with Tribes, as appropriate, that is appropriate to the management objectives of each monitored locality. A site may be subject to more frequent monitoring if impacts to the site are expected to occur, are observed to occur often, or are substantial. Less frequent monitoring may be appropriate where impacting agents are rare or have little impact. Monitoring will be conducted by agency personnel or by site stewards.

Documentation of site condition during monitoring will be conducted using protocols of the Utah Site Steward Program's electronic site monitoring system to record on-site observations for archaeological sites. When significant changes are noted, the affected site's UASF form will be supplemented with relevant site photographs that show impacts from impacting agents and document any changes to the types or relative effect of impacting agents. Documentation of the condition of sacred sites, TCPs, and other locales of importance to Tribes will be monitored using criteria and methodologies developed in consultation with Tribes.

MANAGEMENT ACTIONS

Adaptive management strategies for historic or prehistoric properties, TCPs, American Indian sacred sites, or cultural landscapes establish a series of if-then actions—if monitoring shows that X is happening, then management action Y will be taken. Because such actions are determined on a site-specific basis and are dependent on the management objectives and the desired outcome for a particular locality, a comprehensive list of management actions to be taken should a threshold be crossed for one or more resource indicators described in this cultural resources monitoring framework is not possible. In many cases, however, appropriate management options for classes of site types allocated to one or more use classes can be presented. Appendix G, Cultural Resources Allocation Criteria and Management Strategies, in the Monument Management Plans describes management strategy options for different site types allocated for research, Traditional Use, and/or Public Use. The BLM and USFS are currently taking management actions of these kinds on historic properties within the Monument. Future management decisions that affect the physical conditions of sites will be done in consultation with Tribes.

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APPENDIX E

Best Management Practices

BEST MANAGEMENT PRACTICES

Best management practices (BMPs) are land and resource management techniques determined to be the most effective and practical means of maximizing beneficial results and minimizing conflicts and negative environmental impacts from management actions. BMPs can include structural and nonstructural controls, specific operations, and maintenance procedures. To reduce or eliminate negative environmental impacts, BMPs can be applied before, during, and after activities. BMPs are not one-size-fits-all solutions; they should be selected and adapted through interdisciplinary analysis to determine which management practices are necessary to meet the goals and objectives of the Monument Management Plans (MMPs). The best practices and mitigation measures for a particular site are evaluated by considering site-specific conditions, local resource conditions, and a suite of techniques that guide or may be applied to management actions to aid in achieving desired outcomes. BMPs are often developed in conjunction with land use plans, but they are not considered a land use plan decision unless the land use plan specifies that they are mandatory. They may be updated or modified without a plan amendment if they are not mandatory.

This appendix does not provide an exhaustive list of BMPs; additional BMPs may be identified during an interdisciplinary process when evaluating site-specific management actions. BMPs may also be updated as new technology emerges. The applicant may also suggest alternate practices that could accomplish the same intended result. The implementation and effectiveness of BMPs must be monitored to determine whether the practices are achieving the MMPs' goals and objectives. Adjustments could be made, as necessary, to ensure that goals and objectives are met and to conform to changes in Bureau of Land Management (BLM) and/or U.S. Forest Service (USFS) regulations, policy, direction, or new scientific information.

Air Resources

- All site-specific proposals would be reviewed for compliance with existing laws and policies regarding air quality and would be designed not to degrade existing quality. Specific procedures would include the following:
 - a. Coordinate with the Utah Department of Environmental Quality if an emission permit is required.
 - b. Prescribed fires would comply with the State of Utah Interagency Memorandum of Understanding requirements to minimize air quality impacts from resulting particulates. This procedure requires obtaining an open burning permit from the State prior to conducting a management-ignited fire (Utah Division of Air Quality 2006).
- Fugitive dust
 - a. Water or alternative dust suppressants (i.e., surfactants or other erosion-control materials) would be utilized to minimize fugitive dust during construction and applied on material (sand, gravel, soil, minerals, or other matter that may create fugitive dust) piles.
 - b. Vehicles are not to exceed a speed of 20 miles per hour on any unpaved road to discourage the generation of fugitive dust.
 - c. Enclose, cover, water, or otherwise treat loaded haul trucks to minimize loss of material to wind and spillage.
 - d. Cover, enclose, or stabilize excavated or inactive material piles after activity ceases.
 - e. Use chip-seal or asphalt surface for long-term access.
 - f. Train workers to handle construction materials and debris to reduce fugitive emissions.
- Surface disturbance
 - a. Minimize the period of time between initial disturbance of the soil and revegetation or other surface stabilization. Utilize interim reclamation procedures.

- b. Minimize the area of disturbed land.
- c. Prompt revegetation of disturbed lands.
- d. Revegetate, mulch, or otherwise stabilize the surface of all disturbed areas adjoining roads.
- Engine exhaust
 - a. All vehicles and construction equipment would be properly maintained to minimize exhaust emissions.
 - b. Utilize carpooling to and from sites to minimize vehicle-related emissions.
 - c. Reduce unnecessary idling.
 - d. Reduce elemental carbon, particularly from diesel-fueled engines, by utilizing controls such as diesel particulate filters on diesel engines or by using lower emitting engines (e.g., Tier 2 or better).
 - e. Opportunities to reduce nitrogen oxides (NOX), particularly from internal combustion engines, should be pursued to control impacts related to deposition and visibility in nearby Class 1 areas. This may include the use of lower-emitting engines (e.g., Tier 2 or better for mobile and non-road diesel engines) and/or add-on controls (e.g., selective catalytic reduction) where appropriate.
 - f. Use of ultra-low sulfur diesel in engines when available.
 - g. Stationary internal combustion engine standard of 2 grams NOX/brake horsepower-hour (bhp-hr) for engines 300 horsepower and 1 gram NOX/bhp-hr for engines more than 300 horsepower.

Cultural Resources

- Evaluation of all BLM activities and BLM authorized activities shall be made in compliance with BLM Manual 8100, *The Foundations for Managing Cultural Resources*, and subsequent 8100 series manuals; the *Handbook of Guidelines and Procedures for Inventory, Evaluation, and Mitigation of Cultural Resources*.
- When possible, locate projects in areas that are previously disturbed. To comply with the National Historic Preservation Act, the BLM and USFS must identify eligible cultural resources. Under the current regulations and guidelines, the BLM and USFS may decide that no inventory needs to be conducted because the proposed action is located in an environment where ground disturbance has modified the surface so extensively that the likelihood of finding intact cultural resources is negligible.
- When a NEPA document specifically stipulates the need for an archaeological monitor during construction or a project is located in areas that require an archaeological monitor to be present, it is the applicant's responsibility to contract an archaeological consultant that holds a current Utah BLM or USFS permit (as applicable) and that is authorized to work in the BENM. Fieldwork authorizations are required prior to any construction monitoring.
- Where proposed projects or development will adversely affect a cultural resource, testing, data recovery or full excavation to recover scientific information may be required as mitigation. The applicant or operator bears the full cost of mitigation and is encouraged to consider avoiding adverse effects through project relocation or redesign rather than mitigating adverse effects. The applicant or operators will also be responsible for the costs of consultation with Tribal cultural advisors in addition to contract archaeologists. The agencies will consult with the Tribes prior to cultural resources testing or data recovery consistent with existing agency policy.
- A cultural resource must be allocated by appropriate analysis prior to a) authorizing or implementing any heritage tourism project, b) when special recreation permits are issued that will use a cultural resource, or c) a BLM recreation project is proposed that involves the use or interpretation of a cultural resource.
- The National Historic Preservation Act as amended, requires that if newly discovered historic or archaeological materials or other cultural resources are identified during project implementation, work in that area must stop and the Authorized Officer (BLM)/Responsible Official (USFS) must be notified

immediately. Within 5 working days the Authorized Officer (BLM)/Responsible Official (USFS) will inform the proponent as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures that will likely have to undertake before the site could be used (assuming in situ preservation is not practicable), (36 CFR 800.13);
- A time frame for the Authorized Officer (BLM)/Responsible Official (USFS) to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Office, that the Authorized Officer's (BLM)/Responsible Official's (USFS) findings were correct and mitigation was appropriate.
- A standard education/discovery stipulation for cultural resource protection shall be attached to the land use authorization. The operator or its contractor is responsible for informing all persons who are associated with the project operations that Federal laws protect archaeological resources and they will be subject to prosecution for disturbing or destroying any historic or archaeological sites, or collecting any cultural objects, prehistoric or historic, from Federal lands.
- Any companies, individuals, or their subcontractors to which the BLM issues a land use authorization will strictly adhere to the confidentiality of information provided by the BLM or USFS that pertains to the nature and location of archaeological resources (Archaeological Resource Protection Act, 16 US Code 470hh).
- If any previously unidentified cultural resources or human remains are discovered all activity in the vicinity of the discovery will cease and will be immediately reported to the BLM Field Office. Work may not resume at that location until it is approved by the Authorized Officer (BLM)/Responsible Official (USFS).
- Use visual resource BMPs to avoid, minimize, or mitigate potential adverse effects to historic properties.
- The Canyon Country Fuels Program utilizes design features during vegetation projects to protect cultural resources. These design features are developed through the Section 106 process in consultation with the State Historic Preservation Office (SHPO) and generally include, but are not limited to:
 - a. Buffering the sites (generally 15 meters)
 - b. Include cultural sites within the feathered edges of treatments
 - c. Leave faux islands for wildlife habitat purposes
 - d. Treat the site
 - e. Leave site untreated
 - f. Method of treatment (hand, mechanized, rubber tire or tracked, etc.)
 - g. Time of year (frozen/dry preferred)
 - h. Evaluate, protect, and monitor all National Register-eligible sites. These sites will be avoided during mechanized treatments or managed as agreed through SHPO consultation.

Construction

- When necessary to promote soil permeability and infiltration rates, construction may not be conducted during wet conditions when soils are saturated.
- Drainage from disturbed areas will be confined or directed so as to not cause erosion in undisturbed areas.
- Construction of access roads on steep hillsides and near water courses will be avoided where alternate routes provide adequate access.
- Activities on slopes over 21% will be avoided to the extent possible.

- Access roads requiring construction with cut and fill will be designed to minimize surface disturbance; and will take into account the character of the landform, natural contours, cut material, depth of cut, where the fill material will be deposited, resource concerns, and visual contrast. Roads will follow the contour of the land where practical.
- Fill material will not be cast over hilltops or into drainages. Cut slope ratios should normally be no steeper than 3:1 and fill slopes no steeper than 2:1.
- Placement of facilities on hilltops and ridgelines will be avoided. Facility layout should take into account the character of the topography and landform.
- Burning of trash will not be allowed on the site.
- Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste-disposal site. "Waste" means all discarded matter, including human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
- Trash will be retained in portable trash containers and hauled to an authorized disposal site.
- Cattle guards will be installed and maintained whenever access roads go through pasture gates or Fences as practicable. Maintenance includes cleaning out under cattle guard bases when needed.
- Only the minimum amount of vegetation necessary for the construction of structures and facilities shall be removed. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
- Stockpile all brush, limbs, crushed stumps, and other woody material separately from topsoil. Use the stripped vegetation for reclamation.
- During reclamation, apply certified weed free mulch or other suitable materials and crimp or tackify to remain in place to reclaim areas for seed retention.
- In areas where grading is necessary, the disturbed area shall be recontoured and all earthwork obliterated by removing embankments, backfilling excavation, and grading to reestablish the approximate original contours of the land on the right-of-way.
- After site restoration, right-of-way holders shall construct waterbars along graded areas of the right-of-way as required by the Authorized Officer (BLM)/Responsible Official (USFS).

Fire Management

- Maintain organic groundcover, where possible, to minimize the formation of pedestals, rills, and/or surface runoff.
- Do not build fire-lines in or around wetlands unless they are needed to protect life, property, and/or wetland resources. Use natural features as preferred fire-breaks over constructed fire-lines. When possible, use hand crews to construct fire-lines within, or adjacent to, wetlands and/or riparian areas.
- Retain organic groundcover in filter strips during prescribed fires. As a fire-break, build fire-lines outside of filter strips, unless they are tied into a stream and/or wetlands.
- Build fire-lines with rolling grades and minimum downhill convergence, where practicable. Out-slope or back-blade, permanently drain, and revegetate fire-lines shortly after the burn. Use certified local native plants, where practicable, to revegetate burned areas.
- Conduct prescribed fires in a manner that minimizes the residence time on the soil, while at the same time conducting them in a manner that meets the burn objectives (such as when soils are moist).
- Use broadcast burning, where appropriate, rather than dozer piles, during prescribed fire operations to prevent excessive heat transfer to the soil.

- Resource Coordinators on Incident Overhead Teams and Fire Rehabilitation Teams will consider weed-risk factors and weed-prevention measures when developing resource protection recommendations
- Locate temporary labor, spike, logging, and/or fire camps in a manner that protects surface and subsurface water resources. Consideration should be given to the disposal of human waste, wastewater, garbage, and/or other solid wastes.
- Fuels treatment projects would avoid old growth pinyon-juniper using visual characteristics criteria.
- Apply a 300-foot buffer from the streambank for the application of fire retardant.

Livestock Grazing

- Grazing management practices will be implemented that do the following:
 - Maintain sufficient residual vegetation and litter on both upland and riparian sites to protect the soil from wind and water erosion and support ecological functions
 - Promote attainment or maintenance of proper functioning condition riparian/wetlands areas, appropriate stream channel morphology, desired soil permeability and infiltration, and appropriate soil conditions and kinds and amounts of plants and animals to support the hydrologic cycle, nutrient cycle and energy flow
 - Meet the physiological requirements of desired plants and facilitate reproduction and maintenance of desired plants to the extent natural conditions allow
 - Maintain viable and diverse populations of plants and animals appropriate for the site
 - Provide or improve, within the limits of site potentials, habitat for Threatened or Endangered species
 - Avoid grazing management conflicts with other species that have the potential of becoming protected or special status species
 - Encourage innovation, experimentation, and the ultimate development of alternatives to improve rangeland management practices
 - Give priority to rangeland improvement projects and land treatments that offer the best opportunity for achieving the *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997) or *USFS Rangeland Ecosystem Analysis and Monitoring Handbook* (USFS 2004).
- Any spring and seep developments will be designed and constructed to protect ecological process and functions and improve livestock, and wildlife distribution.
- New rangeland projects for grazing will be constructed in a manner consistent with the *Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah* (BLM 1997) or *USFS Rangeland Ecosystem Analysis and Monitoring Handbook* (USFS 2004). Considering economic circumstances and site limitations, existing rangeland projects and facilities that conflict with the achievement or maintenance of the Standards will be relocated and/or modified.
- Livestock salt blocks and other nutritional supplements will be located away from riparian/wetland areas or other natural water sources. It is recommended that the locations of these supplements be moved, as needed, to reduce resource impacts.
- The use and perpetuation of native species will be emphasized. However, when restoring or rehabilitating disturbed or degraded rangelands, non-intrusive, non-native plant species are appropriate for use where native species (a) are not available, (b) are not economically feasible, (c) cannot achieve ecological objectives as well as non-native species, and/or (d) cannot compete with already established non-native species.
- When rangeland manipulations are necessary, the BMPs, including biological processes, fire, and intensive grazing, will be utilized prior to the use of chemical or mechanical manipulations.
- When establishing grazing practices and rangeland improvements, the quality of the outdoor recreation experience is to be considered. Aesthetic and scenic values, water, campsites and opportunities for solitude are among those considerations.

- Feeding of hay and other harvested forage (which does not refer to miscellaneous salt, protein, and other supplements), for the purpose of substituting for inadequate natural forage will not be conducted on BLM lands other than in (a) emergency situations where no other resource exists and animal survival is in jeopardy, or (b) situations where the Authorized Officer (BLM)/Responsible Official (USFS) determines such a practice will assist in meeting a standard or attaining a management objective.
- To eliminate, minimize, or limit the spread of noxious weeds, (a) only hay cubes, hay pellets, or certified, weed-free hay will be fed on BLM lands, and (b) reasonable adjustments in grazing methods, methods of transport, and animal husbandry practices will be applied.
- On rangelands where a standard is not being met, and conditions are moving toward meeting the standard, grazing may be allowed to continue. On lands where a standard is not being met, conditions are not improving toward meeting the standard or other management objectives, and livestock grazing is deemed responsible, administrative action with regard to livestock will be taken by the Authorized Officer (BLM)/Responsible Official (USFS) pursuant to CFR 4180.2(c).
- Where it can be determined that more than one kind of grazing animal is responsible for failure to achieve a standard and adjustments in management are required, those adjustments will be made to each kind of animal, based on interagency cooperation as needed, in proportion to their degree of responsibility.
- Rangelands that have been burned, reseeded or otherwise treated to alter vegetative composition will be closed to livestock grazing as follows: (1) burned rangelands, whether by wildfire or prescribed burning will be left ungrazed for a minimum of one complete growing season following the burn; and (2) rangelands that have been reseeded or otherwise chemically or mechanically treated will be left ungrazed for a minimum of two complete plant growing seasons following treatment.
- Monitor livestock use and resulting levels of utilization on forage to help determine the proper carrying capacity of allotments.
- Mitigate specific archaeological sites that have the potential for adverse impacts from livestock, as necessary and practicable. Continue to perform site-specific clearances on range improvements.

Soil/Water/Riparian

- In areas of identified biological soil crusts, the top 2 to 5 inches of topsoil, inclusive of the biological soil crusts, shall be carefully stripped and stockpiled separately from all other soil materials where practicable. Organic matter and debris may be retained in the piles to help sustain biological activity and increase the effectiveness of respreading the crust material. Storage piles should be shallow to preserve microorganisms and seeds. Respread the soil crust during interim and final reclamation. During reclamation, reestablish mounds on the surface prior to reapplying the biological soil crusts. Stabilize topsoil stockpiles by 1) spraying with water to establish crust, and 2) covering with biodegradable product.
- Regular monitoring of revegetated and reclaimed areas will be conducted with regular maintenance or reseeded as needed until the BLM determines that the revegetation is successful.
- Topsoil will be segregated and stored separately from subsurface materials to avoid mixing during construction, storage, and interim and final reclamation. Subsurface materials will never be placed on top of topsoil material at any point in the operation. Stockpiles will be located and protected so that wind and water erosion are minimized and reclamation potential is maximized. Ensure that the topsoil is spread evenly over the reclaimed area.
- No new surface-disturbing activity will be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs and streams unless it meets at least one of the following exceptions: 1) the activity is a vegetation treatment that does not impair riparian function, 2) the activity is related to development of recreational or range infrastructure that does not impair riparian function, 3) it can be shown that all long-term impacts can be fully mitigated, 4) the activity will benefit the riparian area, 5) and it can be shown that there are no practical alternatives and that all long-term impacts can be fully mitigated.

- Locate and construct all structures crossing intermittent and perennial streams and 100-year floodplains such that they do not decrease channel stability or increase water velocity.
- Any activity that includes water production should be managed to ensure maintenance or enhancement of riparian habitat.
- Avoid loss or degradation of large cottonwood gallery riparian habitats.
- All areas of surface disturbance within riparian areas and/or adjacent uplands should be revegetated with native species.
- To avoid contamination of water sources and inadvertent damage to non-target species, aerial application of pesticides within 100 feet of a riparian wetland area or water source unless the product is registered for such use by the Environmental Protection Agency.
- On USFS-administered lands, follow guidelines in Forest Service Handbook 2509.22 – Soil and Water Conservation Practices.
- Avoid loss or degradation of side channel, backwater, or other off-channel habitats; avoid increasing surface roughness in these locations. Do not pile woody slash from restoration activities. Consider effects of seeding/planting on surface roughness and side channel resilience/persistence.
- When conducting vegetation treatments to remove nonnative invasive species in Southwestern willow flycatcher nesting habitat, avoid reducing patch size beyond that which is sufficient for nesting (>0.25 acre).

Recreation Activities

Camping

- Cans, rubbish, and other trash shall not be discarded, buried, or dumped on public lands or related waters. Wet garbage such as egg shells, orange peels, leftover solid food, bones, melon rinds, etc., must be carried out. Trash cleanup at campsites and day use areas will include all litter or discarded items including small items such as bottle caps and cigarette butts.
- Camping would not be allowed within historic and prehistoric structures.
- No camping is permitted within 200 feet of a water source other than perennial streams unless within a developed campground or with prior authorization from the authorizing officer or within a developed campground.
- Where human waste pack out is not required and toilet facilities are not present, disposal of human waste is not permitted within 200 feet of a water source, trail, or campsite. Human waste will be deposited in a cat hole (6 inches deep) and covered with soil. Washing or bathing with soap is not permitted in tributary streams, springs, or other natural water sources. Dishwater must be strained prior to dispersal. Dishwater and bathwater may not be dumped within 100 feet of streams, springs, or other natural water sources. Only biodegradable soap may be used. No climbing or rappelling is allowed over petroglyphs, pictographs, or historic inscriptions.

Outfitting / Recreation Pack and Saddle Stock Use

- Allow only certified weed-free hay/feed on BLM- and USFS-administered lands.
- Inspect, brush, and clean animals (especially hooves and legs) before entering public land.
- Inspect and clean tack and equipment.
- Regularly inspect trailheads and other staging areas for backcountry travel.
- Alternate locations where livestock is tied or contained to minimize impacts on vegetation.
- Educate and encourage outfitters to look for and report new weed infestations.

- Riding and pack animals may not be tied to live trees under 6 inches diameter breast height in size. Using hobbles, picket lines, and highlines is preferable to hard tying to individual trees.
- Livestock shall not be tied or picketed for more than 1 hour within 300 feet of a natural water source other than perennial streams. All animals will be under control en route and in camp to protect wildlife, other livestock, and range forage.
- Corrals located on public lands are not available for public or recreational permittee use. Prior authorization is required for the use of such corrals.

Permitted Activities

- Permittees may not leave unattended personal property on public lands administered by the BLM for a period of more than 48 hours without written permission of the Authorized Officer (BLM)/Responsible Official (USFS), with the exception that vehicles may be parked in designated parking areas for up to 14 consecutive days. Unattended personal property is subject to disposition under the Federal Property and Administrative Services Act of 1949, as amended.

Visiting Cultural and Historic Sites

- No surface collection or digging for artifacts.
- No standing, sitting, or leaning on walls or other architectural features.
- Do not touch petroglyphs and pictographs. Taking rubbings of petroglyphs or historic inscriptions is not allowed.

Vegetation/Weeds

- Avoid or minimize the loss of sagebrush/steppe and blackbrush habitat.
- In sagebrush/steppe habitat reclamation, use only mixes containing seed that is native to the sagebrush steppe.
- Operations conducted in sagebrush/steppe habitat will focus on maintaining large blocks of sagebrush habitat.
- Reseed or plant disturbed areas with desirable vegetation when the native plant community cannot recover and occupy the site sufficiently.
- Seeding performed as part of reclamation operations will take place in the fall from mid-October until mid-December when the ground surface is not frozen.
- Prior to commencing operations, all equipment and vehicles will be cleaned to remove seeds and soil that may contain seeds to avoid the spread of noxious weeds and invasive species.
- Develop a Weed Management Plan.
- Treatment to prevent the introduction or spread of invasive/noxious plants would conform to the guidelines in the MMP and follow BLM protocol.
- Control noxious and invasive plants that become established along roads or adjacent to facilities.
- Clean and sanitize all equipment brought in from other regions.
- Use portable washing stations to periodically wash down equipment entering and leaving well field areas, especially during muddy conditions. Seeds and propagules of noxious plants are commonly transported on equipment and mud clinging to equipment.
- Maintain trailheads, campgrounds, visitor centers, picnic areas, roads leading to trailheads, and other areas of concentrated public use in a weed-free condition. Consider high-use recreation areas as high-priority sites for weed and invasive plant eradication.
- Sign trailheads and access points to educate visitors on noxious and invasive weeds and the consequences of their activities.

- Inspect and document travel corridors for weeds and treat as necessary.
- Encourage backcountry horsemen and hunters to use pelletized feed. Pelletized feed is unlikely to contain weed seed. Inspect and clean mechanized trail vehicles of weeds and weed seeds.
- Wash boots and socks before hiking into a new area. Inspect and clean packs, equipment, and bike tires.
- Avoid hiking through weed infestations whenever possible.
- Keep dogs and other pets free of weed seeds.
- Avoid picking unidentified “wildflowers” and discarding them along trails or roadways.
- Frequently and systematically inspect and document riparian areas and wetlands for noxious weed establishment and spread. Eradicate new infestations immediately since effective tools for riparian-area weed management are limited.
- Promote dense growth of desirable vegetation in riparian areas (where appropriate) to minimize the availability of germination sites for weed seeds or propagules transported from upstream or upslope areas.

Visual Resources/Noise/Night Skies/Soundscape

- Use natural or artificial features, such as topography, vegetation, or an artificial berm to help screen facilities. Design roads and other linear facilities to follow the contour of the landform or mimic lines in the vegetation. Avoid a straight road that will draw the viewer’s eye and attention straight toward the facility at the end of the road.
- If electricity is used to power a facility, electric lines will be buried in and solar panels will be placed out of view of the casual observer.
- Semi-gloss paints should be used rather than flat paints; the selected paint color should be one or two shades darker than the background.
- During reclamation, replace soil, brush, rocks, shrub/tree debris, etc., over disturbed earth surfaces, which allows for natural regeneration rather than introducing an unnatural looking grass cover.
- Place infrastructure within or near previously disturbed locations.
- Post night time quiet hours at developed campgrounds.
- Limit the use of artificial lighting during nighttime operations to only those lights that are determined necessary for the safety of operations and personnel.
- Utilize shielding and aiming techniques and limit the height of light poles to reduce glare and avoid light shining above horizon(s).
- Use lights only where needed, use light only when needed, and direct all lighting onsite.
- Use motion sensors, timers, or manual switching for areas that require illumination, but are seldom occupied.
- Reduce lamp brightness and select lights that are not broad spectrum or bluish in color.
- Require a lightscape management plan where an extensive amount of long-term lighting is proposed.
- Quiet hours would be posted at developed recreation sites (i.e., campgrounds).

Wildlife and Fisheries

- Identify important, sensitive, and unique habitats, fish, and wildlife in the area. Incorporate mitigation practices that minimize impacts to these habitats.
- If migration corridors and unique habitats are identified, mitigation practices to minimize impacts would be implemented.

- Place infrastructure within or near previously disturbed locations to avoid new impacts to fish and wildlife habitat.
- Seasonal restrictions on public vehicular access will be evaluated where there are fish and wildlife conflicts or road damage/maintenance issues.
- To the extent possible, avoid activities and facilities that create barriers to the seasonal big game crucial habitats including any identified transitional and stopover routes.
- Advise project personnel regarding appropriate speed limits to minimize wildlife mortality due to vehicle collisions. Roads would be reclaimed as soon as possible after they are no longer required.
- To limit impacts to mule deer and elk, avoid using aggressive non-native grasses and shrubs in mule deer and elk habitat restoration projects.
- Promptly report observations of potential wildlife problems to the regional office of the Utah Division of Wildlife Resources and, as applicable, to the U.S. Fish and Wildlife Service.
- Abandoned mine lands would be monitored and surveyed prior to reclamation. If bats are present, bat gates would be installed unless human safety is at risk.
- Where practicable, follow *Pollinator-Friendly Best Management Practices for Federal Lands* (USFWS 2015).

BEST MANAGEMENT PRACTICES FOR RAPTORS AND THEIR ASSOCIATED HABITATS IN UTAH

Introduction

Raptors, or birds of prey, are found on public lands throughout Utah. Approximately 31 species of raptors utilize public lands for at least a portion of their life cycle. These include 20 diurnal raptors, including the eagles, hawks, falcons, osprey, turkey vulture, and California condor, and 11 mostly nocturnal owl species. At least 16 of the diurnal raptors are known to nest, roost, and forage on public lands while two others are probable nesters within the southern part of the State. The California condor is known to utilize public lands for roosting and foraging but is not currently known to nest within the State. The rough-legged hawk is a winter resident that uses public lands for foraging. All of the owl species nest, roost, and forage on public lands in Utah.

Some of Utah's raptors are considered to be Special Status Species by the Bureau of Land Management (BLM) or U.S. Forest Service (USFS) and currently receive enhanced protection, in addition to the regulatory authority provided by the Migratory Bird Treaty Act (MBTA), which covers all raptor species. The Mexican spotted owl is Federally listed as a threatened species and is afforded the protection, as well as the Section 7 consultation requirements, of the Endangered Species Act (ESA). Both the bald eagle and golden eagle are protected by the provisions of the Eagle Protection Act. The California condor is Federally listed as an endangered species; however, the birds found in southern Utah are part of an Experimental Non-essential Population reintroduced to northern Arizona under Section 10(j) of the ESA. The BLM and USFS are required to treat the condor as a species proposed for listing for Section 7 purposes of the ESA. The northern goshawk is managed by a multi-agency Conservation Agreement and is also a USFS-sensitive species. The ferruginous hawk, short-eared owl, and burrowing owl are listed as Wildlife Species of Concern by the Utah Division of Wildlife Resources (UDWR) (2015), and they are therefore recognized as BLM sensitive species under the BLM's 6840 Manual. The BLM's 6840 Manual states that the "*BLM shall. . .ensure that actions authorized, funded, or carried out. . .do not contribute to the need for the species to become listed.*" USFS Manual 2670 directs the USFS to "*Develop and implement management practices to ensure that species do not become threatened or endangered because of Forest Service actions.*"

Future raptor management on BLM and USFS lands in the BENM will be guided by the use of these best management practices (BMPs), which are BLM-specific recommendations for implementation of the U.S.

Fish and Wildlife Service (USFWS) Utah Field Office's "*Guidelines for Raptor Protection from Human and Land Use Disturbances*" (Guidelines) (USFWS 2002). The Guidelines were originally developed by the USFWS in 1999 and were updated in 2002 to reflect changes brought about by court and policy decisions and to incorporate Executive Order 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds*. The Guidelines were provided to the BLM and other land management agencies in an attempt to provide raptor management consistency while ensuring project compatibility with the biological requirements of raptors and encouraging an ecosystem approach to habitat management.

These BMPs, or specific elements of the BMPs that pertain to a proposal, should be attached as Conditions of Approval (COA) to all BLM and USFS use authorizations that have the potential to adversely affect nesting raptors or would cause occupied nest sites to become unsuitable for nesting in subsequent years.

Raptor management is a dynamic and evolving science and, consequently, as the science evolves these BMPs will undergo subsequent revision. As more information becomes available through implementation of these raptor BMPs and as our knowledge of raptor life cycle requirements increases, findings will be incorporated into future revisions of the BMP document. Additionally, the BLM and the Department of Energy are initiating a 3-year raptor radii study that will test traditional spatial and seasonal nest buffers during actual oil and gas development activities for a select suite of species. Study results would be incorporated into new BMP revisions as well.

To adequately manage raptors and their habitats, and to reduce the likelihood of a raptor species being listed under the ESA, BLM- and USFS-authorized or proposed management activities and/or land-disturbing actions would be subject to the criteria and processes specified within these BMPs. The implementation of raptor spatial and seasonal buffers under the BMPs would be consistent with Table 2 of the Guidelines, included here as Attachment 2. As specified in the Guidelines, modifications of spatial and seasonal buffers for BLM- and USFS-authorized actions would be permitted, so long as protection of nesting raptors was ensured. State- and/or Federally listed, proposed, and candidate raptor species, as well as BLM-sensitive raptor species, should be afforded the highest level of protection through this BMP process; however, all raptor species would continue to receive protection under the MBTA. Modification of the buffers for threatened or endangered species would be considered pending results of Section 7 consultation with the USFWS.

As stated in the Guidelines, spatial and seasonal buffers should be considered as the best available recommendations for protecting nesting raptors under a wide range of activities State-wide. However, they are not necessarily site-specific to proposed projects. Land managers should evaluate the type and duration of the proposed activity, the position of topographic and vegetative features, the sensitivity of the affected species, the habituation of breeding pairs to existing activities in the proposed project area, and the local raptor nesting density when determining site-specific buffers. The BLM and USFS would be encouraged to informally coordinate with the UDWR and USFWS any time a site-specific analysis shows that an action may have an adverse impact on nesting raptors. The coordination would determine if the impact could be avoided or must be mitigated, and if so, to determine appropriate and effective mitigation strategies.

Potential modifications of the spatial and seasonal buffers identified in the Guidelines may provide a viable management option. Modifications would ensure that nest protection would occur while allowing various management options that may deviate from the suggested buffers within the Guidelines, which, if adequately monitored, could provide valuable information for incorporation into future management actions.

Seasonal raptor buffers from Attachment 2 should be reviewed by local raptor nesting authorities who are knowledgeable of raptor nesting chronologies within their local area. For those nesting raptors for which local nesting chronologies remain uncertain, the seasonal buffers provided in Attachment 2 should serve as the default. However, for those raptor species whose known nesting chronologies differ from the seasonal buffers provided in Attachment 2, the local seasonal buffers may be utilized as a modification of the Guidelines.

Criteria that would need to be met prior to implementing modifications to the spatial and seasonal buffers in the Guidelines would include the following:

- Completion of a site-specific assessment by a wildlife biologist or other qualified individual. See example (Attachment 1).
- Written documentation by the BLM Field Office or USFS Ranger District Wildlife Biologist, identifying the proposed modification and affirming that implementation of the proposed modification(s) would not affect nest success or the suitability of the site for future nesting. Modification of the Guidelines would not be recommended if it is determined that adverse impacts to nesting raptors would occur or that the suitability of the site for future nesting would be compromised.
- Development of a monitoring and mitigation strategy by a BLM or USFS biologist or other raptor biologist. Impacts of authorized activities would be documented to determine if the modifications were implemented, as described in the environmental documentation or COAs, and were adequate to protect the nest site. Should adverse impacts be identified during monitoring of an activity, the BLM would follow an appropriate course of action, which may include cessation or modification of activities that would avoid, minimize, or mitigate the impact or, with the approval of the UDWR and USFWS, the BLM could allow the activity to continue while requiring monitoring to determine the full impact of the activity on the affected raptor nest. A monitoring report would be completed and forwarded to the UDWR for incorporation into the Natural Heritage Program (NHP) raptor database.

In a further effort to provide additional support and expertise to local BLM and USFS field biologists, a network of biologists from various agencies with specific expertise in raptor management has been identified and included as Attachment 3. The personnel identified have extensive backgrounds in raptor management issues and are available, upon request, to assist BLM and USFS field biologists on a case-by-case basis. Field biologists are encouraged to use this network, via informal conference, with one or more of the individuals identified. This coordination should be clearly distinguished from the consultation process required under Section 7 of the ESA. Individuals on the expert panel should not be expected to provide formal advice but should serve as a sounding board for discussing potential effects of a proposal, as well as potential mitigation measures on specific projects which may be useful to BLM and USFS biologists.

Habitat Enhancement

As recommended in the Guidelines, raptor habitat management and enhancement, both within and outside of buffers, would be an integral part of these BMPs, with the understanding that in order for raptors to maintain high densities and maximum diversity, it is necessary that the habitat upon which they and their prey species depend be managed to promote healthy and productive ecosystems. Habitat loss or fragmentation would be minimized and/or mitigated to the extent practical and may include such measures as drilling multiple wellheads per pad, limiting access roads and avoiding loop roads to well pads, effective rehabilitation or restoration of plugged and abandoned well locations and access roads that are no longer required, rehabilitation or restoration of wildland fires to prevent domination by non-native invasive annual species, vegetation treatments and riparian restoration projects to achieve Rangeland Health Standards, etc.

In some cases, artificial nesting structures, located in areas where preferred nesting substrates are limited but where prey base populations are adequate and human disturbances are limited, may enhance some raptor populations or may serve as mitigation for impacts occurring in other areas.

Protection of Nest Sites and Buffer Zones

As stated in the Guidelines, protection of both occupied and unoccupied nests is important since not all raptor pairs breed every year, nor do they always utilize the same nest within a nesting territory. Individual raptor nests left unused for a number of years are frequently reoccupied, if all the nesting attributes which

originally attracted a nesting pair to a location are still present. Nest sites are selected by breeding pairs for the preferred habitat attributes provided by that location.

Raptor nest buffer zones are established for planning purposes because the nest serves as the focal point for a nesting pair of raptors. The buffer should serve as a threshold of potential adverse effect to nest initiation and productivity. Actions proposed within these buffer zones are considered potentially impacting and therefore trigger the need for consideration of site-specific recommendations.

Seasonal (temporal) buffer zones are conservation measures intended to schedule potentially impacting activities to periods outside of the nesting season for a particular raptor species. These seasonal limitations are particularly applicable to actions proposed within the spatial buffer zone of a nest for short-duration activities such as pipeline or power line construction, seismic exploration activity, vegetative treatments, fence or reservoir construction, permitted recreational events, etc., where subsequent human activity would not be expected to occur.

Spatial buffer zones are those physical areas around raptor nest sites where seasonal conservation measures or surface occupancy restrictions may be applied, depending on the type and duration of activity, distance and visibility of the activity from the nest site, adaptability of the raptor species to disturbance, etc. Surface occupancy restrictions should be utilized for actions which would involve human activities within the buffer zone for a long duration (more than one nesting season) and which would cause an occupied nest site to become unsuitable for nesting in subsequent years.

Unoccupied Nests

All Activities, Including All Mineral Leases: Surface-disturbing activities occurring outside of the breeding season (seasonal buffer) but within the spatial buffer would be allowed during a minimum 3-year nest monitoring period, as long as the activity would not cause the nest site to become unsuitable for future nesting, as determined by a wildlife biologist. Facilities and other permanent structures would be allowed, if they meet the above criteria. Occupied and unoccupied eagle nests are protected under the Bald and Golden Eagle Protection Act. Occupied and unoccupied eagle nests cannot be legally removed unless a permit is issued by the USFWS.

Some examples of typical surface-disturbing actions occurring outside of the seasonal buffer, which may not be expected to affect nest production or future nesting suitability, would include pipelines, power lines, seismographic exploration, communication sites, an oil or gas well with off-site facilities which does not require routine visitation, recreation events, fence or reservoir construction, vegetative treatments, and other actions with discrete starting and ending times and for which subsequent human activity or heavy equipment operation within the spatial buffer would not be expected to occur, or could be scheduled outside of the seasonal buffer in subsequent years.

Surface-disturbing activities that would be expected to potentially affect nest production or nest site suitability include oil and gas facilities requiring regular maintenance, sand and gravel operations, road systems, wind energy projects, mining operations, other actions requiring continual, random human activity, or heavy equipment operation during subsequent nesting seasons.

A nest site which does not exhibit evidence of use, such as greenery in the nest, fresh whitewash, obvious nest maintenance, or the observed presence of adults or young at the nest, for a period of 3 consecutive years (verified through monitoring), would be deemed abandoned, and all seasonal and spatial restrictions would cease to apply to that nest. All subsequent authorizations for permanent activities within the spatial buffer of the nest could be permitted. If the nest becomes reoccupied after authorized activities are completed, conservation measures would be considered to reduce potential adverse effects and to comply with the MBTA and the Eagle Protection Act.

The 3-year non-use standard varies from the Guidelines suggested 7-year non-use standard before declaring nest abandonment. This variation is based upon a similar standard which has been applied for

over 20 years in two administrative areas within Utah. Empirical evidence would suggest that the 3-year non-use standard has been effective in conserving raptor species. The 3-year standard has been applied without legal challenge or violation of “take” under the MBTA or the Eagle Protection Act.

Because prey base populations are known to be cyclic, and because raptor nest initiation or nesting success can be affected by drought and other random natural events, care should be taken when applying the 3-year non-activity standard. The 3-year nest occupancy monitoring requirement should be viewed as a minimum time period during those years of optimal raptor nesting conditions. During suboptimal raptor nesting years, when nesting habitat may be affected by drought, low prey base populations, fire, or other events, the monitoring standard should be increased to allow raptors the opportunity to reoccupy nesting sites when nesting conditions become more favorable.

Occupied Nests

All Activities: Land use activities which would have an adverse impact on an occupied raptor nest, would not be allowed within the spatial or seasonal buffer.

Consideration of Alternatives and Mitigation Measures

Alternatives, including denial of the proposal, should be identified, considered, and analyzed in a National Environmental Policy Act (NEPA) document any time an action is proposed within the spatial buffer zone of a raptor nest. Selection of a viable alternative that avoids an impact to nesting raptors should be selected over attempting to mitigate those impacts. If unavoidable impacts are identified, mitigation measures should be applied as necessary to mitigate adverse impacts of resource uses and development on nesting raptors. Monitoring of the effectiveness of the mitigation measures should be mandatory and should be included as a COA.

Specific Strategies to Be Implemented Regarding Other Resource Uses

The following are management strategies designed to reduce or eliminate potential conflicts between raptors and other resource uses. This is a list of examples and is not intended to be an all-inclusive list. In all cases, when an activity on BLM or USFS lands is proposed, and a NEPA document developed, the site-specific analysis process identified in Attachment 1 may be implemented to identify and either avoid or mitigate impacts to raptors from the proposal. These strategies apply to BLM-, USFS-, and applicant-generated proposals.

Cultural Resources

Excavation and studies of cultural resources in caves and around cliff areas should be delayed until a qualified biologist surveys the area to be disturbed or impacted by the activity for the presence of raptors or nest sites. If nesting raptors are present, the project should be rescheduled to occur outside of the seasonal buffer recommended by the Guidelines.

Forestry and Harvest of Woodland Products

Timber harvest would be subject to NEPA analysis and would be conducted in a manner that would avoid impacts to raptor nests. This could also apply to areas identified for wood gathering and firewood sales.

Hazardous Fuel Reduction/Habitat Restoration Projects

Hazardous fuel reduction projects and shrub-steppe restoration projects should be reviewed for possible impacts to nesting raptors. Removal of trees containing either stick nests or nesting cavities, through prescribed fire or mechanical or manual treatments, should be avoided.

It is important to note that certain raptor species are tied to specific habitat types, and that consideration must be made on a site-specific basis when vegetation manipulation projects are proposed, to determine which raptor species may benefit and which may be negatively affected by the vegetation composition post-treatment.

Livestock Grazing

Rangelands and riparian areas should be managed in a manner that promotes healthy, productive rangelands and functional riparian systems. Rangeland Health Assessments should be conducted on each grazing allotment, and rangeland guidelines should be implemented where Rangeland Health Standards are not being met, to promote healthy rangelands.

Locations of camps and other temporary intrusions would be located in areas away from raptor nest sites during the nesting season. Placement of salt and mineral blocks would also be located away from nesting areas.

Season of use, kind of livestock, and target utilization levels of key species affect vegetative community attributes (percent cover, composition, etc.) and influence small mammal and avian species diversity and density. While not all raptor species would be affected in the same way, livestock management practices which maintain or enhance vegetative attributes, will preserve prey species density and diversity which will benefit the raptor resource.

Off-Highway Vehicle Use

Special Recreation Management Areas (SRMA) that are developed for off-highway vehicle (OHV) use would not be located in areas that have important nesting, roosting, or foraging habitat for raptors.

OHV use would be limited to designated roads and trails. Lands categorized as "Open" for OHV use should not be in areas important to raptors for nesting, roosting, and foraging.

When proposals for OHV events are received, the area to be impacted would be surveyed by a qualified wildlife biologist to determine if the area is utilized by raptors. Potential conflicts would be identified and either avoided or mitigated prior to the issuance of any permit.

Realty

Lands proposed for disposal which includes raptor nesting, roosting, or important foraging areas would be analyzed and evaluated for the relative significance of these resources before a decision is made for disposal or retention.

A priority list of important raptor habitat areas, especially for Federally listed or State sensitive raptor species, on State and private lands should be developed and utilized as lands to be acquired by the BLM or USFS when opportunities arise to exchange or otherwise acquire lands.

Lands and realty authorizations would include appropriate conservation measures to avoid and/or mitigate impacts to raptors.

Recreation

Development of biking trails near raptor nesting areas would be avoided.

Rock climbing activities would be authorized only in areas where there are no conflicts with cliff-nesting raptors.

In high recreation use areas where raptor nest sites have been made unsuitable by existing disturbance or habitat alteration, mitigation should be considered to replace nest sites with artificial nest structures in nearby suitable habitat, if it exists, and consider seasonal protection of nest sites through fencing or other restrictions.

Dispersed recreation would be monitored to identify where this use may be impacting nesting success of raptors.

BLM Inventory and Monitoring

Each Field Office should cooperatively manage a raptor database, with the UDWR and USFWS, as part of the BLM Corporate database. Raptor data should be collected and compiled utilizing the Utah Raptor Data Collection Standards developed by the Utah State Office, so that personnel from other agencies can access the data. Appropriate protocols for survey and monitoring should be followed, when available. This database should be updated as new inventory and monitoring data becomes available. The data should also be forwarded to the UDWR and the NHP, which has been identified as the central repository for raptor data storage for the State of Utah.

Use of seasonal employees and volunteers, as well as Challenge Cost Share projects, should be utilized to augment the inventory and monitoring of raptor nests within a Planning Area, with the data entered into the abovementioned databases at the close of each nesting season. Project proponents, such as energy development interests, would be encouraged to participate and help support an annual raptor nest monitoring effort within their areas of interest.

Active nest sites should be monitored during all authorized activities that may have an impact on the behavior or survival of the raptors at the nest site. A qualified biologist would conduct the monitoring and document the impacts of the activity on the species. A final report of the impacts of the project should be placed in the Environmental Assessment file, with a copy submitted to the NHP. The report would be made available for review and should identify what activities may affect raptor nesting success and should be used to recommend appropriate buffer zones for various raptor species.

As data are gathered, and impact analyses are more accurately documented, adaptive management principles should be implemented. Authorization of future activities should take new information into account, better protecting raptors while potentially allowing more development and fewer restrictions, if data indicates that current restrictions are beyond those necessary to protect nesting raptors, or conversely indicates that current guidance is inadequate for protection of nesting raptors.

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APPENDIX F

Stipulations Applicable to Surface-Disturbing Activities

STIPULATIONS APPLICABLE TO SURFACE-DISTURBING ACTIVITIES

This appendix identifies stipulations for all surface-disturbing activities for the Bears Ears National Monument (BENM) Monument Management Plans (MMPs)/Environmental Impact Statement (EIS). The stipulation language (ex. no surface occupancy) used in this appendix typically describe limitations on oil and gas development. However, Proclamation 9558, as modified by Proclamation 9681, withdrew all Federal lands within the BENM from location and entry under the Mining Law of 1872 and from the disposition of leasable and salable minerals under the Mineral Leasing Act of 1920 and all other applicable laws. The agencies adopted the stipulation language as a clear way to express specific expectations as to how the Monument objects and other resources would be protected from future surface-disturbing activities. Stipulations are generally applied to applicant-driven land use authorizations and permits issued on BLM- and USFS-administered lands. However, the agencies would take these stipulations into consideration and apply them when authorizing internally driven projects that would require surface disturbance. As appropriate, this appendix also identifies exceptions, modifications, and waivers for these stipulations.

Surface-disturbing activities are actions that mechanically alter the vegetation, surface/near-surface soil resources, and/or surface geologic features, beyond natural site conditions and on a scale that affects other public land values. Surface-disturbing activities may include operation of heavy equipment to construct power lines, roads, and campgrounds. Surface-disturbing activities would typically not include such activities as livestock grazing, cross-country hiking, driving on designated routes, and minimum impact filming.

Although some activities would not require use or occupation of the surface, stipulations may still be applied if the activity requires Bureau of Land Management (BLM) or U.S. Forest Service (USFS) authorization and it is determined that the activity may result in more than negligible resource impacts. One example would be activities that require the use of low-flying aircraft in crucial wildlife areas, so a timing limitation would be applied. Identification of appropriate measures to reduce potential impacts resulting from new range improvements would be handled at the implementation level and through the application of appropriate best management practices.

Description of Stipulations

Table 1-1 shows resources of concern and stipulations including exceptions, modifications, and waivers. Three types of stipulations could be applied to land use authorizations: 1) No Surface Occupancy (NSO), 2) Timing Limitations (TL), and 3) Controlled Surface Use (CSU). Although not a stipulation, areas that are closed to oil and gas leasing and other surface-disturbing activities are also identified in Table 1-1.

Areas identified as NSO are closed to surface-disturbing activities with the exception of vegetation/fuels treatments. The NSO areas would be avoidance areas for rights-of-way; no rights-of-ways would be granted in NSO areas unless there are no feasible alternatives. Areas identified as TL would be closed to surface-disturbing activities during identified time frames. This stipulation would not apply to operation and maintenance activities, including associated vehicle travel, unless otherwise specified. Areas identified as CSU would require that proposals for surface-disturbing activities be authorized according to the controls and constraints specified.

Exceptions, Modification, and Waivers

Stipulations could be excepted, modified, or waived by the Authorized Officer (BLM)/Responsible Official (USFS). An exception exempts the holder of the land use authorization document from the stipulation on a one-time basis. A modification changes the language or provisions of a surface stipulation, either temporarily or permanently. A waiver permanently exempts the surface stipulation. The documented environmental analysis for site-specific proposals would need to address proposals to exempt, modify, or

waive a surface stipulation. Exceptions, waivers, and modifications would be considered when the agency conducts site-specific analysis. The Authorized Officer (BLM)/Responsible Official (USFS) may require surveys, mitigation, environmental analysis, or consultation with other government agencies when making this determination. Table 1-1 specifies the circumstances under which the general exceptions, modifications, and waivers would apply. The general exceptions, modifications, and waivers that commonly apply to many stipulations are as follows:

Exception – The Authorized Officer (BLM)/Responsible Official (USFS) may grant an exception to a stipulation if it is determined that the factors leading to its inclusion as stipulation have changed sufficiently such that the protection provided by the stipulation is no longer necessary to meet resource objectives established in the MMPs.

Modification – The Authorized Officer (BLM)/Responsible Official (USFS) may modify a stipulation as a result of new information if: 1) the protection provided by the stipulation is no longer necessary to meet resource objectives established in the final MMPs, or 2) the protection provided by the stipulation is no longer sufficient to meet resource objectives established in the final Resource Management Plans. The modification may be subject to public review for at least a 30-day period.

Waiver – The Authorized Officer (BLM)/Responsible Official (USFS) may waive a stipulation if it is determined that the factors leading to its inclusion as a stipulation no longer exist. The waiver may be subject to public review for at least a 30-day period.

When no exceptions, modifications and waivers can be granted under a specific resource or resource use (e.g., the general exceptions, modifications, and waivers do not apply for the resource), then the table will state “none.” Specific exceptions, modifications, and waivers have also been developed for some surface-disturbing activities and are provided in Table 1-1.

Table 1-1. Stipulations including Exceptions, Modifications, and Waivers by Alternative
(Stipulations apply to both units of the Monument, unless specifically noted.)

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Cultural Resources	CSU	Historic Properties	<p>Cultural properties eligible for or listed in the National Register of Historic Places would be surrounded by an avoidance area, identified at the time of consultation, sufficient to avoid impacts.</p> <p>Purpose: Protect and preserve cultural resources and/or sites of religious significance to American Indians.</p> <p>Exceptions: An exception could be granted if the Authorized Officer (BLM)/Responsible Official (USFS) determines that avoidance of direct and indirect impacts to historic properties is not feasible (e.g., avoidance may cause unacceptable damage to other public land resources or affect valid existing rights).</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Cultural Resources	CSU	Cultural Resources	<p>Surveys and monitoring (where appropriate) are required for all surface-disturbing activities. Where monitoring encounters cultural resources, all operations must cease until the Authorized Officer (BLM)/Responsible Official (USFS) determines whether the site can be avoided, protected, or fully excavated.</p> <p>Purpose: Protect and preserve cultural resources and/or sites of religious significance to American Indians.</p> <p>Exception: General exception applies</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Lands and Realty	NSO	Right-of-Way (ROW) Avoidance Areas – Objects and Values	<p>ROWs within ROW avoidance area would not be authorized.</p> <p>Purpose: To minimize impacts to resource objects and values</p> <p>Exception: An exception may be granted If the applicant can demonstrate that there is no practicable route outside of the unit, and the proposed ROW would be consistent with the objects and values of the BENM. Additionally, ROWs may be issued for maintenance and improvement of existing roads and, where necessary, to access non-Federal in-holdings so long as impacts to Monument objects can be avoided or mitigated.</p> <p>Modification: None</p> <p>Waiver: None</p>
Paleontological Resources	CSU	Within Potential Fossil Yield Classification (PFYC) Class 4 and 5 Areas	<p>Conduct on-site surveys for paleontological resources prior to implementing any surface-disturbing activities in all PFYC Class 4 and 5 areas. Surface-disturbing activities would avoid or minimize impacts to paleontological resources to the degree practicable. Where avoidance is not practicable, appropriate mitigation to reduce impacts would be developed based on site-specific survey information.</p> <p>Purpose: To protect paleontological resources</p> <p>Exception: General exception applies</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Riparian and Wetland Resources	NSO	Riparian Areas along Perennial and Intermittent Streams and Springs	<p>With the exception of vegetation treatments designed to improve habitat condition, no new surface-disturbing activities would be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs.</p> <p>Purpose: Protect and conserve riparian areas, springs, and floodplains and associated vegetation</p> <p>Exception:</p> <p>An exception could be authorized: a) to buffer to allow development of recreational and range infrastructure, b) if impacts could be mitigated to a level that allows for the proper care and management of Monument objects and values or, c) if the action is designed to enhance the riparian resource values, or d) It can be shown that there are no practical alternatives.</p> <p>Modification: None</p> <p>Waiver: None</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Soil and Water Resources	NSO	Riparian Areas along Perennial and Intermittent Streams and Springs	<p>With the exception of vegetation treatments designed to improve habitat condition, no new surface-disturbing activities would be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs.</p> <p>Purpose: Protect and conserve riparian areas, springs, and floodplains and associated vegetation</p> <p>Exception: An exception could be authorized: a) to buffer to allow development of recreational and range infrastructure, b) if impacts could be mitigated to a level that allows for the proper care and management of Monument objects and values or c) if the action is designed to enhance the riparian resource values, or e) it can be shown that there are no practical alternatives.</p> <p>Modification: None</p> <p>Waiver: None</p>
Soil and Water Resources	CSU	Steep Slopes 21% to 40%	<p>New surface disturbance/construction on slopes between 21 and 40% would require an erosion control strategy and Reclamation and Site Plan with a design approved by the Authorized Officer (BLM)/Responsible Official (USFS) prior to construction and maintenance.</p> <p>Purpose: Protect soils and avoid erosion on sloped embankments</p> <p>Exception: General exception applies</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Soil and Water Resources	NSO	Steep Slopes 40%	<p>New surface-disturbing activities are not allowed on slopes greater than 40%.</p> <p>Purpose: Protect soils, avoid erosion, and maintain public health and safety in sloped embankments</p> <p>Exception: If, after an analysis, the Authorized Officer (BLM)/Responsible Official (USFS) determines that it would not cause undue or unnecessary degradation and that other placement alternatives are not practicable, surface occupancy in the NSO may be authorized. An Erosion Control Plan would be required for review and approval by Authorized Officer (BLM)/Responsible Official (USFS) prior to construction and maintenance.</p> <p>Modification: None</p> <p>Waiver: None</p>
Water	CSU	Seeps and Springs	<p>Requirements for a hydrologic study would be determined at the implementation level based on groundwater levels and geologic conditions. Do not authorize land uses for water withdrawals that could negatively affect groundwater for seeps and springs.</p> <p>Purpose: To protect seep and spring areas</p> <p>Exception: General exception applies</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Water	NSO	Floodplains and Surface Water Resources	<p>With the exception of vegetation treatments designed to improve habitat condition, no new surface-disturbing activities would be allowed within active floodplains or within 100 meters (approximately 330 feet) of riparian areas along perennial and intermittent springs and streams.</p> <p>Purpose: To protect springs, floodplains, and surface water resources</p> <p>Exception: An exception could be authorized: a) to buffer for vegetation treatments, b) to buffer to allow development of recreational infrastructure, c) if impacts could be fully mitigated, d) if the action is designed to enhance the riparian resource values, or e) It can be shown that there are no practical alternatives.</p> <p>Modification: None</p> <p>Waiver: None</p>
Special Designations: Shay Canyon ACEC (Indian Creek Unit)	NSO	Cultural and Paleontological Resources	<p>No surface-disturbing activities allowed.</p> <p>Purpose: Maintain the relevant and important cultural, historic, and paleontological resource values</p> <p>Exceptions: An exception could be granted if, after an analysis, the Authorized Officer (BLM)/Responsible Official (USFS) determines that the project would not impair or could benefit the Monument's relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Special Designations: Lavender Mesa ACEC	NSO	Relict Vegetation and Visual Resources	<p>Surface-disturbing activities are not allowed on the mesa top.</p> <p>Purpose: Protect relevant and important vegetation and visual values</p> <p>Exceptions: An exception could be granted for test plots and facilities necessary to study the plant communities, restoration, and reclamation activities if, after an analysis, the Authorized Officer (BLM)/Responsible Official (USFS) determines that the project would not impair or could benefit the Monument's relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p>
Special Designations: San Juan River ACEC	NSO	Relict Vegetation and Visual Resources	<p>No surface-disturbing activities are allowed.</p> <p>Purpose: Protect relevant and important scenic, cultural and wildlife values</p> <p>Exception: An exception could be granted if activities are short term or, after an analysis, the Authorized Officer (BLM)/Responsible Official (USFS) determines that the project would benefit the Monument's relevant and important values. Small signs, kiosks, route designators, etc. used to manage activities or resources could also be allowed.</p> <p>Modification: None</p> <p>Waiver: None</p>
Special Designations: Wilderness Study Areas	NSO	Bridger Jack Mesa WSA and Mule Canyon WSA	<p>No surface-disturbing activities</p> <p>Purpose: To protect wilderness values</p> <p>Exception: An exception could be granted if the activity meets the non-impairment standard and/or enhances wilderness values.</p> <p>Modification: None</p> <p>Waiver: None</p>
Special Status Species	TL	Northern Goshawk Habitat	<p>Prohibit forest vegetation manipulation within active nest areas during the active nesting period (March 1 to September 30).</p> <p>Purpose: To minimize disturbance to nesting northern goshawk</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
Special Status Species: Kit Fox	NSO	Kit Fox Habitat	<p>No surface disturbances would be allowed within 660 feet (200 meters) of an occupied natal kit fox den.</p> <p>Purpose: To avoid disturbance to active natal kit fox dens</p> <p>Exception: An exception could be granted if protocol surveys determine that kit fox dens are not present.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the stipulation area if portions of the area do not contain habitat.</p> <p>Waiver: A waiver may be granted if it is determined that the habitat no longer exists.</p>
Special Status Species: Mexican Spotted Owl (MSO)	CSU/TL	MSO Designated Critical Habitat and Suitable Habitat	<p>To protect MSO habitat and avoid negative impacts to the species, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures would depend on whether the action is temporary or permanent and whether it occurs within or outside the owl nesting season: a) a temporary action is completed prior to the following breeding season, leaving no permanent structures and resulting in no permanent habitat loss; b) a permanent action continues for more than one breeding season and/or causes a loss of owl habitat or displaces owls through disturbances (i.e., creation of a permanent structure). Current avoidance and minimization measures include the following:</p> <ul style="list-style-type: none"> • Within potential MSO habitat, surveys would be required prior to implementation of the proposed action. All surveys must be conducted by qualified individual(s) acceptable to the agencies. Assess habitat suitability for both nesting and foraging using accepted habitat models in conjunction with field reviews. Apply the conservation measures below if project activities occur within suitable owl habitat. Determine potential effects of actions to owls and their habitat. • Document the type of activity, acreage and location of direct habitat impacts and type and extent of indirect impacts relative to location of suitable owl habitat. Document whether the action is temporary or permanent. Activities may require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures would be evaluated and, if necessary, Section 7 consultation reinitiated. Any activity that includes water production should be managed to ensure that enhancement of riparian habitat is maintained.

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>For all temporary actions that may impact owls or their suitable habitat:</p> <ol style="list-style-type: none"> 1. If the action occurs entirely outside of the owl breeding season from March 1 through August 31 and leaves no permanent structure or permanent habitat disturbance, the action can proceed without an occupancy survey. 2. If the action would occur during a breeding season, a survey for owls is required prior to commencing the activity. If owls are found, the activity should be delayed until outside of the breeding season. 3. Rehabilitate access routes created by the project through such means as raking out scars, revegetation, gating access points, etc. <p>For all permanent actions that may impact owls or suitable habitat:</p> <ol style="list-style-type: none"> 1. Survey two consecutive years for owls, according to accepted protocol, prior to commencing activities. 2. If owls are found, no disturbing actions would occur within 0.5 mile of an identified site. If nest site is unknown, no activity would occur within the designated current and historic Protected Activity Center. 3. Avoid permanent structures within suitable habitat unless it is surveyed and not occupied. 4. Reduce noise emissions (e.g., use hospital-grade mufflers) to 45 dBA at 0.5 mile from suitable habitat, including canyon rims. Placement of permanent noise-generating facilities should be contingent upon a noise analysis to ensure noise does not encroach upon a 0.5-mile buffer for suitable habitat, including canyon rims. 5. Limit disturbances to and within suitable habitat by staying on designated and/or approved routes. 6. Limit new access routes created by the project. <p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the U.S. Fish and Wildlife Service (USFWS) to ensure continued compliance with the Endangered Species Act (ESA).</p> <p>Purpose: To minimize effects to the MSO</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from USFWS (through applicable provisions of the ESA). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an analysis indicates that the nature or the conduct of the actions would not impair the primary constituent element determined necessary for the survival and recovery of the MSO, and the USFWS, through consultation, concurs with this determination.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an analysis indicates and the USFWS (through applicable provisions of the ESA) determines a portion of the area is not being used as Critical Habitat.</p> <p>Waiver: A waiver may be granted if the MSO is delisted and the Critical Habitat is determined by the USFWS as not necessary for the survival and recovery of the MSO.</p>
Special Status Species: Southwestern Willow Flycatcher (SWFL)	CSU/TL	SWFL Habitat (riparian areas)	<p>To protect SWFL habitat and avoid negative impacts to the species, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures would depend on whether the action is temporary or permanent, and whether it occurs within or outside the nesting season: a) a temporary action is completed prior to the following breeding season, leaving no permanent structures and resulting in no permanent habitat loss; b) a permanent action continues for more than one breeding season and/or causes a loss of habitat or displaces flycatchers through disturbances, i.e., creation of a permanent structure.</p> <p>Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys would be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s) and be conducted according to protocol. 2. Activities would require monitoring throughout the duration of the project. To ensure that desired results are being achieved, minimization measures would be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Water production would be managed to ensure maintenance or enhancement of riparian habitat. 4. Activities would maintain a 330-foot buffer from suitable riparian habitat year long. 5. Activities within 0.25 mile of occupied breeding habitat would not occur during the breeding season of April 15 to August 15. 6. Noise emissions within 0.25 mile of suitable habitat for the SWFL will not exceed baseline conditions during the breeding season of April 15 to August 15. 7. Ensure that water extraction or disposal practices do not result in change of hydrologic regime that would result in loss or degradation of riparian habitat. 8. Revegetate with native species all areas of surface disturbance within riparian areas and/or adjacent land. 9. Avoid loss or disturbance of riparian habitats. <p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the USFWS to ensure continued compliance with the ESA.</p> <p>Purpose: To minimize effects to the SWFL</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from USFWS (through applicable provisions of the ESA). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an environmental analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the SWFL and USFWS concurs with this determination.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an environmental analysis indicates and USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as SWFL habitat.</p> <p>Waiver: May be granted if the SWFL is delisted and the Critical Habitat is determined by the USFWS as not necessary for the survival and recovery of the SWFL</p>
Special Status Species: Western Yellow-Billed Cuckoo (YBCU)	CSU/TL	YBCU Habitat (riparian areas)	<p>Avoidance or use restrictions may be placed on any proposed project. Application of appropriate measures will depend whether the action is temporary or permanent and whether it occurs within or outside the breeding and nesting season: a) a temporary action is completed prior to the following breeding season, leaving no permanent structures and resulting in no permanent habitat loss; b) a permanent action could continue for more than one breeding season and/or cause a loss of habitat or displace western YBCU through disturbances. The following avoidance and minimization measures have been designed to ensure activities carried out are in compliance with the ESA. Integration of and adherence to these measures will facilitate review and analysis of any submitted project proposal. Following these measures could reduce the scope of ESA, Section 7 consultation at the permit stage. Avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Habitat suitability within the parcel and/or within a 0.5-mile buffer of the parcel will be identified prior to project authorization to identify potential survey needs. Habitat suitability should be determined in accordance with Guidelines for the Identification of Suitable Habitat for WYBCU in Utah. 2. Protocol Breeding Season Surveys will be required in suitable habitats prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by permitted individual(s) and be conducted according to protocol. 3. For all temporary actions that may impact YBCU or suitable habitat: <ol style="list-style-type: none"> a. If the action occurs entirely outside of the cuckoo breeding season (June 1 to August 31) and leaves no structure or habitat disturbance, the action can proceed without a presence/absence survey. b. If the action is proposed between June 1 to August 31, a presence/absence surveys for YBCU will be conducted prior to commencing activity. If YBCU are detected, activity should be delayed until September 1. c. Eliminate access roads created by the project through such means as raking out scars, revegetation, gating access points, etc. 4. For all permanent actions that may impact cuckoo or suitable habitat: <ol style="list-style-type: none"> a. Protocol level surveys by permitted individuals will be conducted prior to commencing activities. b. If cuckoos are detected, no activity will occur within 0.25 mile of occupied habitat. c. Ensure that noise levels at 0.25 mile from suitable habitat do not exceed baseline conditions. Placement of permanent noise-generating facilities should be determined by a noise analysis to ensure that noise does not encroach upon the 0.25-mile buffer for suitable habitat. 5. Temporary or permanent actions will require monitoring throughout the duration of the project to ensure that western YBCU or its habitat is not affected in a manner or to an extent not previously considered. Avoidance and minimization measures will be evaluated throughout the duration of the project. 6. Ensure that water extraction or disposal practices do not result in a change of hydrologic regime that would result in loss or degradation of riparian habitat 7. Revegetate with native species all areas of surface disturbance within riparian areas and/or adjacent uplands. <p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the USFWS to ensure continued compliance with the ESA.</p> <p>Purpose: To minimize effects to the YBCU</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from USFWS (through applicable provisions of the ESA). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an environmental analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the YBCU and the USFWS concurs with this determination.</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an environmental analysis indicates and the USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as YBCU habitat.</p> <p>Waiver: May be granted if the YBCU is de-listed and if USFWS determines it is not necessary for the survival and recovery of the western YBCU.</p>
Special Status Species: California Condor	CSU/TL	California Condor Potential Habitat	<p>Avoidance or use restrictions may be placed on portions of areas known or suspected to be used by California condors. Application of appropriate measures would depend on whether the action is temporary or permanent, and whether it occurs within or outside potential habitat: a) a temporary action is completed prior to the following important season of use, leaving for habitat functionality; b) a permanent action continues for more than one season of habitat use and/or causes a loss of condor habitat function or displaces condors through continued disturbance (i.e., creation of a permanent structure requiring repetitious maintenance or emits disruptive levels of noise).</p> <p>Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. The Peregrine Fund will be contacted early and throughout project design and implementation to determine and monitor the locations and status of California condors in or near the project area. 2. Surveys would be required prior to operations in suitable habitat, unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s) approved by the agencies and must be conducted according to approved protocols. 3. All workers will be informed about potential condor presence. 4. If condors are present within the project area, the Peregrine Fund will be contacted. If there is any potential that the project will affect condors, the USFWS will be contacted immediately. 5. The project area will be kept clean (e.g., trash disposed of, tools and materials picked up) to minimize the possibility of condors accessing inappropriate materials. 6. To prevent water contamination and potential condor poisoning, a hazardous material (including vehicle fluids) leakage and spill plan will be developed and implemented. The plan will include provisions for immediate clean-up of any hazardous substance and will outline how each hazardous substance will be treated in case of leakage or spill. The plan will be reviewed by the district biologist to ensure that condors are adequately addressed. 7. If surveys result in positive identification of condor use, all surface-disturbing activities would require monitoring throughout the duration of the project to ensure desired results of applied mitigation and protection. Minimization measures would be evaluated during development and, if necessary, Section 7 consultation may be reinitiated. 8. Temporary activities within 1.0 mile of nest sites would not occur during the breeding season. 9. Temporary activities within 0.5 mile of established roosting sites or areas would not occur during the season of use, which is from August 1 to November 30, unless the area has been surveyed according to protocols consulted on with the USFWS and determined to be unoccupied. 10. No permanent infrastructure would be placed within 1.0 mile of nesting sites. 11. No permanent infrastructure would be placed within 0.5 mile of established roosting sites or areas. 12. Remove big game carrion to 100 feet from roadways occurring within foraging range. 13. Re-initiation of Section 7 consultation with the USFWS would be sought immediately if mortality or disturbance to California condors is anticipated as a result of project activities. Additional site-specific measures may also be employed to avoid or minimize effects to the species. These additional measures would be developed and implemented in consultation with the USFWS to ensure continued compliance with the ESA. <p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the USFWS to ensure continued compliance with the ESA.</p> <p>Purpose: To minimize effects on the California condor</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from the USFWS (through applicable provisions of the ESA). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the California Condor and the USFWS concurs with this determination.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an analysis indicates and USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as California Condor nesting or roosting territory.</p> <p>Waiver: May be granted (through applicable provisions of the ESA) if there is no reasonable likelihood of site occupancy over a minimum 10-year period</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Special Status Species: Fish	Moderate (CSU)	Special Status Fish Species Habitat	<p>With the exception of habitat improvement projects (e.g., vegetation treatments, side channel restoration), avoid surface-disturbing and disruptive activities within 330 feet of current special status fish species habitat.</p> <p>Purpose: To protect special status fish habitat</p> <p>Exception: Any activities or exceptions would require site-specific analysis and consultation with USFWS.</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Special Status Species: Endangered Colorado River Fishes	NSO	San Juan River and All Associated Backwaters	<p>Surface-disturbing activities within the 100-year floodplain of the San Juan River would not be allowed. Other avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys will be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individuals. 2. Surface-disturbing activities will require monitoring throughout the duration of the project. To ensure that desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Water production will be managed to ensure maintenance or enhancement of riparian habitat. 4. Avoid loss or disturbance of riparian habitats. 5. Conduct watershed analysis for surface-disturbing activities in designated critical habitat and overlapping major tributaries to determine toxicity risk from permanent facilities. <p>Purpose: To protect critical habitat of the endangered Colorado River fishes</p> <p>Exception: An exception may be granted by the Authorized Officer if:</p> <p>There are no practical alternatives, and the development would enhance riparian/aquatic values. This exception would require consultation with the USFWS. The Authorized Officer may also grant an exception if an environmental analysis indicates that the nature or the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the endangered Colorado River fishes.</p> <p>Modification: The Authorized Officer may modify the boundaries of the stipulation area if an environmental analysis indicates and the USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as Critical Habitat.</p> <p>Waiver: A waiver may be granted if the endangered Colorado River Fishes are delisted and the Critical Habitat is determined by the USFWS as not necessary for the survival and recovery of the endangered Colorado River fishes.</p>
Special Status Species: Colorado Cutthroat Trout	CSU	Within Special Status Fish Species Habitat	<p>With the exception of habitat improvement projects (e.g., vegetation treatments, side channel restoration), avoid surface-disturbing and disruptive activities within 330 feet of current special status fish species habitat.</p> <p>Purpose: To protect special status fish habitat</p> <p>Exception: Any activities or exceptions would require site-specific analysis and consultation with USFWS.</p> <p>Modification: General modification applies</p> <p>Waiver: General waiver applies</p>
Special Status Species: Navajo Sedge	CSU	Potential, Suitable, and Occupied Habitats	<p>To minimize effects to the Federally threatened Navajo sedge, the agencies, in coordination with the USFWS, have developed the following avoidance and minimization measures. Implementation of these measures will help ensure the activities carried out comply with the ESA.</p> <p>For the purposes of this document, the following terms are so defined: <i>Potential habitat</i> is defined as areas that satisfy the broad criteria of the species habitat description, usually determined by preliminary, in-house assessment. <i>Suitable habitat</i> is defined as areas that contain or exhibit the specific components or constituents necessary for plant persistence, determined by field inspection and/or surveys. Habitat descriptions can be found in the Federal Register Notice and species recovery plan links at: http://www.fws.gov/endangered/species/. <i>Occupied habitat</i> is defined as areas currently or historically known to support Navajo sedge and is synonymous with "known habitat."</p> <p>The following avoidance and minimization measures should be included in the plan of development:</p> <ol style="list-style-type: none"> 1. Pre-project habitat assessments will be completed across 100% of the project disturbance area within potential habitat prior to any ground-disturbing activities to determine if suitable Navajo sedge habitat is present. 2. Species surveys will be conducted within suitable habitat to determine occupancy. Where standard surveys are technically infeasible and otherwise hazardous due to topography, slope, etc., suitable habitat will be assessed and mapped for avoidance (hereafter, "avoidance areas"). In such cases, a) 300-foot buffers will be maintained between surface disturbance and avoidance areas, or b) 1.25-mile buffers will be maintained between avoidance areas and subsurface disturbance activities, water depletions, or other actions that may result in changes to the local hydrology and avoidance areas. However, site-specific distances will need to be approved by USFWS and the agencies when surface disturbance will occur upslope of habitat. Where conditions allow, surveys:

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<ul style="list-style-type: none"> a. Must be conducted by a qualified botanist(s), and according to the agencies and USFWS accepted survey protocols (USFWS 2011); outside contractors must be considered a Carex spp. expert and approved by the agencies and USFWS b. Will be conducted in suitable habitat for all areas proposed for surface disturbance prior to initiation of project activities and within the same growing season, at a time when the plant can be positively identified (usually June 1st to September 30th; however, surveyors should verify that the plant is flowering by contacting an agency or USFWS Carex spp. expert or demonstrating that the nearest known population is in flower) c. Will occur within 300 feet from the edge of the proposed right-of-way and/or project disturbance for surface pipelines, roads, well pads, and other facilities requiring removal of vegetation d. Will occur within 1.25 miles of proposed water depletions or other actions that will result in changes to the local hydrology e. Will include but not be limited to plant species lists and habitat characteristics f. Will be valid until June 1 of the following year g. Electronic copies of clearance survey reports (included appendices) and geographic information system shape files will be sent no later than December 31st to each of the following: <ul style="list-style-type: none"> ▪ Utah Natural Heritage Program (with copies of Natural Heritage Program field survey forms); ▪ Applicable/affected land owners and/or management agencies; and ▪ USFWS Utah Field Office (mailing address: 2369 West Orton Circle, Suite 50, West Valley City, Utah 84119). <p>3. Design project infrastructure to minimize impacts within suitable habitat where surveys are technically infeasible.</p> <ul style="list-style-type: none"> a. For surface-disturbing activities: Infrastructure and activities will avoid all suitable habitat (avoidance areas) and incorporate 300-foot buffers; however, site-specific buffer distances will need to be approved by the USFWS and the agencies when disturbance will occur upslope of habitat. b. For subsurface activities (including drilling), water depletions, or hydrologic alteration activities: Infrastructure and activities will avoid all suitable habitat (avoidance areas) and incorporate 1.25-mile surface and subsurface buffers; however, site-specific buffer distances will need to be approved by the USFWS and the agencies when disturbance will occur upslope of habitat. c. Ensure that water extraction or disposal practices do not result in change of hydrologic regime. d. Ensure that aboveground contaminants and byproducts are contained and properly managed. e. Ensure that any casings near or in aquifers are properly sealed and managed. f. Reduce well pad size to the minimum needed without compromising safety. g. Roads and utilities should share common ROWs where possible. h. Reduce the width of ROWs and minimize the depth of excavation needed for the road bed; where feasible, use the natural ground surface for the road within Navajo sedge habitat. i. Place signing to limit off-road travel in sensitive areas. j. Existing roads will be graveled within 300 feet of suitable habitat; the operator is encouraged to apply water for dust abatement to such areas and within 300 feet of suitable habitat from June 1 to September 30 (flowering and fruit set period); dust abatement applications will be comprised of water only. k. Place signing to reduce vehicle speed to 15 mph or lower on dirt or gravel roads within 300 feet of suitable habitat and 25 mph or lower in the project area. l. Stay on designated routes and other cleared/approved areas. m. Minimize the area disturbed by facility construction operations. Reclaim all areas of surface disturbance that are not required for facility operations. n. Postconstruction monitoring for invasive species will be required. <p>4. Where there is occupied habitat, project infrastructure will be designed to avoid direct disturbance and indirect impacts to populations and to individual plants:</p> <ul style="list-style-type: none"> a. For surface-disturbing activities: Infrastructure and activities will avoid all occupied habitat and incorporate 300-foot buffers; however, site-specific buffer distances will need to be approved by the USFWS and the agencies when disturbance will occur upslope of habitat. b. For subsurface activities (including drilling), water depletions, or hydrologic alteration activities: Infrastructure and activities will avoid all suitable habitat (avoidance areas) and incorporate 1.25-mile buffers; however, site-specific buffer distances will need to be approved by the USFWS and the agencies when disturbance will occur upslope of habitat. c. To avoid water flow and/or sedimentation into occupied habitat and avoidance areas, silt fences, hay bales, and similar structures or practices will be incorporated into the project design; appropriate placement of fill is encouraged. d. Ensure that water extraction or disposal practices does not result in change of hydrologic regime. e. Ensure that above ground contaminants and byproducts are contained and properly managed. f. Ensure that any casings near or in aquifers are properly sealed and managed. g. Reduce well pad size to the minimum needed without compromising safety. h. Limit new access routes created by the project.

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>i. Roads and utilities should share common ROWs where possible.</p> <p>j. Reduce the width of ROWs and minimize the depth of excavation needed for the road bed; where feasible, use the natural ground surface for the road within habitat.</p> <p>k. Place signing to limit off-road travel in sensitive areas.</p> <p>l. Construction of roads will occur such that the edge of the ROW is at least 300 feet from: 1) any plant, 2) the outer boundary of occupied habitat, and 3) avoidance areas.</p> <p>m. Existing roads will be graveled within 300 feet of occupied habitat; the operator is encouraged to apply water for dust abatement to such areas and within 300 feet of occupied habitat from June 1 to September 30 (flowering and fruit set period); dust abatement applications will comprise water only.</p> <p>n. Place signing to reduce vehicle speed to 15 mph or lower on dirt or gravel roads within 300 feet of occupied habitat and 25 mph or lower in the project area.</p> <p>o. Stay on designated routes and other cleared/approved areas.</p> <p>p. The edge of the disturbance should be located at least 300 feet away from plants and avoidance areas, in general; however, site-specific distances will need to be approved by the USFWS and the agencies when disturbance will occur upslope of habitat.</p> <p>q. Surface pipelines will be laid such that a 300-foot buffer exists between the edge of the ROW and plants and 300 feet between the edge of ROW and avoidance areas; use stabilizing and anchoring techniques when the pipeline crosses suitable habitat to ensure that pipelines don't move toward the population. Site-specific distances will need to be approved by the USFWS and the agencies when disturbance will occur upslope of habitat.</p> <p>r. Construction activities will not occur within occupied habitat.</p> <p>s. Before and during construction, areas for avoidance should be visually identifiable in the field (e.g., flagging, temporary fencing, rebar).</p> <p>t. A qualified botanist will be on-site during construction to monitor the surface-disturbance activity and assist with implementation of applicable conservation measures (USFWS 2011).</p> <p>u. Place water, condensate tanks, and any other by-products in centralized locations, away from occupied Navajo sedge habitat.</p> <p>v. Minimize the area disturbed by facility construction operations. Reclaim all areas of surface disturbance no longer required for facility operations.</p> <p>w. Postconstruction monitoring for invasive species will be required.</p> <p>5. For projects that cannot implement the measures or avoidance buffers identified above, site-specific conservation measures will be developed in coordination with the USFWS. Occupied Navajo sedge habitats within: 1) 300 feet of the edge of the surface pipeline ROWs; 2) 300 feet of the edge of the road ROWs; 3) 300 feet from the edge of the development areas; and 4) 1.25 miles of subsurface activities (including drilling), water depletions, or other hydrologic-alteration activities shall be monitored for a period of 3 years after ground-disturbing activities. Monitoring will include annual plant surveys to determine plant and habitat impacts relative to project facilities. Annual reports shall be provided to the agencies and the USFWS. To ensure that desired results are being achieved, minimization measures will be evaluated and may be changed after a thorough review of the monitoring results and annual reports during annual meetings between the agencies and the USFWS.</p> <p>6. The power washing of equipment used for permitted or administrative uses would be required in areas with known weed populations or vectors to known weed populations, or prior to use within 300 feet of Navajo sedge occupied habitat to help control noxious weeds.</p> <p>7. Reinitiation of Section 7 consultation with the USFWS will be sought immediately if any loss of plants or occupied habitat for the Navajo sedge is anticipated as a result of project activities. Additional site-specific measures may also be employed to avoid or minimize effects to the species. These additional measures will be developed and implemented in consultation with the USFWS to ensure continued compliance with the ESA.</p> <p>Purpose: To minimize effects to the Federally listed, threatened Navajo sedge</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from the USFWS (through applicable provisions of the ESA). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an environmental analysis indicated that the nature of the conduct of the actions, as proposed or conditioned, would not impair the survival and recovery of the Navajo sedge and the USFWS concurs with this determination.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an environmental analysis indicates and the USFWS (through applicable provisions of the ESA) determines that a portion of the area is no longer suitable habitat for Navajo sedge.</p> <p>Waiver: May be granted if the Navajo sedge is delisted and the USFWS determines it is not necessary for the survival and recovery of the Navajo sedge.</p>
Special Status	CSU	Potential, Suitable, and Occupied Habitats	To minimize effects to the Federally threatened Jones cycladenia (<i>Cycladenia humilis</i> var. <i>jonesii</i>), the agencies (BLM and USFS), in coordination with the USFWS, have developed the following avoidance and minimization measures. Implementation of these measures will help ensure that

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Species: Jones Cycladenia			<p>the activities carried out comply with the ESA. For the purposes of this document, the following terms are so defined: Potential, suitable, and occupied habitat are defined as follows: <i>Potential habitat</i> is defined as areas which satisfy the broad criteria of the species habitat description; usually determined by preliminary, in-house assessment. <i>Suitable habitat</i> is defined as areas which contain or exhibit the specific components or constituents necessary for plant persistence; determined by field inspection and/or surveys; may or may not contain Jones cycladenia; habitat descriptions can be found in Federal Register Notice and species recovery plan links at http://www.fws.gov/endangered/wildlife.html. <i>Occupied habitat</i> is defined as areas currently or historically known to support Jones cycladenia; synonymous with "known habitat." Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Pre-project habitat assessments will be completed across 100% of the project disturbance area within potential habitat prior to any ground-disturbing activities to determine if suitable Jones cycladenia habitat is present. 2. Species surveys will be conducted within suitable habitat to determine occupancy. Where standard surveys are technically infeasible and otherwise hazardous due to topography, slope, etc., suitable habitat will be assessed and mapped for avoidance (hereafter, "avoidance areas"); in such cases, in general, 300-foot buffers will be maintained between surface disturbance and avoidance areas. However, site specific distances will need to be approved by USFWS and BLM when disturbance will occur upslope of habitat. Where conditions allow, surveys: <ol style="list-style-type: none"> a. Must be conducted by qualified individual(s) and according to BLM, USFS, and USFWS accepted survey protocols. b. Will be conducted in suitable and occupied habitat for all areas proposed for surface disturbance prior to initiation of project activities and within the same growing season, at a time when the plant can be detected (usually April 15 to June 5; however, surveyors should verify that the plant is flowering by contacting a BLM, USFS, or USFWS botanist or demonstrating that the nearest known population is in flower). c. Will occur within 300 feet from the centerline of the proposed right-of-way for roads and other facilities requiring removal of vegetation. d. Will include, but not be limited to, plant species lists and habitat characteristics. e. Will be valid until April 15 the following year. f. Clearance surveys in occupied habitat will be combined with historic plant location data for that particular site to delineate the outer boundary of occupied habitat. The 300-foot avoidance buffer will then be applied to the outer boundary of occupied habitat for that site. This evaluation will occur in coordination with the BLM and the USFWS to ensure that the appropriate buffer is applied to protect both active and dormant Jones cycladenia plants in occupied habitat. g. Electronic copies of clearance survey reports (included appendices) and GIS shape files will be sent no later than December 31st to each of the following: <ul style="list-style-type: none"> ▪ Utah Natural Heritage Program (with copies of NHP field survey forms); ▪ Applicable/affected land owners and/or management agencies; and ▪ USFWS Utah Field Office (mailing address: 2369 West Orton Circle, Suite 50, West Valley City, Utah 84119). 3. Design project infrastructure to minimize impacts within suitable habitat: <ol style="list-style-type: none"> a. Where standard surveys are technically infeasible, infrastructure and activities will avoid all suitable habitat (avoidance areas) and incorporate 300-foot buffers, in general; however, site-specific distances will need to be approved by the USFWS and agencies when disturbance will occur upslope of habitat. b. Limit new access routes created by the project. c. Roads should share common rights-of-way where possible. d. Reduce the width of rights-of-way and minimize the depth of excavation needed for the roadbed; where feasible, use the natural ground surface for the road within habitat. e. Place signing to limit off-road travel in sensitive areas. f. Stay on designated routes and other cleared/approved areas. g. All disturbed areas will be revegetated with species native to the region, or seed mixtures approved by the action agency and USFWS. 4. Where there is occupied habitat, project infrastructure will be designed to avoid direct disturbance and minimize indirect impacts to populations and to individual plants: <ol style="list-style-type: none"> a. Follow the above recommendations (#3) for project design within suitable habitats. b. To avoid water flow and/or sedimentation into occupied habitat and avoidance areas, silt fences, hay bales, and similar structures or practices will be incorporated into the project design; appropriate placement of fill is encouraged. c. Construction of roads will occur such that the edge of the right-of-way is at least 300 feet from 1) any plant, 2) the outer boundary of occupied habitat, and 3) avoidance areas. d. Existing roads will be graveled within 300 feet of occupied habitat; the operator is encouraged to apply water for dust abatement to such areas from April 1st to July 31st (active growing period); dust abatement applications will be comprised of water only, e. Construction activities will not occur within occupied habitat. f. Before and during construction, areas for avoidance should be visually identifiable in the field, e.g., flagging, temporary fencing, rebar, etc.

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>g. A qualified botanist will be onsite during construction to monitor the surface disturbance activity and assist with implementation of applicable conservation measures.</p> <p>5. Dust abatement and reduced speed limits will be applied during flowering dates (April 15 through June 5) within 300 feet of suitable and occupied habitat, including unoccupied suitable habitat.</p> <p>6. For projects that cannot implement the measures or avoidance buffers identified in #5 above, site-specific conservation measures will be developed in coordination with the USFWS. Occupied Jones cycladenia habitats within 300 feet of the edge of the roads' rights-of-way will be monitored for a period of 3 years after ground-disturbing activities. Monitoring will include annual plant surveys to determine plant and habitat impacts relative to project facilities. Annual reports will be provided to the BLM and USFWS. To ensure desired results are being achieved, minimization measures will be evaluated and may be changed after a thorough review of the monitoring results and annual reports during annual meetings between the BLM and USFWS.</p> <p>7. The power washing of equipment used for permitted or administrative uses would be required in areas with known weed populations or vectors to known weed populations, or prior to use within 300 feet of Jones cycladenia occupied habitat to help control noxious weeds.</p> <p>8. Reinitiation of Section 7 consultation with the USFWS will be sought immediately if any loss of plants or occupied habitat for the Jones cycladenia is anticipated as a result of project activities. Additional site-specific measures may also be employed to avoid or minimize effects to the species. These additional measures will be developed and implemented in consultation with the USFWS to ensure continued compliance with the ESA.</p> <p>Purpose: To minimize effects to the Federally listed, threatened Jones cycladenia.</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from the USFWS (through applicable provisions of the ESA). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an environmental analysis indicated that the nature of the conduct of the actions, as proposed or conditioned, would not impair the survival and recovery of the Jones cycladenia and the USFWS concurs with this determination.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an environmental analysis indicates and the USFWS (through applicable provisions of the ESA) determines that a portion of the area is no longer suitable habitat for Jones cycladenia.</p> <p>Waiver: May be granted if the Jones cycladenia is delisted and the USFWS determines it is not necessary for the survival and recovery of the Jones cycladenia.</p>
Special Status Species: Plants	CSU	Special Status Species Plant Habitat	<p>Allow surface-disturbing activities within 330 feet or habitat fragmenting activities within 660 feet of potential, suitable, and occupied special status plant habitat only if 1) the activity is consistent and compatible with protection, maintenance, or enhancement of the habitat and populations as outlined in recovery and conservation plans and when such actions would not lead to the need to list the plant, or 2) the activity is relocated or redesigned to eliminate or reduce detrimental impacts to acceptable limits.</p> <p>Purpose: To protect Special Status Species plants</p> <p>Exception: An exception could be authorized if: 1) the activity is consistent and compatible with protection, maintenance, or enhancement of the habitat and populations as outlined in recovery and conservation plans and when such actions would not lead to the need to list the plant, or 2) the activity is relocated or redesigned to eliminate or reduce detrimental impacts to acceptable limits.</p> <p>Modification: None</p> <p>Waiver: None</p>
Special Status Species: Plants	CSU/TL	Within Federally Listed Plant Species Occupied and Suitable Habitats	<p>Suitable habitat for Federally listed plant species under the ESA. The following avoidance and minimization measures have been developed to facilitate review and analysis of any submitted applications for surface-disturbing activities:</p> <ol style="list-style-type: none"> Site inventories: <ol style="list-style-type: none"> Must be conducted to determine habitat suitability Are required in known or potential habitat for all areas proposed for surface disturbance before initiating project activities, at a time when the plant can be detected, and during appropriate flowering periods Should include documentation on individual plant locations and suitable habitat distributions Must be conducted by qualified individuals Surface-disturbing activities will require monitoring throughout the duration of the project. To ensure that desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. Project activities must be designed to avoid direct disturbance to populations and to individual plants: <ol style="list-style-type: none"> Designs will avoid concentrating water flows or sediments into plant occupied habitat. Construction will occur downslope of plants and populations where feasible; if well pads and roads must be sited upslope, buffers of 100 feet (minimum) between surface disturbances and plants and populations will be incorporated.

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>c. Where populations occur within 200 feet of well pads, a buffer or fence will be established between the individuals or groups of individuals and the well pads during and postconstruction.</p> <p>d. Areas for avoidance will be visually identifiable in the field (e.g., flagging, temporary fencing, rebar).</p> <p>e. For surface pipelines, a 10-foot buffer will be used from any plant locations:</p> <p>f. If on a slope, stabilizing construction techniques will be used to ensure that the pipelines do not move toward the population(s).</p> <p>4. For riparian/wetland-associated species (e.g., Ute ladies'-tresses), avoid loss or disturbance of riparian habitats:</p> <p>a. Water extraction or disposal practices will not result in change of hydrologic regime.</p> <p>5. Disturbances to and within suitable habitat will be limited by staying on designated routes.</p> <p>6. New access routes created by the project will be limited.</p> <p>7. To limit OHV travel in sensitive areas, signing will be placed appropriately.</p> <p>8. Dust abatement practices will be implemented near occupied plant habitat.</p> <p>9. All disturbed areas will be revegetated with native species composed of species indigenous to the area.</p> <p>10. Postconstruction monitoring for invasive species will be required.</p> <p>11. Surface-disturbing activities will require monitoring throughout the duration of the project. To ensure that desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated.</p> <p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the USFWS prior to surface-disturbing activity to ensure continued compliance with the ESA.</p> <p>Purpose: To avoid and minimize disturbances within Federally listed plant species' occupied and suitable habitat</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
Visual Resources	CSU	Visual Resources	<p>All areas not managed as Visual Resource Management (VRM) Class I (on BLM-administered lands) or Scenic Integrity Objective (SIO) Very High (on USFS-administered lands) under this alternative would be managed as VRM Class II (on BLM-administered lands) and SIO High (on USFS-administered lands).</p> <p>Exception: An exception to VRM Class II would be allowed for recreation infrastructure, such as trailheads, campgrounds, contact stations, and toilet facilities, when this infrastructure is consistent with proper care and management of Monument objects and values. Exception areas would be managed to VRM Class III objectives.</p> <p>Modification: None</p> <p>Waiver: None</p>
Wildlife and Fisheries: Bald Eagle	CSU/TL	Nest Sites and Winter Roost Areas within Bald Eagle Habitat	<p>To protect bald eagle habitat and avoid negative impacts on the species, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures would depend on whether the action is temporary or permanent, and whether it occurs within or outside the bald eagle breeding or roosting season: a) a temporary action is completed prior to breeding or roosting season, leaving no permanent structures, and resulting in no permanent habitat loss; b) a permanent action continues for more than one breeding or roosting season and/or causes a loss of eagle habitat or displaces eagles through disturbances (i.e., creation of a permanent structure). Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys would be required prior to operations, unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s) and be conducted according to protocol. 2. Surface-disturbing activities would require monitoring throughout the duration of the project. 3. To ensure that desired results are being achieved, minimization measures would be evaluated. 4. Water production would be managed to ensure maintenance or enhancement of riparian habitat. 5. Temporary activities within 1.0 mile of nest sites would not occur during the breeding season, which lasts from January 1 to August 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 6. Temporary activities within 0.5 mile of winter roost areas, (e.g., cottonwood galleries) would not occur during the winter roost season of November 1 to March 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 7. No permanent infrastructure would be placed within 1.0 mile of nest sites. 8. No permanent infrastructure would be placed within 0.5 mile of winter roost areas. 9. Remove big game carrion to 100 feet from roadways occurring within bald eagle foraging range. 10. Avoid loss of or disturbance to large cottonwood gallery riparian habitats. 11. All areas of surface disturbance within riparian areas and/or adjacent uplands should be revegetated with native species. <p>Purpose: To protect bald eagle habitat and avoid negative impacts to the species</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
			<p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from the USFWS/Utah Division of Wildlife Resources (UDWR). The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the habitat and physical requirements determined necessary for the survival of the bald eagles.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an analysis indicates, and USFWS/UDWR determines, that a portion of the area is not being used as bald eagle nesting or roosting territories or if additional nesting or roosting territories are identified.</p> <p>Waiver: May be granted if there is no reasonable likelihood of site occupancy over a minimum 10-year period</p>
Wildlife and Fisheries: Golden Eagle	CSU/TL	Golden Eagle Nest Sites and Territories	<p>To protect the golden eagle habitat, nest sites, and nesting territories, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures would depend on whether the action is temporary or permanent and whether it occurs within or outside the golden eagle breeding season: a) temporary action is completed prior to the following breeding or roosting season, leaving no permanent structures and resulting in no permanent habitat loss; b) a permanent action continues for more than one breeding or roosting season and/or causes a loss of eagle habitat or displaces eagles through disturbances (i.e., creation of a permanent structure). Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys would be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s), and be conducted according to protocol. 2. Surface-disturbing activities would require monitoring throughout the duration of the project. 3. To ensure desired results are being achieved, minimization measures would be evaluated. 4. Temporary activities within 0.5 mile of nest sites would not occur during the breeding season from January 1 to August 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 5. No permanent infrastructure would be placed within 0.5 mile of nest sites. 6. Remove big game carrion to 100 feet from roadways occurring within golden eagle foraging range. <p>Purpose: To protect golden eagle habitat, nest sites, and nesting territories</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if authorization is obtained from USFWS and UDWR. The Authorized Officer (BLM)/Responsible Official (USFS) may also grant an exception if an environmental analysis indicates that the nature or the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the golden eagle.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS and UDWR determine, that a portion of the area is not being used as golden eagle nesting territory.</p> <p>Waiver: A waiver may be granted if an individual golden 3agle nest has been inactive (unoccupied) for at least a period of 3 years. Nest-monitoring data for a 3-year period would be required before the waiver could be granted.</p>
Wildlife and Fisheries Raptors	CSU/TL	Raptors	<p>Appropriate seasonal and spatial buffers shall be placed on all known raptor nests in accordance with the <i>Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances</i> (Romin and Muck 2002) and <i>Best Management Practices for Raptors and their Associated Habitats in Utah</i> in Appendix E of the MMPs). All construction-related activities will not occur within these buffers if preconstruction monitoring indicates the nests are active, unless a site-specific evaluation (survey) for active nests is completed prior to construction and if an agency wildlife biologist, in consultation with the USFWS and UDWR, recommends that activities may be permitted within the buffer. The agencies will coordinate with the USFWS and UDWR and have a recommendation within 3 to 5 days of notification. Any construction activities authorized within a protective (spatial and seasonal) buffer for raptors will require an on-site monitor. If there is any indication that activities are adversely affecting the raptor and/or its young, the on-site monitor will suspend activities and contact the Authorized Officer (BLM)/Responsible Official (USFS) immediately. Construction may occur within the buffers of inactive nests. Construction activities may commence once monitoring of the active nest site determines that fledglings have left the nest and are no longer dependent on the nest site.</p> <p>Purpose: To minimize stress and disturbance to raptors during nesting season</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
Wildlife and Fisheries:	CSU/TL	Migratory Bird Habitat	<p>Surveys for nesting migratory birds may be required during migratory bird breeding season (April 1 to July 31) whenever surface disturbances and/or occupancy is proposed in association with any surface-disturbing activity or occupancy within priority habitats. Surveys should focus on identified priority bird species in Utah. Field surveys will be conducted as determined by the Authorized Officer</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Migratory Birds			(BLM)/Responsible Official (USFS). Based on the result of the field survey, the Authorized Officer (BLM)/Responsible Official (USFS) will determine appropriate buffers and timing limitations.
Wildlife and Fisheries: Migratory Birds	TL	Migratory Bird Nesting Habitats	<p>During nesting season for migratory birds (April 1–July 31), avoid or minimize surface- disturbing activities and vegetative-altering projects and broad-scale use of pesticides in identified occupied priority migratory bird habitat.</p> <p>Purpose: To minimize stress and disturbance to migratory birds during nesting season</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
Wildlife and Fisheries: Ferruginous Hawk and Burrowing Owl	TL	Ferruginous Hawk and Burrowing Owl Habitats	<p>No surface disturbances would be conducted during the breeding and nesting season (March 1 to August 31 for burrowing owl and March 1 to August 1 for ferruginous hawk) within spatial buffers (0.25 mile for burrowing owl and 0.5 mile for ferruginous hawk) of known nesting sites.</p> <p>Purpose: To minimize stress and disturbance to ferruginous hawks and burrowing owls during breeding and nesting season</p> <p>Exception: No surface disturbances or occupancy will be conducted during the breeding and nesting season (March 1 to August 31 for burrowing owl and March 1 to August 1 for ferruginous hawk) within spatial buffers (0.25 mile for burrowing owl and 0.5 mile for ferruginous hawk) of known nesting sites.</p> <p>Exception: An exception would be granted if protocol surveys determine that nesting sites, breeding territories, and winter roosting areas are not occupied.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if portions of the area do not include habitat or are outside the current defined area, as determined by the agencies.</p> <p>Waiver: May be granted if it is determined the habitat no longer exists or has been destroyed</p>
Gunnison Prairie Dog	NSO	Gunnison Prairie Dog Habitat	<p>No surface-disturbing activities within 660 feet (200 meters) of active prairie dog colonies identified within prairie dog habitat would be allowed. No permanent aboveground facilities are allowed within the 660-foot buffer.</p> <p>Purpose: To minimize stress and disturbance to active prairie dog colonies</p> <p>Exception: An exception may be granted by the Authorized Officer (BLM)/Responsible Official (USFS) if the applicant submits a plan that indicates that impacts of the proposed action can be adequately mitigated or, if due to the size of the town, there is no reasonable location for the surface-disturbing activity and colonies cannot be avoided, the Authorized Officer (BLM)/Responsible Official (USFS) will allow for loss of prairie dog colonies and/or habitat.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if portions of the area do not include prairie dog habitat or <i>active</i> colonies are found outside the current defined area, as determined by the agencies.</p> <p>Waiver: May be granted if it is determined that the habitat no longer exists</p>
Wildlife and Fisheries: Deer	TL	Deer Winter Range	<p>No surface-disturbing activities from November 15 to April 15</p> <p>Purpose: To minimize stress and disturbance to deer during crucial winter months</p> <p>Exception: The Authorized Officer (BLM)/Responsible Official (USFS) may grant an exception if, after an analysis, the Authorized Officer (BLM)/Responsible Official (USFS) determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance are allowed.</p> <p>Modification: The Authorized Officer (BLM)/Responsible Official (USFS) may modify the boundaries of the stipulation area if a portion of the area is not being used as deer winter range.</p> <p>Waiver: May be granted if the deer winter range is determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the deer winter range</p>

Resource	Stipulation*	Applicable Area/Resource	Stipulation Description
Wildlife and Fisheries: Elk	TL	Elk Winter Range	<p>No surface-disturbing activities from November 15 to April 15</p> <p>Purpose: To minimize stress and disturbance to elk during crucial winter months</p> <p>Exception: The Authorized Officer may grant an exception if, after an analysis, the Authorized Officer (BLM)/Responsible Official (USFS) determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Authorized Officer may modify the boundaries of the stipulation area if a portion of the area is not being used as elk winter range.</p> <p>Waiver: May be granted if the elk winter range is determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the elk winter range.</p>

* CSU = controlled surface use, NSO = no surface occupancy, TL = timing limitations

LITERATURE CITED

- Romin, L.A., and J.A. Muck. 2002. *Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances*. Salt Lake City, Utah: U.S. Department of the Interior, U.S. Fish and Wildlife Service, Utah Field Office.
- U.S. Fish and Wildlife Service (USFWS). 2011. *U.S. Fish and Wildlife Service (USFWS) Utah Field Office Guidelines for Conducting and Reporting Botanical Inventories and Monitoring of Federally Listed, Proposed and Candidate Plants*. August 31, 2011.

APPENDIX G

Cultural Resources Allocation Criteria and Management Strategies

PUBLIC USE SITE CRITERIA FOR DETERMINING ARCHAEOLOGICAL SITE SUITABILITY FOR DEVELOPED PUBLIC USE

The following are the criteria and processes to follow in determining whether an archaeological site would be suitable for Public Use within Bears Ears National Monument. Developed Public Use sites are those that are promoted to the public and prepared for visitation. They are generally identified in frontcountry recreation zones where their interpretation is consistent with the visitor experience goals of those zones. Undeveloped Public Use sites are not promoted to the public nor prepared for visitation, and are generally located in backcountry recreation zones where they contribute to the sense of discovery that is part of the visitor experience goal for those zones. Stabilization actions that would alter the natural condition of these sites are generally avoided, particularly when these sites are allocated to Traditional Use. Some sites have already been identified for Public Use (Developed) and are listed in Section 2.4.1.2 of the Environmental Impact Statement. Other sites may be added to the Public Use (Developed) allocation in response to changing conditions using the criteria listed below. Allocation of sites to Public Use (Developed) does not guarantee that these sites will be developed. Allocation of sites to Public Use means that the desired outcome for those sites is interpretation and long-term preservation (Bureau of Land Management Planning Handbook 1606-1), and that such use is consistent with the care and management of the Monument's objects as required by Presidential Proclamation 9558 as modified by Presidential Proclamation 9681. Similarly, U.S. Forest Service (USFS) sites can be allocated to the category of "enhancement," in which the interpretive and educational value of these cultural resources is balanced with protective and monitoring measures (USFS Manual 2309-12-30). In all cases, identifying appropriate site protective measures and monitoring to measure their effectiveness are part of any allocation of sites to Public Use.

These protective measures could include removing multiple social trails and establishing one foot trail; stabilizing architectural features using aboriginal techniques; subtly using natural materials (brush and stones) to route traffic through sites and protect site features (such as middens); installing buck and pole fences (to restrict livestock movement) and interpretive signs; backfilling site features and wall bases, etc.

Management of all sites within the Monument is ongoing per the BLM 2008 Monticello RMP and the USFS 1986 Manti-La Sal LRMP. Current management will continue until the BLM and USFS adopt the Monument Management Plans (MMPs). Management of some sites may be altered through implementation-level planning. The protective measures noted above and in Table G-1 are being, and will continue to be, implemented on a site-by-site basis for the proper care and management of Monument objects and values. Allocation of cultural resources to Developed or Undeveloped Public Use includes two steps. The first is accomplished using existing information about sites in consultation with American Indian Tribes as detailed in Appendix H of the MMPs. The second occurs at the implementation level and involves a wider group of stakeholders.

1. The following questions will be used to assess whether or not a particular site might be appropriate for allocation to Public Use.
 - Are American Indian Tribes amenable to Public Use?
 - Is the site already seeing high levels of visitation, and are visitors going to go there anyway?
 - Can visitor impacts be mitigated in ways that do not adversely affect those characteristics that make the site eligible for the NRHP or alter its cultural value?
 - Does the site offer new and/or unique public education opportunities?
 - Can the site be managed within the current financial budgets and staff, including route maintenance?
 - Is the allocation to either Developed or Undeveloped Public Use appropriate, given the site's recreation management zone?
 - Has the site already been stabilized or otherwise prepared for visitation?
 - Does legal public access currently exist, and, if not, can a right-of-way be obtained?

- Do foot or off-highway vehicle trails already exist to the site?
 - Is a parking area already available for use by visitors to the site?
 - Will visitation at the site potentially affect other sites along its access trail or near parking?
 - Is the site suitable for group visits or for a larger number of visitors?
 - Is the site difficult to access?
2. The following specific steps will be completed as part of an environmental analysis before opening a site to the public:
- Consultation with appropriate American Indian Tribes regarding the suitability of site selection and public information content.
 - Techniques/methods may include all or part of the following:
 - Document the site prior to increased visitation
 - Updating site records
 - Completing Historic American Building Survey documentation of standing architecture or using 3-D scanning and photogrammetry
 - Mapping surface features and artifacts
 - Analyzing 100% of the surface artifacts or appropriate sample(s) in the field (in some cases, collecting materials that are likely to be stolen)
 - Testing/excavation
 - Preparing a site condition/preservation assessment
 - Consider alternative documentation techniques and mitigation measures in consultation with Tribes
 - Prepare a site-specific cultural resources management plan and/or interpretation plan. The plan(s) would detail how the site would be accessed and/or developed, physical alterations (such as trail development), site areas needing hardening, interpretation methods (such as signs, brochures, etc.), site monitoring and protection, maintenance, and/or staffing.
 - Complete actions for compliance with Section 106 of the National Historic Preservation Act. (Note: This could include mitigation recommendations, depending upon the determination of effect/impact results. Mitigation of impacts could include testing/data recovery on all or portions of the site, more detailed documentation of the site, and/or other measures determined on a case-by-case basis).
 - Complete National Environmental Policy Act analysis and the incorporation of actions identified above.

Table G-1 details allocations criteria and various potential management strategies for sites in the three allocation categories to be used with Monument cultural resources.

Table G-1. Management Strategies per Cultural Allocations Criterion

	Common Management Strategies	Scientific Use Allocation – Management Strategies	Traditional Use Allocation – Management Strategies	Public Use Allocation – Management Strategies
Prehistoric: sheltered residential, sheltered non-residential, and open architectural	<ul style="list-style-type: none"> • Allocate prehistoric sheltered residential, sheltered non-residential, and open architectural sites that are eligible for or listed in the NRHP to Scientific Use. • Allocate prehistoric sheltered residential, sheltered non-residential, and open architectural sites that are eligible for or listed in the NRHP to Traditional Use in consultation with American Indian Tribes. • Consider prehistoric residential, sheltered non-residential, and open architectural sites that are eligible for or listed in the NRHP with evidence of public visitation to Public Use. • Allow emergency stabilization if natural or cultural threats are causing loss of integrity to standing architectural or archaeological features. • Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Allow scientific research subject to appropriate research design and Tribal input. • Permit surface collection of artifacts if there is a threat of loss or destruction. 	<ul style="list-style-type: none"> • Document traditional and ongoing uses of prehistoric sheltered residential, sheltered non-residential, and open architectural sites; maintain the confidentiality of this information. • Encourage Traditional Use and visitation to prehistoric sheltered residential, sheltered non-residential, and open architectural sites. • Encourage site monitoring by traditional users. • Develop additional management actions as needed in consultation with American Indian Tribes. 	<ul style="list-style-type: none"> • Stabilize or rehabilitate standing structures using traditional techniques, as appropriate and in consultation with Tribes, if there is a threat of loss or destruction via human-caused impacts. • Prepare management plans for all Public Use sites identified by the agency within the Monument. These would identify any resource protection needs and recommended actions (including, but not limited to, trail reroutes, feature backfilling, etc.) and interpretive needs (including, but not limited to, signs and interpretive kiosks). This includes site visitation etiquette and Archaeological Resources Protection Act (ARPA) penalties. • Establish fee sites at Public Use prehistoric sheltered residential, sheltered non-residential, and open architectural sites, as appropriate. Allow for fee waivers for traditional uses.
Prehistoric: artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry	<ul style="list-style-type: none"> • Allocate prehistoric artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry sites that are eligible for or listed in the NRHP to Scientific Use. • Allocate prehistoric artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry sites that are eligible for or listed in the NRHP to Traditional Use in consultation with American Indian Tribes. • Consider prehistoric artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry sites that are eligible for or listed in the NRHP with evidence of public visitation to Public Use. • Allow emergency stabilization if natural or cultural threats are causing a loss of integrity to archaeological features. • Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Allow scientific research subject to appropriate research design. • Permit surface collection of artifacts if there is a threat of loss or destruction. 	<ul style="list-style-type: none"> • Document traditional and ongoing uses of prehistoric artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry sites; maintain the confidentiality of this information. • Encourage Traditional Use and visitation to prehistoric artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry sites. • Encourage site monitoring by traditional users. • Develop additional management actions as needed in consultation with American Indian Tribes. 	<ul style="list-style-type: none"> • Prepare management plans for sites to identify resource protection needs (including, but not limited to, trail reroutes and selected artifact surface collection) and interpretive needs (including, but not limited to, signs, interpretive kiosks, and driving guides). This includes site visitation etiquette and ARPA penalties. • Establish fee sites at Public Use prehistoric artifact/lithic scatter with features, artifact/lithic scatter, and lithic source/quarry sites, as appropriate. Allow for fee waivers for traditional uses.
Prehistoric: rock writings	<ul style="list-style-type: none"> • Allocate rock writings eligible for or listed in the NRHP with no evidence of Public Use to 	<ul style="list-style-type: none"> • Limit permitted surface collection of artifacts on non-rock writing portions of sites under 	<ul style="list-style-type: none"> • Document traditional and ongoing uses of rock writings; maintain 	<ul style="list-style-type: none"> • In consultation with American Indian Tribes, develop site-specific management plans for

	Common Management Strategies	Scientific Use Allocation – Management Strategies	Traditional Use Allocation – Management Strategies	Public Use Allocation – Management Strategies
	<p>Traditional Use and/or Scientific Use.</p> <ul style="list-style-type: none"> Do not discharge NRHP-eligible or NRHP-listed rock writings from management. Conduct condition monitoring of rock writing on at-risk/threatened sites on a periodic basis. Limit livestock and human contact with rock writings through physical barriers (fences or natural barriers such as plantings or boulder placement). Allow emergency stabilization if natural or cultural threats are causing a loss of integrity to rock writings. Evaluate fire potential and remove fuels where there is a threat of loss. Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. Prioritize identification efforts at Traditional and Public Use sites. 	<p>ARPA, unless there is a threat of loss or destruction.</p> <ul style="list-style-type: none"> Use the best and most accurate technologies available to photograph and gather locational information at all rock writings (for example, 3-D scanning). Take detailed measured drawings and sub-meter global positioning system locations of all panels. Allow Scientific Use that causes negligible physical damage to rock writings. 	<p>confidentiality of this information.</p> <ul style="list-style-type: none"> Encourage traditional use and visitation to rock writings. Where possible, provide accessible trails to rock writings. Encourage site monitoring by traditional users. 	<p>Public Use rock writing sites. This would identify site protection needs and recommended actions (including, but not limited to, delineated trails) and interpretive needs (including, but not limited to, trailhead signs).</p> <ul style="list-style-type: none"> Establish fee sites at Public Use rock writing sites, as appropriate. Allow for fee waivers for traditional uses.
Prehistoric linear features (great roads)	<ul style="list-style-type: none"> Allocate prehistoric linear sites that are eligible for or listed in the NRHP to Scientific Use. Consider allocating prehistoric linear sites that are eligible for or listed in the NRHP with potential for public education to Public Use. Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> Inventory corridor to identify associated sites and record their condition. Allow scientific research subject to appropriate research design. Prepare a historic context report for each resource. 	<ul style="list-style-type: none"> Document archaeological context and relevant associations with descendant communities and/or events. Encourage site monitoring by traditional users/public interest groups. 	<ul style="list-style-type: none"> Post informational signs at major intersections along Public Use sites, as appropriate. Prepare cultural resource project plans for Public Use sites to identify interpretive needs, including, but not limited to, signs, interpretive kiosks, and driving guides.
Historic: architectural (residential, farming/ranching, mining, general industrial, community, and other), including historic American Indian farming/ranching sites	<ul style="list-style-type: none"> Allocate historic architectural sites that are eligible for or listed in the NRHP to Scientific Use. Allocate historic architectural sites that are eligible for or listed in the NRHP with evidence for public visitation to Public Use. Evaluate fire potential and remove fuels where there is a threat of loss. Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> Allow scientific research subject to appropriate research design. Permit surface collection of artifacts if there is a threat of loss or destruction, with input from American Indian Tribes. Prepare a historic context report for each resource. 	<ul style="list-style-type: none"> Document historic context and relevant associations with historically important people and/or events. Encourage site monitoring by traditional users/public interest groups. Develop additional management actions, as needed, in consultation with American Indian Tribes. 	<ul style="list-style-type: none"> Stabilize or rehabilitate standing structures, as appropriate, if there is a threat of loss or destruction. Prepare management plans for Public Use sites to identify preservation needs and recommended actions (including, but not limited to, trail reroutes) and interpretive needs (including, but not limited to, signs, interpretive kiosks, and driving guides). Consider completing NRHP nominations for Public Use sites. Consider preservation and reuse of historic buildings, as appropriate. Establish fee sites at Public Use historic architectural sites, as appropriate. Allow for fee waivers for traditional uses.

	Common Management Strategies	Scientific Use Allocation – Management Strategies	Traditional Use Allocation – Management Strategies	Public Use Allocation – Management Strategies
Historic: artifact scatter and artifact scatter with features	<ul style="list-style-type: none"> • Allocate historic artifact scatter sites with or without features that are eligible for or listed in the NRHP to Scientific Use. • Consider allocating historic artifact scatter sites with or without features that are eligible for or listed in the NRHP with evidence of public visitation to Public Use. 	<ul style="list-style-type: none"> • Allow scientific research subject to appropriate research design. • Permit surface collection of artifacts if there is a threat of loss or destruction. • Prepare a historic context report for each resource. 	<ul style="list-style-type: none"> • Document historic context and relevant associations with historically important people and/or events. • Encourage site monitoring by traditional users/public interest groups, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Prepare management plans for Public Use sites to identify preservation needs and recommended actions (including, but not limited to, detailed in situ artifact identification) and interpretive needs (including, but not limited to, signs, interpretive kiosks, and driving guides. • Establish fee sites at Public Use historic artifact scatter sites with or without features, as appropriate. Allow for fee waivers for traditional uses.
Historic: inscriptions or dendroglyphs	<ul style="list-style-type: none"> • Allocate inscriptions or dendroglyphs eligible for or listed in the NRHP with no evidence of Public Use to Traditional Use and/or Scientific Use. • Do not discharge NRHP-eligible or NRHP-listed inscriptions or dendroglyphs from management. • Conduct condition monitoring of inscriptions or dendroglyphs on at-risk/threatened sites on a periodic basis. • Limit livestock and human contact with inscriptions or dendroglyphs through physical barriers (fences or natural barriers such as plantings or boulder placement). • Allow emergency stabilization if natural or cultural threats are causing a loss of integrity to inscriptions or dendroglyphs. • Evaluate fire potential and remove fuels where there is a threat of loss. • Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. • Prioritize identification efforts at Traditional and Public Use sites. 	<ul style="list-style-type: none"> • Limit permitted surface collection of artifacts on non-rock writing portions of sites under ARPA, unless there is a threat of loss or destruction. • Use the best and most accurate technologies available to photograph and gather locational information at all inscriptions or dendroglyphs (for example, 3-D scanning). • Take detailed measured drawings and sub-meter global positioning system locations of all panels. • Allow Scientific Use that causes negligible physical damage to inscriptions or dendroglyphs. 	<ul style="list-style-type: none"> • Document traditional and ongoing uses of inscriptions or dendroglyphs. • Encourage traditional use and visitation to inscriptions or dendroglyphs. • Where possible, provide accessible trails to inscriptions or dendroglyphs. • Encourage site monitoring by traditional users. 	<ul style="list-style-type: none"> • Post informational signs on inscriptions or dendroglyphs etiquette and ARPA at Public Use sites. • In consultation with American Indian Tribes, develop site-specific management plans that include preservation needs and recommended actions and interpretive plans for Public Use inscriptions or dendroglyphs. • Consider installing at least one interpretative trail/footpath at each inscriptions or dendroglyphs Public Use site. • Install visitor registers at all Public Use sites. • Establish fee sites at Public Use inscription or dendroglyph sites, as appropriate. Allow for fee waivers for traditional uses.
Historic: linear (trail/road, railroad, transmission)	<ul style="list-style-type: none"> • Allocate historic linear sites that are eligible for or listed in the NRHP to Scientific Use. • Consider allocating historic linear sites that are eligible for or listed in the NRHP with potential for public education to Public Use. • Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Inventory corridor to identify associated sites and record their condition. • Allow scientific research subject to appropriate research design. • Prepare a historic context report for each resource. 	<ul style="list-style-type: none"> • Document historic context and relevant associations with historically important people and/or events. • Encourage site monitoring by traditional users/public interest groups, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Post informational signs at major intersections along Public Use sites, as appropriate. • Prepare cultural resource project plans for Public Use sites to identify interpretive needs, including, but not limited to, signs, interpretive kiosks, and driving guides.

	Common Management Strategies	Scientific Use Allocation – Management Strategies	Traditional Use Allocation – Management Strategies	Public Use Allocation – Management Strategies
Historic: industrial non-architectural (mining and water control)	<ul style="list-style-type: none"> • Allocate historic industrial sites with no architecture that are eligible for or listed in the NRHP to Scientific Use. • Consider allocating historic industrial sites with no architecture that are eligible for or listed in the NRHP with potential for public education to Public Use. • Consider preparing a historic context report for each category of resource. • Encourage the use of site stewards for monitoring, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Inventory sites to identify associated features and record their condition. • Allow scientific research subject to appropriate research design. • Permit surface collection of artifacts if there is a threat of loss or destruction. • Prepare a historic context report for each category of resource. 	<ul style="list-style-type: none"> • Document historic context and relevant associations with historically important people and/or events. • Encourage site monitoring by traditional users/public interest groups, such as the Utah Heritage Stewardship Program. 	<ul style="list-style-type: none"> • Prepare recreation plans for Public Use sites to identify interpretive needs, including, but not limited to, signs, interpretive kiosks, and driving guides.

APPENDIX H

American Indian Tribal Collaboration Framework

IMPROVING AND SUSTAINING TRIBAL RELATIONSHIPS AT BEARS EARS NATIONAL MONUMENT

Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, recognizes the importance of the Bears Ears National Monument (BENM, or Monument) to American Indians and the importance of Tribal participation in the future management of the Monument, including the proper care and management of important cultural objects. This framework outlines the strategy that the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) will use for closely coordinating with American Indian Tribes as envisioned in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. Section 1 of this document focuses on the establishment of relationships with the American Indian Tribes specifically identified in the Presidential Proclamations, although some of these measures may apply to other Tribal entities. Section 2 of this document outlines how the BLM and USFS will work with all American Indian Tribes that have spiritual connections to or cultural affiliation with the area, or that have an interest in the land management decisions related to the BENM.

The BLM and USFS have developed this document with the intent of creating an ongoing two-way dialogue with American Indian Tribes, specifically those named in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. Changes will be made in response to American Indian comments or feedback.

Building and Maintaining Relationships with American Indian Tribes Identified in the Bears Ears National Monument Presidential Proclamations

The BLM and USFS recognize that beyond the formal and legal consultation responsibility the United States has with Tribal governments, the Federal government is committed to pursuing a goal of shared stewardship of lands managed within BENM. The BENM stands out from other monuments in that Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, recognizes the importance of Tribal participation in the development of a management plan and the subsequent management of the Monument to ensure the proper care and management of Monument objects. Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, notes the establishment of a commission or comparable entity composed of a designated officer from the Hopi Tribe, the Navajo Nation, the Ute Mountain Ute Tribe, the Ute Indian Tribe of the Uintah and Ouray, Zuni Pueblo, and one elected member from the Third District of the San Juan County Commission.

In striving to foster collaboration and cooperation with American Indian Tribes as directed in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, the BLM and USFS recognize the following:

- Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, envisions a new way of working together.
- The value of traditional knowledge and maintaining respectful relationships in furthering shared stewardship of BENM natural and cultural resources. The agencies are committed to working collaboratively with the commission or comparable entity consistent with Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, and law and policy, including Executive Order 13175 “Consultation and Coordination with Indian Tribes” (2000) and BLM Manual MS 1780.
- The importance of working closely with all Tribal governments that attach religious or cultural significance to the BENM or that are otherwise interested in actions occurring within BENM on a government-to-government consultation basis, consistent with consultation law and policy, including Executive Order 13175, the National Historic Preservation Act (NHPA) (54 United States Code [USC] 300101 et seq.), and the National Environmental Policy Act (NEPA) (42 USC 4321 et seq.).

- The value of working together with all interested members of the Tribes, including local American Indian residents, for example, Navajo chapter houses, and the members of the Ute Mountain Ute Tribe living at White Mesa.
- That many governmental entities, organizations, and individuals have an important role in the shared stewardship of the BENM including Federal, Tribal, State, and local governments; local American Indian residents; other Tribal members; other area residents; and public land users.
- That successful collaboration and integration of Tribal historical knowledge into future management of the BENM is contingent on the Federal government and the commission or comparable entity being equally willing to take part in Monument organization and administration.

Partnerships

Federal land managers and agency staff of the BENM should seek out opportunities for partnerships with American Indian Tribes and designated American Indian representatives. All federal employees of the BENM will work to ensure that the management of the Monument benefits from full engagement with the original stewards of the BENM through such means as cooperative agreements, interagency agreements, contracts, hires, and volunteers.

Collaborative Land Management

The BLM and USFS, in collaboration with the commission or comparable entity, should identify any programs, functions, services, and activities that self-governance Tribes can assume, as described in the Indian Self-Determination and Education Assistance Act of 1975 and later amendments, regulations, and agency policy associated with this act. Self-determination contracts, also known as “638 contracts,” and negotiated funding agreements to assume programs, functions, services, or activities for the benefit of American Indians because of their status as American Indians are available to use under the discretion of the manager.

The BLM and USFS should engage with Tribal partners to ensure access to and use of sacred sites, as defined in Executive Order 13007. The BLM and USFS should seek to enter into agreements to share capability, expertise, and insight into fostering the collaborative stewardship of sacred sites and other properties of traditional religious and cultural importance.

The BLM and USFS will collaborate with Tribes when developing site-specific protection and management plans that pertain to sacred sites or properties of traditional religious and cultural importance. Site-specific protection and management plans may include procedures for utilizing Tribal expertise and capabilities regarding stabilization, patrolling, interpretation, stewardship education, or ethnographic insights into site use and significance including identification of traditional cultural properties and culturally significant landscapes. Federal land managers and American Indian Tribes may formalize site-specific protection and management plans with the completion of an agreement document.

Collaboration with the Commission or Comparable Entity

The BLM and the USFS will work with the commission or comparable entity on the following list of projects, which will include, but are not limited to, the following:

- Execution of an annual or semi-annual BENM summit with the commission or comparable entity to discuss management direction, proposed and ongoing projects, agency and Tribal priorities, research proposals and findings, and other items of importance or significance.
- Routine and ongoing communication (including and as determined necessary weekly, bi-weekly, or monthly meetings) with Tribal leaders or their delegated representatives to discuss regular and continuing administration and management activities.

- Administration of permits for traditional uses, including group events and firewood and seed collecting.
- Development of confidentiality agreements allowing the Tribes to share sensitive cultural resource information that can be used when considering or evaluating projects.
- Identification and listing of traditional cultural properties and other properties on the National Register of Historic Places.
- Identification of culturally significant landscapes to be considered when evaluating projects.
- Access to and protection and use of American Indian sacred sites in accordance with Executive Order 13007.
- Protection of cultural objects currently under the care of the BLM (including in the Cerberus Collection and other BLM-administered collections), and/or USFS, and the development of interpretive and educational materials.
- Work with Tribal governments to establish a comprehensive agreement to assist with efficient repatriation of American Indian human remains and cultural items under the Native American Graves Protection and Repatriation Act (NAGPRA).
- Cooperative development of activity-level plans identified in the Monument Management Plans and Environmental Impact Statement including, but not limited to, such items as the cultural resource management plan, camping plan, travel management plan, and sign and interpretation plan.
- Review, prioritization, and input on the selection of research projects funded by the Federal government through various programs including the National Conservation Lands program and federal agency cultural programs.
- Internal review of all project proposals and associated environmental analysis to ensure that American Indian concerns are adequately addressed and that Tribal historical knowledge is adequately taken into consideration.
- Participation in internal scoping efforts, including early issues identification and project design.
- Development and management of volunteer and cooperative agreements with third-party organizations to assist with the implementation of on-the-ground projects, monitoring, and other public education and outreach activities.
- Collaboration with Tribes and agencies to maximize efficiencies for wildfire and fuels-reduction programs. This may include a partnership for initial fire attack and protecting structures, facilities, natural resources, and cultural resources through fuels-reduction projects.
- Review, prioritization, and input on the management of cultural resources including scientific, traditional, conservation, experimental, and public uses.
- Expansion and promotion of employment, volunteer, and internship opportunities for American Indians.
- Enhancement of on-the-ground experiential education and service opportunities for both Tribal and non-Tribal youth groups or organizations.
- Collaboration on issues of general administration, including items such as law enforcement, wildland fire, and the identification, location, and design of future facilities.
- Identification of shared office space, including the location of the commission or comparable entity staff in BENM facilities so there is full integration into Federal agency interdisciplinary teams.

Procurement

Small Disadvantaged Businesses

Federal officials should seek opportunities to utilize contracting opportunities for small business communities. Section 8(a) of the 1958 Small Business Investment Act (15 USC 14A) authorized the Small Business Administration to enter into prime contracts with Federal agencies and to subcontract the performance of the contract to small business concerns. Executive Order 11458, Prescribing Arrangements for Developing and Coordinating a National Program for Minority Business Enterprise (34 Code of Federal Regulations [CFR] Part 4937), authorized the use of this provision to assist minority businesses and established the 8(a) Program, as it is commonly called. Federal officials should take advantage of Tribal businesses that are eligible as Small Disadvantaged Businesses, an 8(a) participant, or a Historically Underutilized Business Zone. The BLM and USFS should encourage American Indian Tribal firms to bid on upcoming agency contracts for which they qualify. The BLM and USFS may also utilize their discretionary authority to purchase products of Indian Country as outlined in the 1910 Buy Indian Act (25 USC 47) and the regulations found at 48 CFR Parts 1401, 1452, and 1480.

Contracting for Services, Expertise, or Products Needed for Decision Making

The BLM and USFS may require land use applicants (e.g., Special Recreation Permit holders) to obtain information from Tribes needed to comply with NEPA or the NHPA. Information may include knowledge about the management of natural resources or cultural resources, such as current or past land use practices, resource utilization, or distribution of natural resources. In addition, the BLM and USFS may contract or pay for Tribes and American Indian individuals to produce reports. The BLM's and USFS's ability to obtain this information may be impossible without the assistance of a Tribe or Tribal representative. Tribes have occupied lands near or utilized portions of the BENM for long periods of time. Their insights into past land conditions and the impacts of human use and occupation on this ecosystem extends back in time for hundreds of years. Thus, their knowledge of natural and human interactions on this landscape may be obtained by the BLM and USFS working in collaboration with the commission or comparable entity through the following methods:

- Studies on visitor use and the management of Monument objects
- Studies on utilizing traditional ecological knowledge for the management of Monument objects
- Studies on traditional, public, and scientific uses of Monument objects, including, but not limited to, prehistoric sites, rock writings, artifact scatters, sacred sites, culturally significant landscapes, and traditional cultural properties
- Studies on promoting access for religious and traditional uses
- Studies on sustainable firewood collection based on modern use and ethnographic accounts
- Studies on traditional building skills, technology, art, place names, and subsistence
- Ethnographic reports, National Register of Historic Places nominations, or other specific information regarding historic properties, trails, sacred sites, and culturally significant landscapes
- Studies on the location, habitat, condition, and trend of important plant and animal species including ethnobotanical species

Human Resources

The BLM and USFS will collaborate with the commission or comparable entity on the development of American Indian recruitment programs. Although the BLM and USFS do not utilize American Indian preference in hiring, the agencies do allow self-identification for employment statistics. Internship opportunities for Tribal youth and partnerships offer additional opportunities to bolster American Indian employment while facilitating mutually supported projects. Providing educational opportunities and

employment to Tribal members is a powerful demonstration of a Federal commitment to establishing positive, long-term working relationships with Tribes.

Education

The BLM and USFS will negotiate cooperative agreements with Tribes in the field of education and employment. The agencies will seek out partnerships with American Indian educational institutions to assist in the development of curricula or implementing cooperative education programs. Programs such as Project Archaeology would enable the agencies and Tribes to develop curricula and lesson plans that strengthen science competencies and interests that American Indian youth have in resource management careers. Agency officials may also seek out fully accredited Tribal colleges and universities to provide practical experiences and opportunities for their students. The BLM, USFS, and Tribal colleges can partner to establish research projects and facilitate involvement with land management issues of the BENM.

Training Opportunities

All Federal employees working in the BENM should complete the most recent training courses on Tribal relations. The BLM and USFS should invite Tribes to attend and participate in agency training courses related to NEPA, lands, rights-of-way, cadastral surveys, wildfire and fuels management, and heritage resources. Holding periodic joint training courses may familiarize BENM staff members with Tribal cultural and governmental structure, and familiarize Tribal leaders and staff members with the USFS's and BLM's legal authorities, missions, histories, and programs. Training courses should be tailored to address issues in the BENM. Both Federal employees and Tribes can benefit from a greater understanding of how Federal programs can be coordinated with Tribal government programs. As funding allows, the BLM and USFS may send Tribal staff to off-location trainings at locations such as the BLM's National Training Center. Access to BLM and USFS online training courses should be made known to Tribes. The dialogue and multicultural perspectives that result from such exchanges enhance relationships in the BENM.

Federal employees of the BLM and USFS should take advantage of cultural awareness training sponsored by Tribes when and where they are available. Such classes strengthen the staff's understanding and appreciation of Tribal traditional, cultural, and religious values, as well as treaties and other Tribally reserved rights on Federal lands. Managers should encourage BENM staff to attend gatherings sponsored by Tribal entities, Tribal consortiums, or nonprofit organizations offering specialized knowledge and addressing issues important to Tribes. The BLM and USFS may also co-host workshops with Tribes concerning Tribal relationships, traditional cultures, and consultation. Presentations may include traditional technologies and crafts, a mutual understanding of traditional use areas, cultural landscapes, and the full scope of Tribal interests.

Financial Support for Tribal Participation in Monument Land Management Decision Making

At the discretion of Authorized Officer (BLM)/Responsible Official (USFS), funding may be provided to Tribes to facilitate their participation in the NEPA and NHPA processes under several circumstances (see BLM Manual MS-1780, Section 1.6.B, and H-1780-1, Appendix 2; see also Forest Service Manual 1563.15). It should be noted that this compensation policy allows for compensation but does not mandate it. Such compensation for consultation is not legally required; however, the BLM and USFS have the authority to provide it directly under certain circumstances or require that the compensation needed to acquire information necessary for the agency to make decisions regarding land use applications or authorizations be provided by third parties. The agencies may utilize their own appropriated funds or cost-reimbursable accounts to reimburse Tribal members for travel expenses to attend meetings in connection with NEPA, the Federal Land Policy and Management Act, or NHPA Section 106 processes, or for time taken to discuss proposed projects, cultural resource site management, or traditional use areas. (See the Advisory Council on Historic Preservation Memorandum, Guidance on Assistance to Consulting Parties in the Section 106

Employee Performance

Federal employees working in the BENM that are routinely engaged in collaborative management with the commission or comparable entity will be evaluated regarding their efforts to build Tribal relationships and carry out effective consultation. BLM and USFS managers and staff will do the following:

- Seek opportunities to develop ongoing partnerships with the Tribes to ensure that land use decisions reflect effective collaboration, including engagement of the commission or comparable entity, early in the decision-making process. Decisions should include documentation on how Tribal issues and concerns were taken into account.
- Facilitate Tribal access for Tribal religious and traditional uses; maintain a professional staff that is capable of carrying out timely and effective collaboration and that seeks out and establishes educational, training, interpretive, contracting, fire, and cadastral programs of joint interest and benefit to Tribes and the agencies.
- Take steps to fully utilize information provided by Tribes regarding traditional uses, access concerns, and resource issues and protects such sensitive information to the extent allowed by law from public disclosure.
- Personally participate in discussions with the commission or comparable entity and establish professional relationships with Tribal governments, appointed delegates or representatives, and delegated Tribal staff in an effort to facilitate long-term, positive partnerships involving land management, resource protection, and economic development.

TRIBAL CONSULTATION GENERAL CONSIDERATIONS

This section includes information on how the BLM and USFS will consult with American Indian Tribes not specifically identified in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681. The BLM and USFS will also follow these general procedures when consulting with Tribes identified in Presidential Proclamation 9558, as modified by Presidential Proclamation 9681, as required by Federal laws requiring government-to-government consultation, such as the NHPA.

General Aspects of Consultation

Roles - Federal Official

Government-to-government consultation requires the participation of the BLM and/or USFS manager and the Tribal chairperson or other representative official designated by the Tribal chair or council. The authority for consultation may be delegated through the BENM manager to the lowest practical level. However, the agency manager who delegates or re-delegates authority does not divest himself or herself of the power to exercise that authority, nor does the delegation or re-delegation relieve that official of the responsibility for actions taken pursuant to the delegation.

Roles - Staff

BLM and USFS program specialists and staff members play an invaluable role in gathering information and briefing the agency manager on issues affecting Tribal relations. They provide professionally sound information, recommendations, and advice regarding the Tribes' traditional and ongoing uses of public lands, practices and beliefs, locations and uses of importance on public lands, and other information necessary for consultation. They interact frequently with their Tribal counterparts within Tribal governments to facilitate compliance with laws and regulations requiring Tribal consultation and input into Federal

decision making. Staff members often arrange consultation meetings and meet with Tribal staff to discuss issues once the agency manager and Tribal officials decide it is time to consult on a matter. They obtain and share data needed for decision making. They may identify opportunities for cooperative agreements or other proactive relationships in the fields of education, outreach, and research with Tribes. They play key roles in contracting and managing sensitive information. Agency staff members cannot, however, represent the BLM or USFS in government-to-government interactions.

Roles - Third Parties

Contractors cannot negotiate, make commitments, or otherwise give the appearance of exercising the BLM's or USFS's authority in consultations. Therefore, as a general rule, consulting firms working for land use applicants may be approved by the agency to carry out the following limited and restricted activities to facilitate consultation:

- Gathering and analyzing data
- Preparing reports
- Arranging meetings
- Facilitating fieldtrip logistics
- Managing the compilation of data and records as part of the administrative record

Although these steps are helpful, the BLM and USFS ultimately retain the responsibility to consult with American Indian Tribes on a government-to-government basis. It cannot be transferred by the agencies to other entities.

Identifying Tribes for Consultation

Specific consultation should focus on Tribes known to have concerns about the BENM area under consideration and the Monument objects, natural resources, cultural resources, and/or land uses involved. In addition, nonresident Tribes with historic ties should be given the same opportunities as resident Tribes to identify their selected contact persons and their issues and concerns regarding public lands.

Points of Contact within Tribes

For each Tribe, the BLM and USFS should develop and maintain current lists of the following:

- Tribal officials (e.g., chairperson, president, council members, etc.)
- Appropriate staff contacts for specific programs and issues (e.g., energy development, natural resources, lands, cadastral surveys, economic development, Tribal Historic Preservation Offices, etc.)
- Traditional cultural or religious leaders
- Lineal descendants of deceased American Indian individuals whose remains are discovered on public lands or are in Federal possession or control

Multitribal Organizations

Official Tribal consultation takes place as part of government-to-government relationships between the BLM and/or USFS and individual federally recognized Tribes. However, Tribal relationships can also be enhanced through the development of positive working relationships with Tribal consortiums.

Methods of Consultation

Agency managers should determine Tribal preferences for information sharing and consultation. Agency managers and staff should consider meeting with Tribes in their areas after each agency office's annual work plan has been prepared for the Monument. Regularly scheduled meetings can accomplish several important things:

- Agency managers and staff can identify and briefly explain actions planned for the coming year and can describe any additional land use proposals that are foreseeable on public lands or lands that may be affected by BENM decisions.
- A Tribe can identify proposed actions or geographical areas that it is concerned about and about which it would like to be consulted at a later date. The Tribe might also identify actions or geographical areas for which it feels no need to be consulted.
- For some proposed actions, agency managers and staff and the Tribe can agree to follow expedited or tailored consultation procedures to resolve scheduling conflicts, meet project time frames, or accommodate the special needs of the people involved.
- A Tribe can use the meeting as an opportunity to identify persons it recognizes as traditional leaders or religious practitioners. The Tribe can also identify specific proposed actions, kinds of actions, or geographical areas about which these individuals should be consulted.

Information coming out of these meetings may form the basis of consultation agreements or memoranda of understanding that can define the manner in which Tribes prefer that future consultation take place, areas or actions the Tribes wish to discuss in the future, or specific natural or heritage resources Tribes wish to be consulted about whenever proposed actions might affect them. Regular periodic meetings can be an effective means for maintaining a constructive ongoing intergovernmental relationship.

When and with Whom to Consult

Table 1 indicates the types of American Indian Tribal officials and/or individuals with whom the BLM and USFS are obligated to consult.

Table 1. Tribal Consultation Guidance

Whom to Consult	National Historic Preservation Act	Archaeological Resources Protection Act	Native American Graves Protection and Repatriation Act	Federal Land Policy and Management Act	National Environmental Policy Act	American Indian Religious Freedom Act	Executive Order 13007
Tribal representative whom the Tribal government has designated for this purpose	X	X	X ¹	X	X	X	X
Lineal descendant of an identified American Indian individual			X ²				
Traditional religious leader			X ³			X ³	
Appropriately authoritative representative of an American Indian religion							X ³

¹ American Indian Tribes also consulted.

² Lineal descendants (who need not be Tribal members) have legal precedence for repatriation and custody.

³ A Tribal government may designate a "traditional religious leader" or an "authoritative representative" as the Tribe's representative for consultation under the American Indian Religious Freedom Act or Executive Order 13007. Under NAGPRA, a traditional religious leader is a person recognized by Tribal members as responsible for performing certain cultural or religious duties or a leader of the Tribe or organization's cultural, ceremonial, or religious practices, as defined in 43 CFR 10.2(d)(3).

Coordinating Consultation across Administrative and Jurisdictional Boundaries

The BLM and USFS managers responsible for the Monument should seek partnership opportunities to jointly meet with Tribes to discuss land management issues relevant to both agencies and multiple Tribes.

Preparing and Initiating Tribal Consultation

When it becomes apparent that the nature and/or location of an activity could affect American Indian Tribal issues or concerns, the BENM manager should initiate appropriate consultation with the potentially affected Tribes as soon as possible once the proposed project-specific land use decision has been developed. Although land use planning is the best time to identify landscape-scale issues and other broad Tribal concerns, the BLM and USFS must address Tribal concerns when approving specific land use authorizations and making other decisions, such as revising significant policies, rules, and regulations.

Consultation Guidelines for Selected Authorities

Consultation Guidelines for the National Historic Preservation Act

The BLM and USFS responsibilities for compliance with Section 106 of the NHPA, including Tribal consultation, are triggered by a proposed undertaking. Tribal consultation as part of the Section 106 process is driven by and focused on a specific undertaking. While the agencies must conduct Tribal consultation as part of the Section 106 process, this consultation is focused on historic properties only and does not satisfy the agencies obligations to consult with Tribes on other issues potentially raised by a proposed action or program. Section 106 consultation will follow the requirements provided in 36 CFR 800.1 et seq.

Consultation Guidelines for the National Environmental Policy Act

For NEPA purposes, the agency manager consults with elected Tribal officials or Tribal representatives(s) whom the Tribal government has designated for this purpose. The purpose of consultation is to identify a proposed action's potential to conflict with Tribal members' uses of the environment for cultural, religious, and economic purposes and to seek alternatives that would resolve potential conflicts. Tribal consultation may begin before public notice, including when pre-application meetings occur. This early consultation may be initiated by providing Tribes the opportunity to add comments to the project-specific identification team NEPA checklists. Tribal consultation should continue throughout the NEPA process.

For Environmental Assessments and Environmental Impact Statements, consultation should occur at the formation of the proposed action, when alternatives are formulated, an assessment of impacts is projected, and analysis documents are published, before the final decision is rendered.

The NEPA document must fully disclose Tribal issues and provide a summary of Tribal consultation in order to demonstrate that Tribal concerns have been heard and their positions considered. As is fitting for the special Federal-Tribal relationship, Tribal issues and recommendations should be fully discussed and addressed in relevant sections of the text within the NEPA document rather than as an appendix to the discussion of cultural and archaeological resources. The following is a list of relevant sections where these discussions could occur:

- Scoping and issues. Include a specific discussion of scoping issues raised by Tribes.
- Affected environment. Include a section that introduces those Tribes with interests in the project and identifies resources or issues of significance to them.
- Alternatives. Discuss how Tribal issues shaped the alternatives considered.
- Environmental impacts. Address impacts, including cumulative effects, to Tribal concerns and refer to more detailed discussions in other sections, such as impacts to water or biological or botanical resources of Tribal significance.

If a categorical exclusion is completed, the agency should take care to consider whether or not the proposed action covered by the categorical exclusion involves “extraordinary circumstances” relating to impacts to American Indian religious concerns or impacts to resources of concern to American Indian Tribes. If, for any reason, a NEPA document will not be prepared, an appropriate non-NEPA document should be used to substantiate identification and consideration of American Indian Tribal concerns and places of importance. Such non-NEPA documentation may consist of Federal-Tribal consultation logs, inventory reports, and data recovery reports, among others. These documents should be maintained and housed with the administrative record for the project.

A number of strategies should be discussed with Tribes during consultation associated with the NEPA process to protect resources and access issues of importance to the Tribes. Mitigation measures analyzed in the NEPA document may include, but are not limited to, the following:

- Attaching measures to use authorizations to protect resources of importance to Tribes and accommodate their use. For example, in certain situations, ceremonial places can be screened from view by planting vegetation or installing temporary visual barriers. Intrusive developments can be hidden or painted to blend with the environment.
- Moving competing uses. Conflicting activities and uses can be shifted to other areas or scheduled for other times.
- Removing incompatible facilities. Disturbed ground surfaces and vegetation can be restored. Vehicle use can be restricted. Livestock can be managed. Vandalism can be reduced by law enforcement patrols and site steward monitoring. Tribes can probably also suggest additional measures.
- Including Tribes in project planning and utilizing their input to design specifications for access, parking, trails, interpretive signs, and other visitor developments. Tribal consultation in several states has resulted in Tribal input into the text and artwork on interpretive signs at rock writing sites. Such consultation improves relationships with Tribes by partnering on the interpretation of a site reflecting their cultural traditions and enhances the interpretive experience of all visitors.
- Consulting with Tribal governments to collaboratively identify means of reducing or avoiding impacts.
- Issuing special use permits to address conflicts.
- Negotiating memoranda of understanding to facilitate access and use.
- Specifying the appropriate treatment of accidental finds such as archaeological sites or human remains resulting from project activities or natural erosion processes. This anticipation can include developing a comprehensive agreement or a plan of action related to NAGPRA.

Where Tribal concerns are appropriately addressed through the NHPA Section 106 process, as in the consideration of historic properties with traditional and religious significance, the NEPA document should reference the outcome of the Section 106 process.

Consultation Guidelines for the American Indian Religious Freedom Act

For the purposes of complying with the American Indian Religious Freedom Act, the BENM manager should consult with elected officials or Tribal representative(s) and/or American Indian traditional religious leaders whom the Tribal government has designated or identified for this purpose. The purpose of consultation is to identify the potential for land management procedures to conflict with American Indians’ religious observances and to seek alternatives that would resolve the potential conflicts.

Case law has established that the American Indian Religious Freedom Act has an ongoing implementation requirement, obligating agencies to consult with Tribal officials and Tribal religious leaders when agency actions would abridge the Tribe’s religious freedom by 1) denying access to sacred sites required in their religion, 2) prohibiting the use and possession of sacred objects necessary to the exercise of religious rites

and ceremonies, or 3) intruding upon or interfering with ceremonies. The American Indian Religious Freedom Act focuses not just on religious places but also on religious practices, or religious activities, and it directs agencies to consider both places and practices before taking actions that could affect Tribes. The BENM manager must examine proposed actions and authorizations as well as routine management practices that could substantially restrict access or interfere with the free exercise of religion.

Consultation Guidelines for Executive Order 13007, Indian Sacred Sites

For the purposes of complying with Executive Order 13007, the agency manager should consult with elected officials or Tribal representative(s) and/or appropriately authoritative representative of an American Indian religion whom the Tribal government has identified for this purpose. The purpose of consultation is to do the following:

- Determine whether proposed land management actions would
 - accommodate American Indian religious practitioners' access to and ceremonial use of American Indian sacred sites on Federal lands, and/or
 - avoid adversely affecting the physical integrity of American Indian sacred sites on Federal lands.
- Seek alternatives that would resolve potential conflicts.

Aside from a few exceptional cases where well-known physical markers are present, only Tribal representatives have the knowledge needed to identify a Tribe's sacred sites. A Tribe may name an appropriately authoritative representative of an American Indian religion to provide this information. Agency officials cannot know to accommodate access to and ceremonial use of American Indian sacred sites, and to avoid adversely affecting them, unless the Tribe identifies them. Identification can only occur by consultation. In some cases, a Tribe may be reluctant to tell the BLM and USFS where a site is located, because the agencies cannot protect that information or because the site may no longer be sacred if its location is revealed. In such cases, the agency manager should ask if there is a broader area that should be protected, within which there may be a sacred site.

Consultation Guidelines for the Native American Graves Protection and Repatriation Act

For the purposes of NAGPRA consultation, the agency manager consults with lineal descendants, a culturally affiliated American Indian Tribe or Native Hawaiian organization, or an American Indian Tribe that aboriginally occupied the area (as determined by the Indian Claims Commission). For the purposes of NAGPRA collections, the BLM State Director conducts consultation. For the purposes of inadvertent discoveries or intentional excavation, the Authorized Officer (BLM)/Responsible Official (USFS) for the Monument conducts consultations.

For intentional excavations, the agency manager must take reasonable steps to determine whether a planned activity may result in the excavation of American Indian human remains and/or cultural items subject to NAGPRA from Federal lands. When an intentional excavation is planned, the agency manager must follow the procedures found at 43 CFR 10.3 and any applicable requirements of applicable State laws, as specified in statewide protocol agreements between the BLM and the State Historic Preservation Office. In addition, a cultural resource use permit (see BLM Manual 8150) or equivalent documentation is required, which ensures that the recovery is conducted in accordance with the Archaeological Resources Protection Act, as required by 43 CFR 10.3(b)(1).

The agency manager must notify and consult with American Indian Tribes before issuing authorizations when the agency anticipates that an activity may result in the discovery of American Indian human remains and/or cultural items. Consultation informs the development of the BLM's Plan of Action for the identification, treatment, recording, and disposition of American Indian human remains and/or cultural items. Plans of Action have a specific format, which is detailed in the regulations at 43 CFR 10.5(e). The

agency manager signs the Plan of Action; consulting Tribes are provided a copy and may sign but do not have to sign.

Plans of Action address specific projects. On a more programmatic level, a Comprehensive Agreement is encouraged, following 43 CFR 10.5(f). These agreements are developed in consultation with American Indian Tribes, and the agency manager and Tribal officials sign.

An inadvertent discovery is a discovery of American Indian human remains and/or cultural items on public land when there is no Plan of Action. When American Indian human remains or other cultural items protected by NAGPRA are discovered on public land, BLM offices must handle this in the manner described in the inadvertent discovery procedures found at 43 CFR 10.4 and any applicable requirements of State laws, as specified in statewide protocol agreements between the BLM and the State Historic Preservation Office.

If the discovery occurs but no Plan of Action is in place, within 3 working days the agency manager must telephone, notify in writing, and initiate Tribal consultation. Work must cease at the location of the discovery, and the remains must be safeguarded for up to 30 days while the agency manager conducts Tribal consultation to determine next steps. If the human remains and/or cultural items must be removed, the BLM develops a Plan of Action to address their treatment, recording, and disposition, in accordance with 43 CFR 10.5(e).

To minimize chances of a 30-day work stoppage, when there is a reasonable likelihood that a project will result in the discovery of American Indian human remains and/or cultural items, the agency manager should consult with American Indian Tribes and develop Plan(s) of Action that will be implemented should discoveries occur.

APPENDIX I

Recreation and Visitor Services Management Framework

INTRODUCTION

Outcome-focused management is an approach to recreation management that focuses on the positive outcomes gained from engaging in recreational experiences. The following tables outline the goals, objectives, and targeted outcomes that the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) intend for the Bears Ears National Monument (BENM, or Monument) Shash Jaa and Indian Creek Units (Planning Area).

INDIAN CREEK SPECIAL RECREATION MANAGEMENT AREA

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the Monument Management Plans (MMPs)/Environmental Impact Statement (EIS).

- Provide world class recreation opportunities while protecting the objects and values of BENM and supporting a growing travel and tourism economy in the region.
- Manage for the specific targeted outcomes; activities, experiences, and benefits in Tables 1 and 2 with 80% of visitors reporting realization of the targeted experiences and benefits.
- Maintain and enhance a range of recreation settings from primitive/backcountry to rural/frontcountry.
- Provide the opportunity for visitors to experience cultural resources within a directed and interpreted setting, as well as an undeveloped setting to allow a sense of discovery
- Interpret the objects and values of BENM as described by Presidential Proclamation 9558, as modified by Presidential Proclamation 9681: cultural resources, current cultural uses and spiritual significance of the area, geology, paleontology, native plants, wildlife, and grazing.

Desired recreation settings include additional and enhanced visitor facilities in the highway corridor area of the SRMA, resulting in a frontcountry or rural physical setting. In addition, the desired operational setting is frontcountry in the highway corridor area, with increased visitor services and management controls to provide the opportunity for visitors to experience cultural resources in a more directed and interpreted setting. There is no desired change to recreation settings in other areas, which generally provide visitors with an undeveloped setting to experience cultural resources, to allow for a sense of discovery.

Table 1. BENM-Indian Creek Special Recreation Management Area Existing and Desired Recreation Settings

PHYSICAL – Qualities of the Landscape		
	Existing	Desired
Remoteness	Primitive to Rural: Areas range from more than 0.5 mile from motorized routes (primitive) to within a 0.5 mile of highways (rural)	No change
Naturalness	Primitive to Frontcountry: Natural landscapes range from undisturbed areas (primitive) to areas where the character of the natural landscape is partially modified but modifications don't overpower the natural landscape	No change
Visitor facilities	Primitive to Rural: Some areas have no facilities (primitive) while others have campgrounds, toilets, information kiosks, and parking areas.	No change except that additional frontcountry and rural level visitor facilities would be provided in the highway corridor area and additional frontcountry facilities (rustic toilets, campsites) would be provided in Cottonwood Wash area.

SOCIAL – Qualities Associated with Use		
	Existing	Desired
Average contacts	Primitive to Frontcountry: Contacts range from fewer than 6 encounters/day on travel routes on average (primitive) in some areas and 30 or more encounters/day on travel routes (frontcountry) in other areas.	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Average group size	Primitive to Backcountry: Group sizes range from fewer than 3 people per group (primitive) in some areas and 4-6 people per group (backcountry) in other areas	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Evidence of use	Primitive to Frontcountry: Evidence of use ranges from no alteration to natural terrain and sounds of people rare (primitive) to small areas of alteration prevalent where surface vegetation is showing wear or gone and the sounds of people can regularly be heard.	No change

OPERATIONAL – Conditions Created by Management and Controls over Recreation Use

	Existing	Desired
Public access	Primitive to Frontcountry: Access ranges from foot and horse access only (primitive) to 2WD passenger vehicles (frontcountry)	No change
Visitor services	Primitive to Frontcountry: Visitor services range from no maps of brochures available onsite and staff rarely present to provide onsite assistance (primitive) to information materials describe recreation areas and activities and staff periodically present.	No change: additional Frontcountry level visitor services would be provided in the highway corridor area
Management controls	Middlecountry: Some regulatory and ethics signs. Moderate use restrictions (e.g. camping, human waste) in some areas.	Frontcountry: Rules, regulations and ethics clearly posted. Use restrictions and limitations in sensitive areas

Table 2. BENM - Indian Creek SRMA Objectives

Primary Activities		
Rock climbing	OHV riding	Education and interpretation
Cultural site visitation	Hiking	Heritage tourism
Camping	Sightseeing	
Experiences		
Visitor		
Achievement/stimulation	Developing skills and abilities; gaining a greater sense of self-confidence; being able to tell others about the trip	
Autonomy/leadership	Enjoying exploring on own	
Family/group togetherness	Enjoying closeness of friends and family, group affiliation and togetherness, meeting new people with similar interests, and participation in group outdoor events	
Learning and teaching	Learning and teaching others about the specific cultural history of the area; current cultural uses and spiritual significance of the area; the objects and values of BENM; and outdoor resource protection skills	
Enjoying nature	Enjoying the total sensory (sight, sound, and smell) experience of a natural landscape; enjoying easy access to natural landscapes	
Introspection	Enjoying ability to be more contemplative, reflecting on own character and personal values, thinking about and shaping own spiritual values, contemplating human's relationship with the land	
Exercise/physical fitness	Enjoying physical exercise	
Escaping personal/social/physical pressures	Releasing or reducing stress; escaping everyday responsibilities; enjoying solitude, isolation, and independence; enjoying an escape from crowds of people	

Community Resident	
Lifestyle	Enjoying access to close-to-home outdoor opportunities, enjoying peace and quiet of small-town communities, avoiding compromising the quality of life in the area
Sense of place	Feeling that the area is a special place to live; enjoying cultural, spiritual, traditional, and familial connection to natural and cultural landscapes
Interacting with people	Encouraging visitors to help safeguard resident lifestyle and quality of life, sharing cultural heritage with new people, seeing visitors become excited about the area, communicating cultural heritage with those already living in the area
Stewardship and hospitality	Feeling good about the way cultural heritage is being protected, how visitors are being managed, how natural resources and facilities are being managed, and how the area is being used and enjoyed
Benefits	
Personal	Better mental health and health maintenance, personal development and growth, personal appreciation and satisfaction, improved physical fitness and health maintenance
Household and community	Greater household and community awareness of and appreciation for cultural heritage, improved functioning of individuals in family and community, greater family bonding, more well-rounded childhood development, reduced numbers of at-risk youth, lifestyle improvement or maintenance, enhance lifestyle, greater interaction with visitors from different cultures, greater community valuation of its ethnic diversity
Economic	Reduced health maintenance costs, increased work productivity, improved local-regional economic stability, increased local job opportunities, increased local tourism revenue, greater diversification of local job offerings, greater fiscal capability to maintain and provide essential infrastructure and services
Environmental	Maintenance of distinctive recreation setting character; improved maintenance of physical facilities; reduced looting and vandalism of historic/prehistoric sites; reduced negative human impacts such as litter, vegetative trampling, unplanned trails, and human waste; greater community ownership and stewardship of area; greater retention of distinctive cultural landscape; greater protection of area archaeological sites; sustainability of community's cultural heritage; increased awareness and protection of specific objects and values of BENM; general increased awareness and protection of cultural and natural landscapes

INDIAN CREEK EXTENSIVE RECREATION MANAGEMENT AREA

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the MMPs/EIS.

- Support and sustain principle recreation activities, including the following:
 - Camping
 - Cultural site visitation
 - OHV riding
 - Hiking
 - Hunting
 - Sightseeing
- Protect the objects and values of BENM.
- Maintain undeveloped physical and operational recreation settings.
- Provide minimal facilities when necessary for proper care and management of objects and values and for visitor health and safety.

SHASH JÁA SPECIAL RECREATION MANAGEMENT AREA³

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the MMPs/EIS.

³ Special Recreation Management Areas (SRMAs) apply to BLM-administered lands. The USFS-administered lands within the geographic boundaries of the Shash Jáa SRMA will be managed based on the desired Recreation Opportunity Spectrum class.

- Provide world-class recreation opportunities while protecting the objects and values of BENM and supporting a growing travel and tourism economy in the region.
- Manage for the specific targeted outcomes—activities, experiences, and benefits—in Tables 3 and 4, with 80% of visitors reporting realization of targeted experiences and benefits.
- Maintain and enhance a range of recreation settings, from primitive/backcountry⁴ to rural/frontcountry.⁵
- Provide the opportunity for visitors to experience cultural resources within both a directed and interpreted setting, as well as an undeveloped setting to allow a sense of discovery.
- Interpret the objects and values of BENM as described by Presidential Proclamation 9558, as modified by Presidential Proclamation 9681: cultural resources, current cultural uses and the spiritual significance of the area, geology, paleontology, native plants, wildlife, and grazing.
- Manage recreation within the BENM Shash Jáa Unit as consistently and compatibly as possible between the agencies to provide a mostly seamless visitor experience.

Desired recreation settings include additional and enhanced visitor facilities within the Comb Ridge area of the Special Recreation Management Area (SRMA), resulting in a frontcountry physical setting. In addition, the desired operational setting is more frontcountry in the Comb Ridge area with increased visitor services and management controls to provide the opportunity for visitors to experience cultural resources in a more directed and interpreted setting. There is no desired change to recreation settings in other areas, which generally provide visitors with an undeveloped setting to experience cultural resources and allow for a sense of discovery.

Table 3. Shash Jáa Special Recreation Management Area (areas outside of Recreation Management Zones and Wilderness Study Areas) Existing and Desired Recreation Settings

PHYSICAL – Qualities of the Landscape		
	Existing	Desired
Remoteness	Primitive to Frontcountry: Areas range from more than 0.5 mile from motorized routes (primitive) to within a 0.5 mile of well-maintained, unpaved passenger vehicle routes (frontcountry).	No change
Naturalness	Primitive to Middlecountry: Natural landscapes range from undisturbed areas (primitive) to areas where the character of the natural landscape is retained but a few modifications including fences, stock ponds, and parking areas contrast with the character of the landscape (middlecountry).	No change
Visitor facilities	Primitive to Middlecountry: Some areas have no facilities (primitive) while others have maintained and marked trails and basic trailhead developments (middlecountry).	No change except for the Comb Ridge area where Frontcountry rustic facilities such as campsites, toilets, trailheads, and interpretive kiosks would be present.

⁴ On USFS-administered lands “backcountry” is defined as an area that lies beyond 0.25 mile of roads and bridges. In these areas, visitors are more interested in opportunities that feature solitude, self-reliance, a sense of remoteness, and a primitive setting. On BLM-administered lands, backcountry is not mapped.

⁵ On USFS-administered lands “frontcountry” is defined as an area that lies within 0.25 mile of roads and bridges. These areas offer easy access to the national forest where visitors are more tolerant of interaction with others as long as at-one-time use does not overwhelm the natural setting or create high levels of crowding and congestion. On BLM-administered lands, frontcountry is not mapped.

SOCIAL – Qualities Associated with Use		
	Existing	Desired
Average contacts	Primitive to Backcountry: Contacts range from fewer than six encounters/day on travel routes on average (primitive) in some areas and 7–15 encounters/day on travel routes (backcountry) in other areas.	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Average group size	Primitive to Backcountry: Group sizes range from fewer than three people per group (primitive) in some areas to four to six people per group (backcountry) in other areas.	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Evidence of use	Primitive to Middlecountry: Evidence of use ranges from no alteration to natural terrain and rare sounds of people (primitive) to small areas of alteration where surface vegetation is showing wear or gone and the sounds of people can occasionally be heard.	No change
OPERATIONAL – Conditions Created by Management and Controls over Recreation Use		
	Existing	Desired
Public access	Primitive to Frontcountry: Access ranges from foot and horse access only (primitive) to 2WD passenger vehicles (frontcountry).	No change
Visitor services	Primitive: No maps or brochures available onsite and staff are rarely present to provide onsite assistance.	No change except for the Comb Ridge area where Middlecountry visitor services would be provided such as onsite area information and maps, staff occasionally present to provide on-site assistance
Management controls	Middlecountry: Some regulatory and ethics signs. There are moderate use restrictions and group size limits in some areas.	Frontcountry: Rules, regulations and ethics clearly posted. Use restrictions and limitations in sensitive areas.

Table 4. Shash Jaa Special Recreation Management Area Objectives

Primary Activities		
Cultural site visitation	OHV riding	Education and interpretation
Hiking	Backpacking	Heritage tourism
Camping		
Experiences		
Visitor		
Achievement/stimulation	Developing skills and abilities, gaining a greater sense of self-confidence, telling others about the trip	
Autonomy/leadership	Enjoying exploring on own	
Family/group togetherness	Enjoying the closeness of friends and family, group affiliation, and togetherness; meeting new people with similar interests; and participating in group outdoor events	
Learning and teaching	Learning and teaching others about the specific cultural history of the area, current cultural uses and the spiritual significance of the area, the objects and values of BENM, and outdoor resource protection skills	
Enjoying nature	Enjoying the total sensory (sight, sound, and smell) experience of a natural landscape; enjoying easy access to natural landscapes	
Introspection	Enjoying the ability to be more contemplative, reflecting on own character and personal values, thinking about and shaping own spiritual values, contemplating humans' relationship with the land	
Exercise/physical fitness	Enjoying physical exercise	
Escaping personal/social/physical pressures	Releasing or reducing stress; escaping everyday responsibilities; enjoying solitude, isolation, and independence; enjoying an escape from crowds	

Community Resident	
Lifestyle	Enjoying access to close-to-home outdoor opportunities, enjoying the peace and quiet of small-town communities, avoiding compromising the quality of life in the area
Sense of place	Feeling that the area is a special place to live; enjoying the cultural, spiritual, traditional, and familial connection to the natural and cultural landscapes
Interacting with people	Encouraging visitors to help safeguard residents' lifestyle and quality of life, sharing cultural heritage with new people, seeing visitors become excited about the area, communicating cultural heritage with those already living in the area
Stewardship and hospitality	Feeling good about the way the cultural heritage is being protected, how visitors are being managed, how natural resources and facilities are being managed, and how the area is being used and enjoyed
Benefits	
Personal	Better mental health and health maintenance, personal development and growth, personal appreciation and satisfaction, improved physical fitness and health maintenance
Household and community	Greater household and community awareness of and appreciation for cultural heritage, improved functioning of individuals in family and community, greater family bonding, more well-rounded childhood development, reduced numbers of at-risk youth, lifestyle improvement or maintenance, enhance lifestyle, greater interaction with visitors from different cultures, greater community valuation of its ethnic diversity
Economic	Reduced health maintenance costs, increased work productivity, improved local-regional economic stability, increased local job opportunities, increased local tourism revenue, greater diversification of local job offerings, greater fiscal capability to maintain and provide essential infrastructure and services
Environmental	Maintenance of the distinctive character of the recreation setting; improved maintenance of physical facilities; reduced looting and vandalism of historic/prehistoric sites; reduced negative human impacts such as litter, vegetative trampling, unplanned trails, and human waste; greater community ownership and stewardship of area; greater retention of distinctive cultural landscape; greater protection of area archaeological sites; sustainability of community's cultural heritage; increased awareness and protection of specific objects and values of BENM; general increased awareness and protection of cultural and natural landscapes

Trail of the Ancients Recreation Management Zone

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the MMPs/EIS.

- Manage for the specific targeted outcomes—activities, experiences, and benefits—listed in Tables 5 and 6, with 80% of visitors reporting realization of the targeted experiences and benefits.

Desired recreation settings include additional and enhanced visitor facilities within the Recreation Management Zone (RMZ), resulting in a more rural physical setting than the existing recreation setting. The desired operational setting is frontcountry, with increased visitor services and management controls to provide the opportunity for visitors to experience cultural resources in a more directed and interpreted setting.

Table 5. Trail of the Ancients Recreation Management Zone Existing and Desired Recreation Settings

PHYSICAL – Qualities of the Landscape		
	Existing	Desired
Remoteness	Frontcountry/Rural: Areas within 0.5 mile of passenger vehicle routes (frontcountry). Areas within 0.5 mile of highway (rural)	No change
Naturalness	Frontcountry: Character of the natural landscape partially modified but none overpower the natural landscape	No change
Visitor facilities	Frontcountry: Camping areas, developed trailheads, toilets, interpretive displays	Rural: Developed campgrounds, visitor contact station

SOCIAL – Qualities Associated with Use		
	Existing	Desired
Average contacts	Backcountry: Seven to 15 encounters/day on travel routes.	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Average group size	Backcountry: Four to six people in group.	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Evidence of use	Frontcountry: Many small areas of alteration where surface vegetation is showing wear or gone. Sounds of people regularly heard.	No change
OPERATIONAL – Conditions Created by Management and Controls over Recreation Use		
	Existing	Desired
Public access	Frontcountry/Rural: Two-wheel-drive vehicles and ordinary highway auto and truck traffic characteristic	No change
Visitor services	Backcountry: Basic brochure, staff infrequently present to provide on-site assistance	Frontcountry: Provide more on-site interpretive information materials and kiosks, staff present frequently to provide on-site assistance.
Management controls	Middlecountry: Some regulatory and ethics signs. Moderate use restrictions.	Frontcountry: Rules, regulations and ethics clearly posted. Use restrictions and limitations.

Table 6. Trail of the Ancients Recreation Management Zone Objectives

Primary Activities		
Cultural site visitation	Backpacking (Alternatives C, D, and E only)	Education and interpretation
Hiking	Camping	Heritage tourism
Experiences		
Visitor		
Achievement/stimulation	Developing skills and abilities, gaining a greater sense of self-confidence, telling others about the trip	
Family/group togetherness	Enjoying the closeness of friends and family, group affiliation, and togetherness; meeting new people with similar interests; and participating in group outdoor events	
Learning and teaching	Learning and teaching others about the specific cultural history of the area, current cultural uses and spiritual significance of the area, the objects and values of BENM, and outdoor resource protection skills	
Enjoying nature	Enjoying the total sensory (sight, sound, and smell) experience of a natural landscape, enjoying easy access to natural landscapes	
Introspection	Enjoying the ability to be more contemplative; reflecting on own character and personal values, thinking about and shaping own spiritual values, contemplating humans' relationship with the land	
Exercise/physical fitness	Enjoying physical exercise	
Escaping personal/social/physical pressures	Releasing or reducing stress, escaping everyday responsibilities	
Community Resident		
Lifestyle	Enjoying access to close-to-home outdoor opportunities, enjoying the peace and quiet of small-town communities, avoiding compromising the quality of life in the area	
Sense of place	Feeling that the area is a special place to live; enjoying the cultural, spiritual, traditional, and familial connection to the natural and cultural landscapes	
Interacting with people	Encouraging visitors to help safeguard residents' lifestyle and quality of life, sharing cultural heritage with new people, seeing visitors become excited about the area, communicating cultural heritage with those already living in the area	

Stewardship and hospitality	Feeling good about the way cultural heritage is being protected, how visitors are being managed, how natural resources and facilities are being managed, and how the area is being used and enjoyed
Benefits	
Personal	Better mental health and health maintenance, personal development and growth, personal appreciation and satisfaction, improved physical fitness and health maintenance
Household and community	Greater household and community awareness of and appreciation for cultural heritage, improved functioning of individuals in family and community, greater family bonding, more well-rounded childhood development, reduced numbers of at-risk youth, lifestyle improvement or maintenance, enhance lifestyle, greater interaction with visitors from different cultures, greater community valuation of its ethnic diversity
Economic	Reduced health maintenance costs, increased work productivity, improved local-regional economic stability, increased local job opportunities, increased local tourism revenue, greater diversification of local job offerings, greater fiscal capability to maintain and provide essential infrastructure and services
Environmental	Maintenance of the distinctive character of the recreation setting; improved maintenance of physical facilities; reduced looting and vandalism of historic/prehistoric sites; reduced negative human impacts such as litter, vegetative trampling, unplanned trails, and human waste; greater community ownership and stewardship of area; greater retention of distinctive cultural landscape; greater protection of area archaeological sites; sustainability of community's cultural heritage; increased awareness and protection of specific objects and values of BENM; general increased awareness and protection of cultural and natural landscapes

Arch Canyon Recreation Management Zone

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the MMPs/EIS.

- Manage for the specific targeted outcomes—activities, experiences, and benefits—in Tables 7 and 8, with 80% of visitors reporting realization of the targeted experiences and benefits.
- Alternative B: Maintain non-motorized recreation use in the area and minimize conflict between recreation use and proper care and management of the objects and values of BENM.
- Alternative C: Maintain motorized and non-motorized recreation use in the area, excluding the final 0.5 mile of the current designated route, within 0.5 mile of the Forest Service boundary. In the 0.5-mile area, create an area closed to OHVs and rehabilitate the road to protect known Mexican spotted owl habitat.
- Alternative D: Maintain motorized and non-motorized recreation use in the area and minimize conflict between recreation use and proper care and management of the objects and values of BENM.
- Alternative E: Maintain motorized and non-motorized recreation use in the area and minimize conflict between recreation use and proper care and management of the objects and values of BENM.

Desired recreation settings include enhanced visitor facilities within the RMZ, resulting in a middlecountry physical setting. Under Alternative B, remoteness and public access would be primitive due to less motorized access. The desired operational setting is frontcountry, with increased visitor services and management controls. Desired visitor service enhancements are minimal, and this will generally maintain an undeveloped recreation setting for visitors to experience cultural resources and allow for a sense of discovery.

Table 7. Arch Canyon Recreation Management Zone Existing and Desired Recreation Settings

PHYSICAL – Qualities of the Landscape		
	Existing	Desired
Remoteness	Middlecountry: Within 0.5 mile of 4WD route	No change (Alternatives C, D, and E) Primitive (Alternatives B)
Naturalness	Middlecountry: Character of the natural landscape retained. A few modifications including fences and parking areas contrast with the character of the landscape	No change
Visitor facilities	Backcountry: Simple trailhead developments and information kiosks	Middlecountry: Maintained and marked trails, enhanced interpretive and information kiosks
SOCIAL – Qualities Associated with Use		
	Existing	Desired
Average contacts	Primitive: Fewer than six encounters/day on travel routes on average	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Average group size	Backcountry: Four to six people in group	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Evidence of use	Middlecountry: Small areas of alteration where surface vegetation is showing wear or gone, including motorized routes, social foot trails, and trailhead areas	No change
OPERATIONAL – Conditions Created by Management and Controls over Recreation Use		
	Existing	Desired
Public access	Middlecountry: 4WD vehicle, OHV, mechanized, foot, and equestrian access	No change (Alternatives C, D, and E) Primitive (Alternative B)
Visitor services	Primitive: No maps or brochures available onsite. Staff rarely present to provide onsite assistance	Middlecountry: Area information and maps onsite, staff occasionally present to provide on-site assistance
Management controls	Middlecountry: User regulations at key access points, some regulatory and ethics signs, camping and human waste restrictions	Frontcountry: Rules, regulations, and ethics clearly posted. Use restrictions and limitations

Table 8. Arch Canyon Recreation Management Zone Objectives

Primary Activities		
Cultural site visitation	OHV riding (Alternatives C, D, and E only)	Education and interpretation
Hiking (Alternative B only)	Backpacking (Alternative B only)	Heritage tourism
Camping		
Experiences		
Visitor		
Achievement/stimulation	Developing skills and abilities, gaining a greater sense of self-confidence, telling others about the trip	
Autonomy/leadership	Enjoying exploring on own	
Family/group togetherness	Enjoying the closeness of friends and family, group affiliation, and togetherness; meeting new people with similar interests; and participating in group outdoor events	
Learning and teaching	Learning and teaching others about the specific cultural history of the area, current cultural uses and spiritual significance of the area, the objects and values of BENM, and outdoor resource protection skills	

Enjoying nature	Enjoying the total sensory (sight, sound, and smell) experience of a natural landscape, enjoying easy access to natural landscapes
Introspection	Enjoying the ability to be more contemplative, reflecting on own character and personal values, thinking about and shaping own spiritual values, contemplating humans' relationship with the land
Exercise/physical fitness	Enjoying physical exercise
Escaping personal/social/physical pressures	Releasing or reducing stress; escaping everyday responsibilities; enjoying solitude, isolation, and independence; enjoying an escape from crowds
Community Resident	
Lifestyle	Enjoying access to close-to-home outdoor opportunities, enjoying peace and quiet of small-town communities, avoiding compromising the quality of life in the area
Sense of place	Feeling that the area is a special place to live; enjoying the cultural, spiritual, traditional, and familial connection to the natural and cultural landscapes
Interacting with people	Encouraging visitors to help safeguard residents' lifestyle and quality of life, sharing cultural heritage with new people, seeing visitors become excited about the area, communicating cultural heritage with those already living in the area
Stewardship and hospitality	Feeling good about the way cultural heritage is being protected, how visitors are being managed, how natural resources and facilities are being managed, and how the area is being used and enjoyed
Benefits	
Personal	Better mental health and health maintenance, personal development and growth, personal appreciation and satisfaction, improved physical fitness and health maintenance
Household and community	Greater household and community awareness of and appreciation for cultural heritage, improved functioning of individuals in the family and community, greater family bonding, more well-rounded childhood development, reduced numbers of at-risk youth, lifestyle improvement or maintenance, enhance lifestyle, greater interaction with visitors from different cultures, greater community valuation of its ethnic diversity
Economic	Reduced health maintenance costs, increased work productivity, improved local-regional economic stability, increased local job opportunities, increased local tourism revenue, greater diversification of local job offerings, greater fiscal capability to maintain and provide essential infrastructure and services
Environmental	Maintenance of the distinctive character of the recreation setting; improved maintenance of physical facilities; reduced looting and vandalism of historic/prehistoric sites; reduced negative human impacts such as litter, vegetative trampling, unplanned trails, and human waste; greater community ownership and stewardship of area; greater retention of distinctive cultural landscape; greater protection of area archaeological sites; sustainability of community's cultural heritage; increased awareness and protection of specific objects and values of BENM; general increased awareness and protection of cultural and natural landscapes

McLloyd Canyon-Moon House Recreation Management Zone

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the MMPs/EIS.

- The McLloyd Canyon-Moon House RMZ is based on its accessibility and the unique architecture of the Moon House site. From a scientific perspective, Moon House is world renowned—unique to the region—and is a significant cultural treasure. Restrictions and management prescriptions are intended to minimize conflicts between recreational use and proper care and management of the objects and values of BENM.
- Manage for the specific targeted outcomes—activities, experiences, and benefits—in Tables 9 and 10, with 80% of visitors reporting realization of the targeted experiences and benefits.

Desired recreation settings include enhanced visitor services to provide the opportunity for visitors to experience cultural resources in a more directed and interpreted setting.

Table 9. McLoyd Canyon-Moon House RMZ Existing and Desired Recreation Settings

PHYSICAL – Qualities of the Landscape		
	Existing	Desired
Remoteness	Middlecountry: Within 0.5 mile of 4WD route	No change
Naturalness	Primitive: Undisturbed natural landscape	No change
Visitor facilities	Primitive: Developed trail made mostly of native materials	No change
SOCIAL – Qualities Associated with Use		
	Existing	Desired
Average contacts	Primitive: Fewer than six encounters/day on travel routes on average	No change
Average group size	Backcountry: Four to six people in group	No change
Evidence of use	Backcountry: Areas of alteration uncommon. Surface vegetation showing wear or gone on foot trails.	No change
OPERATIONAL – Conditions Created by Management and Controls over Recreation Use		
	Existing	Desired
Public access	Primitive: Foot travel only	No change
Visitor services	Middlecountry: Staff occasionally present to provide on-site assistance.	Frontcountry: Provide more interpretive information materials, staff present frequently to provide on-site assistance.
Management controls	Rural: Regulations strict and ethics prominent. Use limited by a permit and reservation system.	No change

Table 10. McLoyd Canyon-Moon House Recreation Management Zone Objectives

Primary Activities	
Cultural site visitation	Education and interpretation
Hiking	Heritage tourism
Experiences	
Visitor	
Achievement/stimulation	Developing skills and abilities, gaining a greater sense of self-confidence, telling others about the trip
Family/group togetherness	Enjoying the closeness of friends and family, group affiliation, and togetherness; meeting new people with similar interests; and participating in group outdoor events
Learning and teaching	Learning and teaching others about the specific cultural history of the area, current cultural uses and the spiritual significance of the area, the objects and values of BENM, and outdoor resource protection skills
Enjoying nature	Enjoying the total sensory (sight, sound, and smell) experience of a natural landscape, enjoying easy access to natural landscapes
Introspection	Enjoying the ability to be more contemplative, reflecting on own character and personal values, thinking about and shaping own spiritual values, contemplating humans' relationship with the land
Exercise/physical fitness	Enjoying physical exercise
Escaping personal/social/physical Pressures	Releasing or reducing stress; escaping everyday responsibilities; enjoying solitude, isolation, and independence; enjoying an escape from crowds

Community Resident	
Lifestyle	Enjoying access to close-to-home outdoor opportunities, enjoying the peace and quiet of small-town communities, avoiding compromising the quality of life in the area
Sense of place	Feeling that the area is a special place to live; enjoying cultural, spiritual, traditional, and familial connection to natural and cultural landscapes
Interacting with people	Encouraging visitors to help safeguard residents' lifestyle and quality of life, sharing cultural heritage with new people, seeing visitors become excited about the area, communicating cultural heritage with those already living in the area
Stewardship and hospitality	Feeling good about the way the cultural heritage is being protected, how visitors are being managed, how natural resources and facilities are being managed, and how the area is being used and enjoyed
Benefits	
Personal	Better mental health and health maintenance, personal development and growth, personal appreciation and satisfaction, improved physical fitness and health maintenance
Household and community	Greater household and community awareness of and appreciation for cultural heritage, improved functioning of individuals in family and community, greater family bonding, more well-rounded childhood development, reduced numbers of at-risk youth, lifestyle improvement or maintenance, enhance lifestyle, greater interaction with visitors from different cultures, greater community valuation of its ethnic diversity
Economic	Reduced health maintenance costs, increased work productivity, improved local-regional economic stability, increased local job opportunities, increased local tourism revenue, greater diversification of local job offerings, greater fiscal capability to maintain and provide essential infrastructure and services
Environmental	Maintenance of the distinctive character of the recreation setting; improved maintenance of physical facilities; reduced looting and vandalism of historic/prehistoric sites; reduced negative human impacts such as litter, vegetative trampling, unplanned trails, and human waste; greater community ownership and stewardship of area; greater retention of distinctive cultural landscape; greater protection of area archaeological sites; sustainability of community's cultural heritage; increased awareness and protection of specific objects and values of BENM; general increased awareness and protection of cultural and natural landscapes

San Juan Hill Recreation Management Zone

Outcome-Focused Recreation Objectives

The following objectives apply to all alternatives analyzed in the MMPs/EIS.

- Manage for the specific targeted outcomes—activities, experiences, and benefits—in Tables 11 and 12, with 80% of visitors reporting realization of the targeted experiences and benefits.
- Manage for heritage tourism, traditional cultural values, and cultural site visitation while minimizing conflict between multiple recreation uses and between recreation use and proper care and management of the object and values of BENM.

Desired recreation settings include additional and enhanced visitor facilities within the RMZ, resulting in a middlecountry physical setting. The desired operational setting is middlecountry, with improved visitor services. Desired visitor facility and service enhancements are minimal and will generally maintain an undeveloped setting for visitors to experience cultural resources and allow for a sense of discovery.

Table 11. San Juan Hill Recreation Management Zone Existing and Desired Recreation Settings

PHYSICAL – Qualities of the Landscape		
	Existing	Desired
Remoteness	Middlecountry: Within 0.5 mile of 4WD route.	No change
Naturalness	Middlecountry: Character of the natural landscape retained. A few modifications including fences and	No change

PHYSICAL – Qualities of the Landscape		
	parking areas contrast with the character of the landscape.	
Visitor facilities	Backcountry: Simple trailhead developments and information kiosks.	Middlecountry: Maintained and marked trails, enhanced interpretive and information kiosks
SOCIAL – Qualities Associated with Use		
	Existing	Desired
Average contacts	Primitive: Fewer than 6 encounters/day on travel routes on average	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Average group size	Middlecountry: 7-12 people in group.	Allow for increased visitor use; monitor for impacts and limit access to specific sites if necessary.
Evidence of use	Middlecountry: Small areas of alteration where surface vegetation is showing wear or gone, including Motorized routes, social foot trails, and trailhead areas.	No change
OPERATIONAL – Conditions Created by Management and Controls over Recreation Use		
	Existing	Desired
Public access	Middlecountry: 4WD vehicle access, river access	No change
Visitor services	Backcountry: Basic brochure, staff infrequently present to provide on-site assistance	Middlecountry: Area information and maps onsite, staff occasionally present to provide on-site assistance
Management controls	Middlecountry: User regulations at key access points (river), some regulatory and ethics signs, camping and human waste restrictions	No change

Table 12. San Juan Hill Recreation Management Zone Objectives

Primary Activities		
Cultural site visitation	Camping	Education and interpretation
Hiking	OHV riding	Heritage tourism
Experiences		
Visitor		
Achievement/stimulation	Developing skills and abilities, gaining a greater sense of self-confidence, being able to tell others about the trip	
Autonomy/leadership	Enjoying exploring on own	
Family/group togetherness	Enjoying closeness of friends and family, group affiliation and togetherness, meeting new people with similar interests, and participation in group outdoor events	
Learning and teaching	Learning and teaching others about the specific cultural history of the area, current cultural uses and spiritual significance of the area, the objects and values of BENM, and outdoor resource protection skills	
Enjoying nature	Enjoying the total sensory (sight, sound, and smell) experience of a natural landscape, enjoying easy access to natural landscape.	
Introspection	Enjoying ability to be more contemplative; reflecting on own character and personal values; thinking about and shaping own spiritual values; contemplating human's relationship with the land	
Exercise/physical fitness	Enjoying physical exercise	
Escaping personal/social/physical pressures	Releasing or reducing stress; escaping everyday responsibilities	

Community Resident	
Lifestyle	Enjoying access to close-to-home outdoor opportunities; enjoying peace and quiet of small-town communities; avoiding compromising the quality of life in the area
Sense of place	Feeling that the area is a special place to live; enjoying cultural, spiritual, traditional, and familial connection to natural and cultural landscapes
Interacting with people	Encouraging visitors to help safeguard resident lifestyle and quality of life; sharing cultural heritage with new people; seeing visitors become excited about the area; communicating cultural heritage with those already living in the area
Stewardship and hospitality	Feeling good about the way cultural heritage is being protected, how visitors are being managed, how natural resources and facilities are being managed, and how the area is being used and enjoyed
Benefits	
Personal	Better mental health and health maintenance; personal development and growth; personal appreciation and satisfaction; improved physical fitness and health maintenance
Household and community	Greater household and community awareness of and appreciation for cultural heritage; improved functioning of individuals in family and community; greater family bonding; more well-rounded childhood development; reduced numbers of at-risk youth; lifestyle improvement or maintenance; enhance lifestyle; greater interaction with visitors from different cultures; greater community valuation of its ethnic diversity
Economic	Reduced health maintenance costs; increased work productivity; improved local-regional economic stability; increased local job opportunities; increased local tourism revenue; greater diversification of local job offerings; greater fiscal capability to maintain and provide essential infrastructure and services
Environmental	Maintenance of distinctive recreation setting character; improved maintenance of physical facilities; reduced looting and vandalism of historic/prehistoric sites; reduced negative human impacts such as litter, vegetative trampling, unplanned trails, and human waste; greater community ownership and stewardship of area; greater retention of distinctive cultural landscape; greater protection of area archaeological sites; sustainability of community's cultural heritage; increased awareness and protection of specific objects and values of BENM; general increased awareness and protection of cultural and natural landscapes

U.S. FOREST SERVICE RECREATION MANAGEMENT ZONES DESIRED FUTURE CONDITIONS

Arch Canyon Semi-Primitive Non-Motorized Area

The following desired future conditions apply to all alternatives analyzed in the MMPs/EIS.

- The zone is managed for non-motorized use. Uses include hiking and equestrian trails. Any facilities would be small scale and rustic in nature. The zone is managed to provide opportunities for exploration, challenge, and self-reliance and opportunities to experience dark skies and quiet areas.
- Ecological processes such as fire, insects, and disease are the primary factors affecting landscape patterns within these areas.
- Seasonal or permanent restrictions on human use may be applied to provide for the protection of physical, biological, or social resources.
- Resource management activities such as timber harvest, livestock grazing, wildlife habitat improvement, vegetative treatments, and special uses may occur as long as they meet Scenery Management System (SMS) objectives and maintain a high quality semi-primitive non-motorized recreation opportunity.
- Sounds of motorized use are generally not heard from the core of semi-primitive non-motorized areas.
- The zone contains the Arch Canyon Inventoried Roadless Area, which will be managed consistent with the 2001 Roadless Rule.

The Points Semi-Primitive Motorized Areas

The following desired future conditions apply to all alternatives analyzed in the MMPs/EIS.

This zone is a backcountry area used by motorized users on designated routes. Roads are maintained for high-clearance vehicles. The zone offers motorized opportunities for exploration, challenge, and self-reliance. Any facilities are small scale and rustic in nature. This area provides a portal into the adjacent Arch Canyon Semi Primitive Non-Motorized Area.

The South Elks/Bears Ears Roaded Natural Zone

The following desired future conditions apply to all alternatives analyzed in the MMPs/EIS.

This zone is a frontcountry recreation area that is accessed by open system roads that can accommodate sedan travel. Facilities are less rustic and more developed (campgrounds, trailheads, on-site interpretation of cultural sites, etc.). Recreation development in the Monument on Forest Service lands would be focused here. This zone provides an access point for the adjacent Semi-Primitive Motorized setting found in the Points Semi-Primitive Motorized Areas.

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