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[EO Review of Designations Under the Antiquities Act 4-26-2017.pdf](#)

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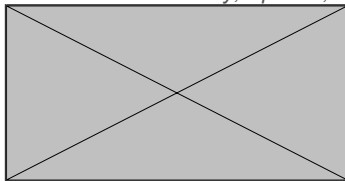
From: **Tansey, Thomas** <thomas_tansey@nps.gov>
Date: Thu, Apr 27, 2017 at 7:19 AM
Subject: Zinke could target any site he deems lacked 'outreach'
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NATIONAL MONUMENTS

Zinke could target any site he deems lacked 'outreach'

Jennifer Yachnin, E&E News reporter

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Interior Secretary Ryan Zinke praises President Trump's order to review national monuments in remarks at Interior Department headquarters today. Photo courtesy of the White House.

This story was updated at 4:21 p.m. EDT.

President Trump today triggered the clock on an Interior Department review of the boundaries of dozens of national monuments — requiring a report within 120 days assessing the status of millions of federally managed acres — but which land will be included in that evaluation has yet to be finalized.

The president signed an **executive order** today mandating the review of all national monuments larger than 100,000 acres that have been established since 1996 ([Greenwire](#), April 26).

Interior Secretary Ryan Zinke told reporters at a White House press briefing last night that the review would likely include between 24 and 40 monuments.

According to a list provided by Interior, it encompasses the 24 monuments either managed or partially managed by the department that meet the criteria for automatic review: having both the necessary size and having been created or expanded in the designated time period.

Additional sites will be considered based on input from state and local leaders. The executive order directs the Interior secretary to include any monuments he determines have been created or expanded "without adequate public outreach and coordination with relevant stakeholders."

Such sites could include the Katahdin Woods and Waters National Monument in Maine, which covers about 88,000 acres.

Maine Gov. Paul LePage (R) attended the signing of the executive order at Interior headquarters today. He's also set to testify about the monument's designation before the House Natural Resources Subcommittee on Federal Lands next week.

"I think it was a horrible, horrible decision and it should be reversed if it can," LePage told the *Portland Press Herald* earlier this week, noting the state Legislature voted against it and criticizing the monument for limiting timber harvests ([Greenwire](#), April 25).

More than 50 monuments have been created since 1996, including the larger sites tallied by Interior as well as cultural monuments like the Stonewall National Monument in New York and the Freedom Riders National Monument in Alabama.

Trump's executive order today is bookended by a pair of sites that have been the focus of criticism by Utah state and federal Republican lawmakers, the Grand Staircase-Escalante National Monument created by President Clinton and the Bears Ears National Monument established by President Obama late last year.

"The view from the Potomac is a lot different than the view from the Yellowstone or the Colorado. Too many times, you have people in D.C. who have never been to an area, never grazed the land, fished the river, driven the trails or looked locals in the eye, who are making the decisions, and they have zero accountability to the impacted communities," Zinke said today. "I'm interested in listening to those folks. That's what my team and I will be doing in the next few months."

Zinke said he would travel to Utah in early May and visit the Bears Ears region, *The Salt Lake Tribune* reported.

Natural Resources Chairman Rob Bishop (R-Utah) praised the president's directive, asserting that it would correct "long-standing abuses of the Antiquities Act," the 1906 law that allows the nation's commander in chief to set aside federal lands of cultural or historical value.

"It was created with noble intent and for limited purposes, but has been hijacked to set aside increasingly large and restricted areas of land without public input," Bishop said in a statement.

Similarly, Thomas Pyle, president of the Institute for Energy Research and former leader of Trump's Energy Department transition team, praised the order by arguing it would open more federal land to potential energy leasing.

"President Trump's executive order shows that his administration remains committed to unleashing America's energy potential," Pyle said. "While energy production has surged on state and private lands over the past decade, production on federal lands has lagged far behind. This disparity is largely due to the previous administration's keep-it-in-the-ground tactics, including President Obama's abuse of the Antiquities Act."

Monuments under review			
National Monument	Location	Year	Acreage
Papahānaumokuākea Marine	Pacific Ocean	2006/2016	89,600,000
Marianas Trench Marine	Pacific Ocean	2009	60,938,240
Pacific Remote Islands Marine	Pacific Ocean	2009	55,608,320
Rose Atoll Marine	American Samoa	2009	8,609,045
World War II Valor in the Pacific	Hawaii, Alaska, California	2008	4,038,400
Northeast Canyons & Seamounts	Atlantic	2016	3,144,320

Marine	Ocean/Massachusetts		
Grand Staircase-Escalante	Utah	1996	1,700,000
Mojave Trails	California	2016	1,600,000
Bears Ears	Utah	2016	1,353,000
Grand Canyon-Parashant	Arizona	2000	1,014,000
Basin and Range	Nevada	2015	703,585
Organ Mountains-Desert Peaks	New Mexico	2014	496,330
Sonoran Desert	Arizona	2001	486,149
Upper Missouri River Breaks	Montana	2001	377,346
Berryessa Snow Mountain	California	2015	330,780
Giant Sequoia	California	2000	327,769
Gold Butte	Nevada	2016	296,937
Vermilion Cliffs	Arizona	2000	279,568
Rio Grande del Norte	New Mexico	2013	242,555
Carrizo Plain	California	2001	204,107
Hanford Reach	Washington	2000	194,450.93
Canyons of the Ancients	Colorado	2000	175,160
Sand to Snow	California	2016	154,000
Ironwood Forest	Arizona	2000	128,917

Source: Department of the Interior.

But Democratic lawmakers have vowed to challenge the administration's review — which requires a report on Bears Ears in 45 days and on all other sites within 120 days — particularly if the final report recommends the rescission or reduction of any monument.

"Any effort by President Trump to undermine the Antiquities Act, shrink or even eliminate some of the most iconic American places will be met with fierce opposition," said Sen. Martin Heinrich (D-N.M.), who serves on the Energy and Natural Resources Committee.

He added: "I, for one, won't stand for this un-American action. I urge the American people to make their voices heard to stand up for our nation's conservation legacy, our obligation to respect tribal sovereignty and for the places that make us who we are as Americans."

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THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
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EXECUTIVE ORDER

REVIEW OF DESIGNATIONS UNDER THE ANTIQUITIES ACT

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of the importance of the Nation's wealth of natural resources to American workers and the American economy, it is hereby ordered as follows:

Section 1. Policy. Designations of national monuments under the Antiquities Act of 1906, recently recodified at sections 320301 to 320303 of title 54, United States Code (the "Antiquities Act" or "Act"), have a substantial impact on the management of Federal lands and the use and enjoyment of neighboring lands. Such designations are a means of stewarding America's natural resources, protecting America's natural beauty, and preserving America's historic places. Monument designations that result from a lack of public outreach and proper coordination with State, tribal, and local officials and other relevant stakeholders may also create barriers to achieving energy independence, restrict public access to and use of Federal lands, burden State, tribal, and local governments, and otherwise curtail economic growth. Designations should be made in accordance with the requirements and original objectives of the Act and appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities.

Sec. 2. Review of National Monument Designations. (a) The Secretary of the Interior (Secretary) shall conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of this order. In making those determinations, the Secretary shall consider:

- (i) the requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";

(ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";

(iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;

(iv) the effects of a designation on the use and enjoyment of non Federal lands within or beyond monument boundaries;

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

(vi) the availability of Federal resources to properly manage designated areas; and

(vii) such other factors as the Secretary deems appropriate.

(b) In conducting the review described in subsection (a) of this section, the Secretary shall consult and coordinate with, as appropriate, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, and the heads of any other executive departments or agencies concerned with areas designated under the Act.

(c) In conducting the review described in subsection (a) of this section, the Secretary shall, as appropriate, consult and coordinate with the Governors of States affected by monument designations or other relevant officials of affected State, tribal, and local governments.

(d) Within 45 days of the date of this order, the Secretary shall provide an interim report to the President, through the Director of the Office of Management and Budget, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chairman of the Council on Environmental Quality, summarizing the findings of the review described in subsection (a) of this section with respect to Proclamation 9558 of December 28, 2016 (Establishment of the Bears Ears National Monument), and such other designations as the Secretary determines to be appropriate for inclusion in the interim report. For those designations, the interim report shall include recommendations for such Presidential actions,

legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

(e) Within 120 days of the date of this order, the Secretary shall provide a final report to the President, through the Director of the Office of Management and Budget, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chairman of the Council on Environmental Quality, summarizing the findings of the review described in subsection (a) of this section. The final report shall include recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

Sec. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
April 26, 2017.

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