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April 9, 2018

Grand Staircase Escalante National Monument
Attention; Matthew Betenson, Associate Monument Manager
669 South Highway 89A
Kanab, Utah 84741

In reference to;
GSENM RMP Planning Process
ref; Scoping Notice Published Federal Register Tuesday Jan. 16,
2018.

Dear Mr. Betenson;

My name is Scott Berry, and I am serving as the Vice President of Grand Staircase Escalante Partners (GSEP). Let me thank you in advance for giving the comments of our organization regarding the RMP planning process referenced in the above-mentioned scoping notice projects your attention and consideration.

The scoping notice refers to a process intended to develop Resource Management Plans (RMP's) for the three recently described units of GSENM+ (Grand Staircase, Escalante Canyons, and Kaiparowits), and for the lands recently excluded from GSENM (Excluded Lands).

Our comments address the entire planning process and are organized as described in this paragraph. Comments applying to the planning process generally are set forth in Section I of these comments. A second group of comments address specific components of the proposed new RMP's, using the existing 1999 RMP as an outline. A third group of comments applies to specifically identified units and to the Excluded Lands, and those are set forth in Section III of these comments.

Our filing of these comments may not be taken in any way as a waiver of the claims we have made in the legal actions referred to below and may not be taken as demonstrating assent in any way to the modifications to GSENM resulting from Proclamation 9682. GSEP hereby incorporates into these

comments by reference all the claims which we have asserted in our pending legal challenge to Proclamation 9682.

Thank you for giving these comments your attention. Please include these comments in the official record for the described planning process. Please consider these comments our written request that our organization be provided with advance written notice, not less than 90 days, of each action taken by the DOI and the BLM during the entire planning process.

Notice should be mailed to;

Grand Staircase Escalante Partners
Attention; Nicole Croft, Executive Director
310 S. 100 E. #7
Kanab, Utah 84741

Electronic communication should be addressed to;
nicole@gseem.org
rsberryslc@gmail.com

In addition, we respectfully request that the deadline for the filing of written comments be extended until July 1, 2018

SECTION I General Comments Addressing the Proposed RMP Planning Process

Please address the issues, concerns, and alternatives described below;

1. GSEP has filed a legal challenge to Proclamation 9682, currently pending in federal district court in Washington D.C., in which the DOI and President Trump are named defendants. All knowledgeable legal scholars recognize that the legal issues raised are serious and have the genuine potential to overturn Proclamation 9682. Considering this context, please consider and analyze the following alternatives.
 - a. Postponing further RMP planning until the federal district court has ruled on the legality of Proclamation 9682.
 - b. Adopting the current GSENM RMP as the RMP for the three newly described units of GSENM+, and for the Excluded Lands.

- c. Analyzing in detail the financial costs of proceeding with the new RMP planning process, to determine the resources that stand to be wasted in the event Proclamation 9682 is overturned by the court.
- d. Adopting a sequential unit-by-unit approach to planning process, as a way of preserving limited agency resources, to reduce waste that would result if Proclamation 9682 is overturned.
- e. Limiting planning efforts to the subject areas described in the five specific paragraphs included on the final page of Proclamation 9682 describing those subjects where new planning may modify existing planning under Proclamation 6920.
- f. Forming an advisory committee composed of scientists from each of the scientific disciplines working in GSENM to provide advice and information as to what management actions will be necessary to protect the features mandated for protection in Proclamation 9682.

2. The planning process should explicitly acknowledge that the three newly designated units of GSENM+ are units of the National Landscape Conservation System (NLCS), as established under the Omnibus Public Land Management Act of 2009, 16 U.S.C. 7202 et. al. The NLCS was established to “conserve, protect and restore nationally significant landscapes that have outstanding cultural, ecological and scientific for the benefit of current and future generations. NLCS units are to be managed “in a manner that protects the values for which the components of the of the system were designated.” Any planning effort relating to the units of GSENM+ should clearly designate that compliance with this directive shall be given the highest priority in the RMP planning process. BLM Manual 6100-National Landscape Conservation System, Section 1.2A.

3. As directed under BLM Handbook 6220 management of the modified GSENM+ must comply with specific federal legal statutes;
- a. Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202)
 - b. Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701-1782).
 - c. Antiquities Act of 1906 (16 U.S.C. 433)
 - d. National Environmental Policy Act of 1969, as amended (43 U.S.C. 4321 et seq.)
 - e. Paleontological Resources Preservation Act, 16 U.S.C. 470aa-470aaa-11.

The RMP planning process should begin with a careful analysis of the obligations arising under these statutes, to ensure that the RMP planning process thoroughly incorporates and responds to the existing federal statutory framework outside the parameters of Proclamation 9682.

In addition, the new RMP planning process should research and analyze what specific conditions should must attach to any permit for activities within GSENM+ and the Excluded Lands to comply with the requirements of the federal statutes listed above.

4. Proclamation 9682 states in part;

“Nothing in this proclamation shall change the management of the areas designated by Proclamation 6920 that remain part of the monument in accordance with the terms of this proclamation, except as provided by the following 5 paragraphs:”

The following 5 paragraphs of proclamation 9682 address (a) the creation of separate management plans for each of the three newly designated units; (b) the establishment of advisory committees; (c) allowing motorized and non-mechanized vehicle use of roads and trails existing before the issuance of Proclamation 6920, consistent with the protective goals set forth the proclamation; (d) a declaration that nothing in proclamation 9682 shall authorizations for or the administration of livestock grazing.

Considering this specific and explicit mandate, the RMP planning process should begin with an express acknowledgment that the RMP planning process will not address any subject beyond those outlined in these specific paragraphs.

SECTION II.

ELEMENTS OF THE CURRENT 1999 GSENM RMP PLAN WHICH SHOULD BE ANALYZED FOR INCLUSION IN ANY NEW RMP'S FOR GSENM+

A. The protection of myriad historic and scientific resources continues as the primary objective for the creation of GSENM+ under Proclamation 9682, as it was under Proclamation 6920. In view of this continuing objective, the BLM should carefully analyze and consider whether the specific approaches and methods described in the current 1999 RMP to achieve protection of these resources should be included as critical components of any new RMP. These approaches and methods include;

1. Adopting as a principal goal maintaining GSENM+ in its primitive frontier state, safeguarding the remote and undeveloped character of the Monument, as conditions essential to the protection of scientific and historic resources.
2. Providing opportunities for the study of scientific and historic resources, including a focus on understanding the ways in which changes in environmental conditions on multiple geographic and time scales will impact the functioning of all current biological and ecological systems. These opportunities should be limited only when they would conflict with the protection and preservation of monument resources.
3. Visitor development in GSENM+ should be limited to minor facilities, such as interpretive kiosks and pullouts, located in peripheral areas of the monument. All major developments should be located in nearby towns to both protect the monument, and to generate increased economic activities on privately owned lands.
4. Continuing to use the current management zone system; Frontcountry, Passage, Outback, and Primitive.
5. Designation of a transportation system for the monument which adopts the current Transportation Plan map identifying open, closed and routes open only to administrative use, and which includes a prohibition on all cross-country vehicle travel.
6. The integration into the planning process of new information gathered from field inventories, assessments, research, other agency studies, and other scientific resources which has become available since 1996.
7. Continuing the goal of implementing adaptive management strategies to integrate new information into an ongoing planning process.

B. Areas of Specific Management Concern. The following specific areas of concerns should be described and analyzed during the RMP process and included in the final Record of Decision (ROD).

1. Air Quality;

- a. GSENM+ should continue to be managed as a Prevention of Significant Deterioration Class II Area as designated by the Clean Air Act.
- b. Site specific proposals affecting BLM and adjacent lands will be reviewed for compliance with existing air quality laws and policies. Projects will be designed to minimize further degradation of air quality. New emission sources will be required to apply control measures to reduce emissions.
- c. Management ignited fires will comply with State of Utah requirements to minimize air quality impacts from resulting particulates.

2. Archaeology. The overall objective with respect to archaeological resources shall be to (i) identify, document, and protect the array of archaeological resources in the Monument; (ii) manage uses to prevent damage to archaeological resources; (iii) increase public education and appreciation of archaeological resources to assure that the Monument is recognized as a laboratory for the preservation, study and appreciation of cultural heritage. Inventory and research efforts will be expanded to fill in information gaps in the archaeological record and to identify resources that will required specialized protection methods.

- a. Public education and interpretation will be emphasized to improve visitor understanding of archaeological resources and prevent damage.
- b. Traditional Cultural Properties will be identified, respected, preserved and managed for continued recognized traditional uses. If the event of disagreement between BLM staff and contemporary Native American Communities over the type of protection such properties will require, the BLM will defer to proposals of Native American communities unless that BLM can establish beyond a reasonable doubt that specific proposals are not scientifically justified.

3. Fish and Wildlife; The management objective shall be to manage fish, wildlife and other animals in conjunction with Utah state agencies to achieve and maintain healthy populations of all component species of the existing ecosystem, population dynamics, and population distributions, as measured by ecological function, rather than solely by historical presence.

- a. Work cooperatively with the Utah Division of Wildlife Resources to reestablish native species to historic ranges, recognizing that in some instances

reestablishment may not be feasible in light of changing climatic conditions, or the damage that restoration efforts may cause to other monument resources.

b. The BLM will encourage and participate in scientific research designed to identify specific wildlife corridors, both within the monument, and to and from the monument to adjacent lands, and will prioritize the protection of the corridors thus identified from future development.

c. Water development. Water development may be allowed for wildlife purposes only upon a determination that the proposed development will have a positive impact on all the wildlife species existing within the area to be served by the proposed development. Water development for wildlife may not compromise the ecological function of existing riparian areas.

d. The use of poisons by Wildlife Services will not be permitted within the monument

e. Activity level assessments will be required before the use of any chemical substances that may reach the Escalante River or Lake Powell.

4. Special Status Animal Species. The objective with respect to special status animal species shall be to avoid entirely or minimize the need for additional listing of species under the Endangered Species Act.

a. The BLM will ensure that authorized actions do not jeopardize the continued existence of any special status animal species or result in the destruction of adverse modification of critical habitats.

b. The BLM will establish and adopt minimum mandatory surface occupancy conditions, based on the best current scientific information, for all leasing activities on monument lands prior to offering any specific parcel of land for lease, designed to communicate to potential lessees in advance the minimum restrictions that would attach to such leases, to protect special status species and their habitats.

c. Natural water flows and flood events will be maintained, sufficient for natural structure and function of riparian vegetation.

5. Geology. The objective shall be to prevent damage to the geomorphologic features; increase public education and appreciation of geologic resources; and facilitate geologic research to improve understanding of geologic processes.

Visitation activities may be restricted in areas facing a high hazard of damage to geomorphological features resulting from visitation activities.

6. Paleontology. The objective shall be to protect the abundant paleontological resources in the monument from destruction or degradation. The BLM will inventory said resources, and evaluate their requirements for protection, with highest priority given to high visitation areas and areas of high sensitivity

- a. An effective monitoring program will be established for high sensitivity sites in conjunction with collaborative partnerships and volunteer organizations.
- b. All proposed projects within the monument will be required to include a paleontological site inventory, and proposals shall incorporate effective, appropriate strategies for site protection.

7. Riparian. The objective shall be to manage all riparian areas to assure the continuance of their proper ecological functioning, and to assure that stream channel morphology and functions are appropriate to the local soil type, climate and landform.

- a. All segments of riparian habitat previously inventoried will be reassessed as part any future grazing allotment assessment. Riparian areas that have not been evaluated in the past ten years will be scheduled for assessment within three years commencing the on the first July 1 following issuance of the ROD adopting any new RMP.
- b. Vegetation restoration methods will not be allowed in riparian areas without the prior collection of scientific information and analysis by the GSENM+ Advisory Committee.
- c. The BLM will collaborate and cooperate with the Escalante River Watershed Partnership to review, approve, and implement the Long-Term Monitoring and Maintenance Plan for the Escalante River Riparian Area with GSENM+ to prevent invasion of riparian habitat by Russian Olive or other invasive species.

8. Soils and Biological Soil Crusts. The objective shall be to manage uses to prevent damage to soil resources and to ensure that the health and distribution of fragile biological soil crusts are maintained or improved.

- a. The BLM will apply mandatory procedures to protect soils from accelerated or unnatural erosion from any ground disturbing activity, including route maintenance and restoration.
- b. The effects of activities such as grazing, grazing developments, mineral exploration and development, and water developments will be analyzed through the preparation of project specific NEPA documents. All interested stakeholders, including Grand Staircase Escalante Partners, will be kept on a permanent notice list for the receipt of NEPA documentation.

9. Vegetation. The objective shall be to facilitate strong a strong research program into the vegetation communities found throughout the monument, with a focus on observing and measuring changes in those communities over multiple time scales

as those changes relate to changes in temperature and precipitation patterns, and to land uses associated with those communities.

- a. Active measures will be taken to inventory and protect unique vegetation associations such as hanging gardens and relict plant associations.
- b. Inventories will be made of all “old growth” (trees more than 250 years old) pinyon and juniper communities.
- c. Assertions of pinyon juniper encroachment as a basis for specific vegetation development projects will require scientific validation from outside the BLM before being incorporated into “purpose and need” NEPA statements.
- d. All vegetation management projects will be reviewed before implementation for potential contribution to noxious weed expansion in the monument. Projects that contribute to noxious weed expansion will be prohibited.

10. Special Status Plant Species. The objective shall be for the BLM to adopt active and effective measures to promote the conservation and recovery of all special status plant species with the Monument, in so far as those measures are practical and feasible in the context of changing climatic conditions.

- a. An inventory and survey of special status plant species within the monument shall be conducted within 3 years of the adoption of any new RMP, and at least every 10 years thereafter.
- b. The BLM will consult with the USFWS to ensure that actions authorized by the BLM do not jeopardize the continued existence of any Federally listed plant species or result in the destruction or adverse modification of critical habitats.
- c. No exceptions for cross-country vehicle travel be will made in the known habitat or locations of sensitive plant species.
- d. Surface disturbing research activities will generally not be permitted prior to collecting information from the GSENM+ Advisory Committee. Prior approval of the GSENM+ Manager will be required before such activities may be permitted.

11. Relict Plant Communities and Hanging Gardens.

- a. Vegetation restoration management actions will not be allowed in these areas.
- b. No new water developments will be authorized in these areas.
- c. Surface disturbing research will be allowed in these areas only with the advance approval of the GSENM+ Manager.
- d. Parking and other recreation facilities will not be allowed in these areas.
- e. Camping, overnight stays, and campfires will not be allowed in these areas.
- f. Group size limits may be imposed on relict plant areas beyond generally applicable group size limits.
- g. Pack animals will not be allowed in relict plant areas.

h. Communication sites and utility right of ways will not be allowed in these areas.

12. Vegetation Restoration Methods. The objective shall be to assure that all proposed Vegetation Restoration Management projects must be preceded by the collection of relevant scientific information by the GSENM+ Advisory Committee, for the purpose assuring all such proposals are supported by the best available, current science. Proposals lacking strong scientific support will not be permitted.

a. Vegetation restoration management projects whose ultimate success depends on the continuance of historic post settlement climatic conditions will not be permitted.

b. Every proposed vegetation management project will be required to be supported by an analysis of how scientifically predicted probable changes in future climatic conditions at the project site will affect the attainment of project goals.

c. Where an improvement in forage conditions for grazing cattle is a component of a vegetation restoration project, the entire cost of the proposed project, including pre-project inventory and analysis, shall be borne by the grazing permittee. Each such vegetation treatment project must include a specific statement of purpose and need, supported by the best available science. Any project that includes improvement in forage conditions for grazing cattle must state specifically what percentage of the anticipated benefit will go to grazing uses.

d. Every vegetation restoration project must be supported by an economic analysis illustrating the actual expense of the proposed project, the economic benefit expected to result.

e. Every vegetation restoration project must include a detailed post project monitoring plan designed to produce reliable scientific data on the short and long-term effects of the project.

f. Only seeds native to plants found on the Colorado Plateau may be used with vegetation restoration management projects.

g. Wildfire has been an important and crucial factor in the dynamic ecology of monument lands for many thousands of years. Natural fires will continue to occur. When wildfires occur, the objective of the BLM shall be limited to protecting human life and property.

h. The Long-Term Monitoring and Maintenance Plan being developed by the Escalante River Watershed Project should be reviewed, approved and supported by the BLM in collaboration with ERWP.

13. Noxious Weed Control; The BLM will control noxious weeds in accordance with National and State policies and directives. Aerial chemical applications will be used only where it ground level accessibility is not possible, and it can be

scientifically demonstrated that non-target species will not be detrimentally affected.

14. **Forestry Products;** Fuelwood harvesting, post cutting, and Christmas tree cutting will be allowed only within designated area under a permit system. General transportation and access rules will apply.

15. **Native v. Non-native Plants.** Only plants native to the Colorado Plateau may be used for vegetation projects and reseeded with the GSENM+. Non-native plants may not be used.

16. **Re seeding after Fires;** The vegetation management objective is to use only native plant seeds to reseed following fire, and only in those circumstances where it has been scientifically demonstrated that reseeded will help prevent noxious weed spread.

17. **Restoration and Revegetation.** The planning objective will be to restore and promote a functioning ecological system that promotes conservation of all critical system components. Priority will be given to areas where Monument + resources are being damaged.

18. **Water;** the planning objective will be to ensure that an appropriate quantity and quality of water resources are available for conservation and preservation of GSENM+ resources.

a. When considering water development projects that relate to grazing use, closing specific areas to future grazing must be considered as an alternative. Diversions of water outside the GSENM+ will not be permitted beyond those currently existing.

b. Federal reserved water rights not associated directly with the creation of GSENM may not be compromised or relinquished.

c. Actions that further accelerate the diminishment of water quality, measured in terms of an increase in TMDL's, will not be permitted. Water quality within the GSENM+ shall be monitored on a permanent basis at not less than 60 sites.

Management of Visitors and Other Uses.

19. **Camping.** The provisions of the current 1999 RMP relating to camping will be retained.

20. **Climbing.** The provisions of the current 1999 RMP relating to climbing will be retained.

21. **Collections.** The provisions of the current 1999 RMP relating to collections will be retained.

22. **Commercial Filming.** Filming that does not require ground disturbance, and which does not involve more than a two-person camera crew, is allowed in all zones on the express condition of compliance with zone requirements and other plan provisions. Commercial filming that does not meet this definition may be allowed by permit. Filming limited to “smart phones” is allowed in all zones on the express condition of compliance with zone requirements and other plan provisions. Filming by use of drones is limited to Frontcountry and Passage Zones, except when such use facilitates emergency management activities.

23. **Competitive and Special Events.** The provisions of the current 1999 RMP relating to Competitive and Special Events will be retained. Special Events involving human powered handcart use, horse-drawn wagon travel, and foot travel shall be allowed by permit along the 50 Mile Mountain Road on the express condition that such travel shall not be supported by motorized vehicles.

24. **Emergency and Management Exceptions.** In emergency circumstances, vehicles may pull immediately off designated routes. Other limited exceptions may be granted by the GSENM+ Manager

25. **Facilities;** The provisions of the current 1999 RMP relating to Facilities will be retained.

26. **Fees.** Fee stations should be established in areas of concentrated public use to collect fees, on the express condition that all fees so collected should be entirely devoted to the needs of GSENM+. Season passes shall be made available to the public. Residents of adjoining counties shall be provided with an opportunity to purchase passes granting permission for season use for a nominal cost, not to exceed \$50.00. Grazing permittees and their employees shall be granted annual passes without charge. Twenty percent of all fees so collected on an annual basis shall be paid to the on a 50/50 basis to Garfield County, Utah and Kane County, Utah.

27. **Group Size.** The provisions of the current 1999 RMP relating to Group Size will be retained

28. **Livestock Grazing.** GSEP hereby incorporates by reference the “Sustainable Multiple Use Grazing Alternative” submitted as part of the Livestock Grazing

Monument Management Plan Amendment and Associated Environmental Impact Statement for the Grand Staircase-Escalante National Monument, Utah, submitted by the Grand Canyon Trust, et. al. on or about January 13, 2014. A true and correct copy of that document is included with this submission.

29. Night Skies. The BLM will act to prevent light pollution within the GSEM+. All facilities, both permanent, temporary, and replacement will be required to use “Dark Sky Friendly” lighting fixtures, except for emergency situations. “Flaring” from energy resource production sites shall be prohibited.

30. Outfitter and Guide Operations. The objective shall be to allow outfitter and guide operations within GSENM+ in compliance with the constraints of zone designations and other Plan provisions. Applications for operations shall be processed and returned in thirty days or less. Outfitters and Guides may be required to obtain liability insurance with coverage limits not to exceed \$25,000.

31. Recreation Allocations. The GSENM+ Manager shall manage visitor use allocations in such a way as to prevent significant visitor caused damage to the resources that the monument was created to preserve. The methods used to accomplish this goal lie within the reasonable discretion of GSENM+ Manager, and may include;

- a. Closing to visitor use areas sustaining significant visitor related damage.
- b. Limiting visitor numbers and/or group size in areas sustaining significant visitor related damage.
- c. Adopting a permit allocation system for the Outback and Primitive Zones designed to reduce visitor impacts in popular or sensitive areas.

32. Recreational Stock Use. The provisions of the current 1999 RMP relating to Recreational Stock Use will be retained.

33. Science and Research; The provisions of the current 1999 RMP relating to Science and Research shall be retained.

34. Transportation and Access. The Transportation and Access Plan included in the 1999 RMP, in so far as it includes area now within GSENM+, shall be retained, subject to the following modifications.

- a. The Grand Staircase Unit should have limited motorized vehicle use but only on designated roads that were open to such use in the 1999 Monument Management Plan and the Monument Transportation System 1999 Map 2; or pending the outcome of the lawsuits filed against Proclamation 9682; or after

RS2477 claims have been resolved in Federal Court; and a new Monument Transportation Plan has been approved following a NEPA process. Administrative Roads within this Unit shall be enforced to allow authorized motorized vehicles permitted on such roads but only for the specific use(s) and distance allowed as authorized in the written justification for that administrative road. If there are still “ranch roads” permitted by verbal agreements, such motorized use should be discontinued and not allowed or the “ranch road” moved to an official administrative road designation. Illegal Off-Road Vehicle (ORV) on closed roads and elsewhere needs to be enforced. Re-construction of authorized roads need to follow the NEPA process.

- b. The Paria River Corridor between the Kaiparowits and Grand Staircase Units should remain closed to motorized use according to the 1999 Monument Management Plan and the approved Monument Transportation System 1999 Map 2; until such time the Federal court system’s decision on RS2477 status for this corridor is finalized; or pending the outcome of the lawsuits against Proclamation 9682; and a new Monument Transportation Plan has been approved following the NEPA process. Elsewhere on the Kaiparowits Unit limited motorized use should be permitted on the roads approved in the 1999 Monument Management Plan and the Monument Transportation System 1999 Map 2; or pending the outcome of the lawsuits filed against Proclamation 9682; or after RS2477 claims have been resolved in Federal Court; and a new Monument Transportation Plan has been approved following a NEPA process. Administrative Roads within this Unit shall be enforced to allow authorized motorized vehicles permitted on such roads but only for the specific use(s) and distance allowed as authorized in the written justification for that administrative road. If there are still “ranch roads” permitted by verbal agreements, such motorized use should be discontinued and not allowed or the “ranch road” moved to an official administrative road designation. Illegal Off-Road Vehicle (ORV) on closed roads and elsewhere needs to be enforced. Re-construction of authorized roads need to follow the NEPA process. Re-construction of authorized roads need to follow the NEPA process.
- c. The Escalante Canyon Unit should be managed to prohibit motorized vehicle use in the Escalante Main Stem and all tributaries according to the 1999 Monument Management Plan and the approved Monument Transportation System 1999 Map 2; or pending the outcome of the lawsuits filed against Proclamation 9682; or after RS2477 claims have been resolved in Federal Court; and a new Monument Transportation Plan has been

approved following a NEPA process. Administrative Roads within this Unit shall be enforced to allow authorized motorized vehicles permitted on such roads, but only for the specific use(s) and distance allowed as authorized in the written justification for that administrative road. If there are still “ranch roads” permitted by verbal agreements, such motorized use should be discontinued and not allowed or the “ranch road” moved to an official administrative road designation. Illegal Off-Road Vehicle (ORV) on closed roads and elsewhere needs to be enforced. Re-construction of authorized roads need to follow the NEPA process.

- d. The Resource Management Plan for the Excised Public Lands removed from the Proclamation 6920 Boundary should allow limited motorized vehicle use on roads that are open to such use by the 1999 Monument Management Plan and the approved Monument Transportation System 1999 Map 2; or pending the outcome of the lawsuits filed against Proclamation 9682; or after RS2477 claims have been resolved in Federal Court; and a new Monument Transportation Plan has been approved following a NEPA process.

Administrative Roads within this Unit shall be enforced to allow authorized motorized vehicles permitted on such roads but only for the specific use(s) and distance allowed as authorized in the written justification for that administrative road. If there are still “ranch roads” permitted by verbal agreements, such motorized use should be discontinued and not allowed or the “ranch road” moved to an official administrative road designation. Illegal Off-Road Vehicle (ORV) on closed roads and elsewhere needs to be enforced. Re-construction of authorized roads need to follow the NEPA process.

- e. Management of visitors and their activities is more difficult than livestock management and subsequently needs the appropriate analysis and attention. . That was not covered sufficiently in the 1999 MMP, because managers did not foresee the boom in visitation that occurred. The impacts of various group sizes must be analyzed and considered. The Transportation Plan must be coordinated with the analysis of current and predicted visitor management. Management must have the discretion to implement permit systems in specific heavily used areas. Do not make the same mistake by ignoring group sizes, not identifying desired visitor experiences and opportunities, natural quiet values, and the importance and enjoyment of dark skies. There must be some direction given in the four RMPs for visitor management, including the possibility of required permits in specific heavily-used areas. Camping areas must be managed and designated in certain zones.

35. Utility Rights of Way and Communication Sites. The provisions of the current 1999 RMP relating to Utility Rights of Way and Communication sites shall be retained and applied in GSENM+.

36. Valid Existing Rights and other Existing Authorizations. Valid Existing Rights (VERs) are those rights in existence with the boundaries of GSENM+ on September 18, 1996. The provisions of the current 1999 RMP relating to VERs shall be retained and applied in GSENM+, with the following amendments;

a. The VER verification process described therein will apply with equal force to new all new mining claims and mineral leases filed on or after February 20, 2018.

37. Vending. The provisions of the current 1999 RMP relating to Vending shall be retained and applied in GSENM+.

38. Water-Related Developments (Non-Culinary). The provisions of the current 1999 RMP relating to Water-Related Developments (Non-Culinary) shall be retained and applied in GSENM+

39. Wildfire Management; The provisions of the current 1999 RMP relating to Wildfire Management shall be retained and applied in GSENM+.

40. Wildlife Services. The provisions of the current 1999 RMP relating to Wildlife Services shall be retained and applied in GSENM+.

41. Withdrawal Review. The provisions of the current 1999 RMP relating to Withdrawal Review shall be retained and applied in GSENM+.

42. Areas of Critical Environmental Concern (ACECs). The Excluded Lands, those lands formerly included in GSENM but not included in GSENM+, should be administratively categorized as Areas of Critical Environmental Concern pending a final judicial determination of the legality of Proclamation 9692. This classification is necessary to prevent irreparable harm to lands that may be restored to GSENM by the pending legal actions, and to avoid the waste of financial resources that would be committed to developing a new RMP for the excluded lands. The management objective for these ACEC's should be the on-going preservation of the resources described in Proclamation 6920.

43. Special Management Designations. All existing special management designations consistent with both Proclamation 9682 and 6920 will continue. Those designations are described in the 1999 RMP.

44. Special Recreation Management Areas. (SRMAs). The SRMA's identified in the 1999 RMP are retained and SRMA management will continue.

45. Visual Resource Management. The objective shall be to preserve the spectacular scenic assets of GSENM+. The most recent visual resource inventory, including the updated visual resource management classes, should be adopted as the primary management tool. The management directives of the current 1999 RMP should be retained.

46. Wild and Scenic Rivers. The provisions of the current 1999 RMP relating to Wild and Scenic Rivers shall be retained and applied in GSENM+.

47. Wilderness Study Areas.(WSAs). Existing WSAs within GSENM+ and within the Excluded Lands will be managed under the BLM's Interim Management Policy (IMP) and Guidelines for Lands under Wilderness Review (BLM Manual H-8550-1) until Congressional action relative to WSA designation takes effect.

48. Cooperation and Consultation. The existing provisions of the 1999 RMP relating to Cooperation and Consultation should be retained, with the amendment that Native American Indian Tribes should be added to the list of entities with whom cooperation and consultation is required.

49. Consultation with Native American Indians. The existing provisions of the 1999 RMP relating to Consultation with Native American Indians should be retained.

50. GSENM+ Advisory Committee (s). The provisions of the 1999 RMP with respect to creating the GSENM+ Advisory Committee (s) should be retained, with the following amendment;

a. The role of any such committee is expressly limited to providing information and viewpoints from individual attendees, as opposed to advice, opinions, or recommendations from the group acting in a collective mode.

b. No consensus advice or recommendations from group deliberation will shall be expected or solicited.

51. STAFFING LEVELS. The BLM must carefully consider and analyze staffing levels that will be required under any new GSEM+ RMP. One of the major

objections to past management has been the inability of the BLM to process permit applications, and to conduct necessary NEPA review, in a timely fashion. The resulting delays have proved a great frustration to local users and visitor. A staffing level should be specified that will assure that the required agency review shall be completed in less than 30 days.

III. FACTORS IMPACTING THE DEVELOPMENT OF AN RMP FOR THE EXCLUDED LANDS.

1. Excluded lands adjacent to GSENM Units should not sold for commercial lodges, private ranches, subdivisions, or open for oil and gas drilling, coal mining, or mineral exploration. If not restored to GSENM lands, they these lands should be managed as Areas of Critical Environmental Concern celebrating in perpetuity the historical and cultural heritage of southern Utah.

2. The lands excised from the original National Monument contain more than 700 scientifically important fossil localities.

3. Excluded are the geologically older sections of the world's most completely preserved Cretaceous ecosystem including the Straight Cliffs, Tropic Shale, Naturita and Cedar Mt. Formations.

4. The Tropic, Naturita and Cedar Mountain Formations contain a vast record of marine prehistoric life including unique ammonites, mosasaurs and short-necked plesiosaurs, plus other forms of animals living in the ocean or near the ocean shoreline.

5. The three formations discussed above occurred before and after the Cenomanian-Turonian extinction. In addition, the Chinle and Moenkopi Formations (Triassic) and the Kaibab and Toroweap Formation (Permian) cover the extent of life prior to and following the Permian-Triassic Great Extinction when approximately 90% of the planet's species went extinct; opening the door to completely new species in the Moenave and Kayenta. Scientific research is needed to determine whether parallels exists between previous mass extinctions related to climate change and current climate changes. The GSEP strongly recommends that the geological formations associated with the Cenomanian-Turonian Extinction and the ones associated with the Permian-Triassic Extinction must be preserved to permit critical scientific research.

6. Any proposed RMP for the Excluded Land should call for a re-evaluation of the Chinle, Moenkopi, Kaibab and Toroweap Formations by Permian and Triassic specialized paleontologists to recommend whether lands containing these formations are of such significant to be placed back within the Grand Staircase Escalante NM units. These five formations, Tropic, Naturita, Cedar Mt. and Entrada and Carmel, should be evaluated and inventoried by specialized marine-fossil paleontologists to determine if these formations need more extensive protection by being included within GSENM, and this work should be funded and completed within the next two years. Given that paleontological research can take many years, the best way to protect these resources is to restore them to monument lands.

7. There are significant historic resources within the Excluded Lands that require ongoing protection and preservation. These include the Old Spanish National Historic Trail, between Wahweap and Fredonia, and potentially into the Kaiparowits and Grand Staircase Units, specifically including the Antonio Armijo Route (1829); the Hole-In-The-Rock-Trail. The lands these trails traverse should be maintained to reflect the conditions of 1879-80. Any new RMP should expressly state that the excluded lands between the Canyons of the Escalante Unit and the Kaiparowits unit will not be will transferred to private or state control.

8. Specific Features. Following is list of unique specific geological, archaeological, and paleontological features found within the excluded lands which should be considered for re-inclusion within GSENM.

Hole in the Rock Corridor

- a. Cedar Wash Arch.
- b. Covered Wagon Natural Bridge.
- c. Ten-Mile Spring and Harris Wash.
- d. The approaches to Zebra and Tunnel slot canyons.
- e. Slot Canyons of Dry Fork (Peekaboo and Spooky) and Egypt.
- f. Early Weed Bench and Scorpion.
- g. Batty Caves.
- h. Sooner Rocks.
- i. Chimney Rocks.
- j. Hurricane Wash.
- k. Sooner Slide.
- l. Cave Springs.

m. Fifty Mile Bench.

Circle Cliffs Area;

- a. Lampstand and surrounding area.
- b. Unrecognized petrified wood areas.
- c. Wolverine Loop Road.
- d. Cutoff Road.
- e. Studhorse Peaks.
- f. Wagonbox Mesa.
- g. Pioneer Mesa
- h. Colt Mesa.
- i. Horse Pasture.
- j. Upper Moody's.
- k. Deer Point.

Alvey Wash Road.

- a. Petroglyph sites.
- b. Historic coal mines.

Cottonwood Road.

- a. Approach to Round Valley Draw and Hackberry Creek.
- b. Slickrock Bench.

Skutumpah Road.

- a. Coal seams and collapse features.
- b. Kelly Grade Overlook.

Other;

- a. Cockscomb Wash including Rimrocks and Toadstools.
- b. Wahweap Hoodoos.
- c. Willis Creek and Bull Valley Trailheads.
- d. Forty Mile Ridge including Sunset and Sunrise Arches.
- e. Upper Buckskin Gulch and Upper Paria near H89.
- f. Western section of the Blues.
- g. Excluded sections of Carcass Canyon.

h. Croton Canyon, Little Valley and Rock Creek south of Fifty Mile Mountain.

i. Burning Hills.

j. John Henry Bench and Smoky Hollow.

k. Nipple Bench.

l. Excluded lands between Circle Cliffs and Capitol Reef N.P.

CONCLUSION

Thank you very much for giving these comments your attention and consideration. We look forward to being advised in advance of each stage in the RMP process. Preparing the proposed new RMPs at this time is a daunting task, given the extent of the information collection and analysis that will be required. The task is made more daunting still by the strong likelihood that the effort will be wasted to a significant degree, when the legal authority for undertaking is declared void by the courts.

Despite the scope of the challenges, and without waiving to any extent the claims we make in the currently pending legal proceedings, GSEP looks forward to working with the BLM to develop the best possible product, on that continues to protect and preserve the remarkable resources of GSENM+.

Sincerely

GRAND STAIRCASE ESCALANTE PARTNERS

/S/

Scott Berry
Vice President