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Executive Summary. In the final months of President Obama’s second term, the President used his executive powers under the Antiquities Act to create a 1.5 million acre “Bears Ears” monument in Utah. The lands within the monument were largely federal lands managed by Bureau of Land Management (BLM) and the National Park Service (NPS) within the Department of Interior and US Forest Service within the Department of Agriculture. The monument also contains smaller sections of state land and minor private acreage principally managed by the Nature Conservatory. While within the monument boundaries there exists Wilderness Study Areas and a smaller existing monument, much of the land is compatible with traditional uses such as grazing, timber harvest, mining and traditional activities such as hunting, fishing, and recreational activities. Of note, within the monument exists unique geological features and objects of interest deemed culturally important to Native American tribes to include artifacts, art, archeological sites, dwellings, and areas used for traditional rituals, gatherings, and tribal practices. Selected native tribes have a formal advisory role, but are not authorized a larger management role under existing law. The language of the Act gives the executive the authority to place objects on federal lands under monument protections as defined in the accompanying proclamation but that authority to incorporate lands into a monument is limited to a manner that is “the smallest area compatible” with the protection of those objects. The protection of qualifying objects within the Bears Ears monument can be identified and reasonably segregated to reflect the “smallest area” compatible intent and to concentrate preservation resources. Therefore, the Secretary of Interior makes a recommendation to the President to (b) (5) DPP

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