

**From:** Magallanes, Downey  
**To:** [Laura Rigas](#); [Swift, Heather](#)  
**Subject:** New Talkers  
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**Attachments:** [Monument TPS-Nov 27.docx](#)

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This is not needed for tomorrow with boss- this can be the template/starting point for other sets of talkers as discussed. However I did try to drop some of this in the comms plan.

But I would appreciate you all looking and then we can talk again before we send this around. Maybe tomorrow around 4. LMK.

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**Topline Message:** These monument modifications will continue to protect objects and prioritize public access; infrastructure upgrades, repair, and maintenance; traditional use; tribal cultural use; and hunting and fishing rights.

**Secondary Messages:**

**Righting Past Overreach, since past Presidents have not followed the law**

- The Antiquities Act requires that objects be of significance, the area reserved to protect the objects is the smallest area compatible, and that monuments be designated on federal land only.
- “Objects of significance” has been stretched to;
  - include landscape areas, biodiversity (Cascade Siskiyou), “viewsheds” (Katahdin Woods and Waters), World War II desert bombing craters (Organ Mountains Desert Peaks) and “remoteness” (Basin and Range National Monument), and
  - be selected only to fill in pre-identified boundaries that mirror failed Congressional attempts to designate areas.
- Smallest area compatible:
  - The first monument designated under the act was Devils Tower at almost 1,200. Several monuments designated since 1996 have been millions of acres.
  - President Obama established or expanded monuments on more than 550 million acres of land and water, more than any other President.
- On federal land:
  - Monument boundaries often encompass or are adjacent to private land, and in the case of the Cascade Siskiyou National Monument, the expansion contained 38% private land within the external boundary.

**Increasing public access that has been restricted by monument designations**

- Advocates often aim for a monument’s eventual designation as a National Park by Congress, and National Parks do not allow hunting and can restrict motorized access.
  - Many National Parks were first designated as National Monuments. Examples are the Black Canyon of the Gunnison, Bryce Canyon, Capitol Reef, Glacier Bay, Grand Canyon, Great Sand Dunes, Joshua Tree, Petrified Forest, Saguaro, and Zion.
  - Hunting was outright banned after the designation of Castle Mountains National Monument.
- Roads closures
  - Restrictions on vegetative management and maintenance activities have led to poorly maintained roads and even closures, for example in Cascade Siskiyou and Rio Grande Del Norte.
  - Roads have also been intentionally been closed as part of management plans in order to protect objects.

**Restoring the local voice by allowing the traditional uses conducted on the land prior to designation to occur.**

- Monument designations have put land “off limits” for traditional multiple-uses like ranching, timber harvest, fishing, resource development, infrastructure upgrades, and motorized recreation.
- Designating too much land for a national monument is harmful to the local tax base via the elimination of grazing, timber and mineral leases, as well as the elimination of hunting and fishing access.
- Monuments should not be designated to prevent rather than protect.
  - For example, subpoenaed emails and a Congressional investigation showed that Grand Staircase Escalante National Monument (GSENM) was designated to stop a Coal project

**Continuing to protect public land**

- These lands are already federal which therefore carry protection or have protective land designations.
- GSENM has over 800,000 of Wilderness Study Areas and Bears Ears National Monument (BENM) has almost 450,000 of Wilderness Study Areas or Wilderness.
- The National Environmental Protection Act and the Archeological Protection Act are just two of the many environmental laws passed after 1906 Antiquities Act that offer increased land protections.

### **Utah Monument Actions:**

- The designations of the Grand Staircase-Escalante National Monument (GSENM) in 1996 and the Bears Ears National Monument (BENM) in 2016 represent the book-ends of modern Antiquities Act overreach.
- The Congressional, state, and locally elected officials are uniformly opposed to both monuments.
- BENM is nearly 1.5 million acres, and its boundary is almost identical to the boundary in legislation introduced in the 114th Congress, which could not pass.
- BENM contains a patchwork of federal, state, and private lands, including 381,000 acres of Bureau of Land Management (BLM) Wilderness Study Areas, a 46,353-acres Wilderness Area on Forest Service land, a 290,000 acre National Forest, and a 7,400 acre National Monument within the boundary.
- The modification of BENM to protect actual objects of significance will result in two new monument units, which are a combined 230,000 acres.
  - This is bigger than Bryce Canyon National Park (36,000 acres) and Zion National Park (148,000 acres) combined.
  - This will restore the majority of the National Forest and a significant amount of BLM land- by removing the confusing federal management regime.
  - The modification will also allow for increased motorized access, grazing, and active management of the rangeland.
- GSENM is the poster child for Antiquities Act overreach and abuse. As outlined in a 1997 House Natural Resources Majority Report,<sup>1</sup> which included subpoenaed emails from the CEQ:
  - the designation of GSENM was politically motivated to assist President Clinton's reelection campaign;
  - the plan to designate the monument was purposefully kept secret from the Utah congressional delegation;
  - the Monument designation was put forward even though Clinton Administration officials did not believe the lands proposed for protection were in danger; and
  - use of the Antiquities Act was intended to avoid Congressional involvement in land designation decisions and to evade NEPA;
- GSENM was designated to prevent the development of a coal project, the environmental review of which had been underway for almost seven years.<sup>2</sup> The area boasts vast reserves of low-sulfur coal that were reportedly valued at over \$1 trillion at the time of designation.
- The modification of GSENM to protect actual objects of significance will result in three new monument units, which are a combined 999,900 acres, and still offer substantial protection.
- The modification will also allow for increased motorized access, grazing, and active management of the rangeland.

<sup>1</sup> [\*Monumental Abuse: The Clinton Administration's Campaign of Misinformation in the Establishment of the Grand Staircase-Escalante National Monument\*](#) H.R. Rep. No. 105-824 (Comm. Print 1998), citing *Behind Closed Doors: The Abuse of Trust and Discretion in the Establishment of the Grand Staircase-Escalante National Monument*, H.R. Rep. No. 105-D, 105th Cong., 1st Sess. at 28 (Comm. Print 1997)

<sup>2</sup>See Note 1. A preliminary draft environmental impact statement (PDEIS) for the Smokey Hollow Coal Mine was prepared for public comment. The above mentioned report outlines how the record, as found through the PDEIS