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Attached is the daily news report for May 9, as well as a more detailed listing with articles related to the Secretary of the Interiors visit to Utah. For archiving purposes, I am adding on to the monuments report. I have added links to the start of each day for navigation purposes.

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DAILY NEWS REPORT - UTAH

UTAH – TOP STORIES – MAY 9, 2017

1. **Congress needs to have final word on Bears Ears**

The San Juan Record, May 9 | Bill Boyle

With the second visit in less than a year by the U.S. Secretary of the Interior, it is another big week in San Juan County.

E&E/NATIONAL NEWS – TOP STORIES

1. **NATIONAL PARKS: Police union wants Zinke to split force from NPS**

E & E News, May 9 | Emily Yehle

More people die in car crashes per mile each year on the Baltimore-Washington Parkway than any other National Park Service roadway.

2. **EPA: Seeing 'chilling effect,' unions push back on ethics memo**

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Several unions representing U.S. EPA employees are asking the agency to rework ethics guidance they believe could silence their members.

3. **PIPELINES: Protesters shut down Chase Bank branches in Seattle**

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4. **WATER POLICY: Court sides with BLM on withholding Calif. farm data**

E & E News, May 9 | Amanda Reilly

The Bureau of Land Management properly withheld data about the locations and depths of agricultural water wells in California, a federal court today ruled.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

5. OIL AND GAS: Audit faults BLM oversight of lease restrictions

E & E News, May 9 | Scott Streater

The Bureau of Land Management is failing to track the oil and gas industry's compliance with lease stipulations designed to protect natural and cultural resources on public lands, according to a new Government Accountability Office report that concludes BLM cannot assure the public "that it is meeting its environmental responsibilities."

6. METHANE: Law pros warn of 'prolonged litigation' if Congress kills rule

E & E News, May 9 | Ellen M. Gilmer and Pamela King

Dozens of law professors are urging Congress to back away from efforts to scrap an Obama-era rule aimed at slashing methane emissions from the oil and gas industry.

7. COAL: States sue Trump admin for ending lease moratorium

E & E News, May 9 | Ellen M. Gilmer

Four states sued the Trump administration today for lifting an Obama-era moratorium on federal coal leasing.

8. Could Trump dismantle the American West?

High Country News, May 9 | Jim Lyons

Public lands are a uniquely American idea and every American has an ownership stake in the lands we all own. For decades, we've done our best to manage these lands for local communities and a growing nation, even while preserving their unique natural, historic, or cultural features. The result has been national monuments and parks, national forests and wildlife refuges, wild and scenic rivers, wilderness areas and a host of other specially designated places preserved as a gift to future Americans.



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DAILY NEWS REPORT - UTAH

UTAH – FULL STORY

1. Congress needs to have final word on Bears Ears

The San Juan Record, May 9 | Bill Boyle

With the second visit in less than a year by the U.S. Secretary of the Interior, it is another big week in San Juan County.

Interior Secretary Ryan Zinke spent Monday and Tuesday in San Juan County as part of a four-day tour of Utah.

This follows on the heels of a four-day visit in July, 2016 by then Interior Secretary Sally Jewell. Six months after the first visit, President Barack Obama designated the 1.35-million acre Bears Ears National Monument.

The Antiquities Act is the enabling legislation that was used by Obama to make the unilateral executive branch decision.

Now, President Donald Trump has ordered a review of presidential use of the Antiquities Act over the past 21 years, including the creation of Bears Ears.

This review process will take 45 days. The end result is that the executive branch of government could make another executive decision, this time to cut back on the boundaries of Bears Ears or eliminate the monument designation entirely.

An army of attorneys are just waiting for such an action. The arguments are long on both sides about whether or not the President can change such a designation.

The subsequent legal challenges that would accompany another executive branch decision could take several years to adjudicate.

From my perspective, a long and drawn out legal challenge would be the absolute worse case scenario for the area.

Another possible outcome of an executive branch decision is that it could be overturned the next time a member of the Democratic Party takes a seat in the Oval Office.



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DAILY NEWS REPORT - UTAH

This happens every time a new party controls the White House. One of the first acts of a new party in power is to change the US participation in funding for abortion programs administered through the United Nations.

It would be a tragedy if that were to happen with public land issues. Frankly, these issues need to be resolved and settled one way or another.

We need to understand that any solution that involves another decision by the executive branch is a short-term solution. I think that the real long-term solution to this issue is through a legislative Congressional action.

In fact, I predict that one of the outcomes of Secretary Zinke's 45-day review is a recommendation that Congress readdress the Antiquities Act directly.

Congress clearly has the authority to resolve these issues once and for all. There are no legal arguments if Congress acts and the president signs the legislation.

I believe that now may be the time for Congress to act, not just on the Antiquities Act, but on the public lands in southern Utah.

And I say that knowing that the prospect will be very concerning to many local residents, particularly those who were involved in the most recent legislative attempt to address the issue.

The process that led to the Public Lands Initiative (PLI), which was sponsored by Utah Congressmen Jason Chaffetz and Rob Bishop, was heavily influenced by President Obama's threat of executive action.

Obama's threat of an Antiquities Act designation loomed over every step of the PLI process and heavily influenced the final PLI recommendation.

Many San Juan County residents were extremely frustrated that the final PLI proposal did not include many important features of the locally-produced recommendation.

However, if a bill such as the PLI were to be introduced now, it would not be influenced by the threat of executive action from a Democratic president.



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DAILY NEWS REPORT - UTAH

It is a new day in Washington DC. Because the Republican Party holds all three houses (White House, House of Representatives and Senate), the threat of executive action is gone, at least until the next election.

As a result, I hope a long-term legislative solution can be developed for the spectacular public lands in San Juan County. This will make moot any future threats of executive action through use of the Antiquities Act.

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San Juan Record contributor Jim Stiles is facing a host of legal bills related to articles he wrote about former Moab City Manager Rebecca Davidson in his online newspaper, the Canyon Country Zephyr.

If you are interested in defending First Amendment rights, you may consider a contribution to Moab Area Citizens for Transparency, at P.O. Box 672, Moab, UT 84532.

An online site, moab84532.wixsite.com/moabtransparency , provides more information and gives options to contribute.

After her contract as Moab City Manager was terminated, Davidson filed a lawsuit against Jim and four other area residents, alleging that she was defamed by comments they made about her.

Even though the lawsuit was dismissed by Seventh District Judge Lyle Anderson, Davidson has formally appealed the decision to dismiss Jim from the lawsuit. As a result, the legal bills continue to grow.

Janet Buckingham, who is one of the five defendants, is organizing the fundraising effort.

Buckingham writes, "To be sure, this is a First Amendment issue. None of the defendants did any more than print the facts or express an opinion. Judge Anderson agreed in his dismissals, stating, after all, 'This is America.'"

A current estimate to see this case through the appeals process is \$10,000!

Jim Stiles is a wonderful journalist and a good friend. As readers already know, he is eloquent, passionate, brutally honest, and strongly opinionated.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Whether or not you agree with Jim, you have to respect his tenacity and his right to express an opinion. It would be a tragedy if strong, clear voices are silenced because of the financial threat of legal action. I hope you will consider a contribution.

[BACK](#)

E&E/NATIONAL NEWS – FULL STORY

1. NATIONAL PARKS: Police union wants Zinke to split force from NPS

E & E News, May 9 | Emily Yehle

More people die in car crashes per mile each year on the Baltimore-Washington Parkway than any other National Park Service roadway.

Its 30 miles are vulnerable to car accidents, occasional crimes and drunken driving. But on many occasions, only two officers patrol it at night.

The U.S. Park Police can't spare any more. According to its union, it now has 568 officers, with 23 more in training — 250 fewer than the staffing level recommended before the Sept. 11, 2001, attacks.

The agency has spent decades chronically understaffed. But officers and union officials are hopeful the Trump administration — and, specifically, Interior Secretary Ryan Zinke — will provide new support for a traditional police force that has long struggled in the shadow of its "flat hat" colleagues.

Their request: separation from the Park Service.

"I think the Department of Interior just needs to recognize that we have a very unique mission and unique purpose within federal law enforcement," said Ian Glick, chairman of the Park Police unit of the Fraternal Order of Police. "Part of that recognition is, 'Yes, you work in Park Service areas, but your mission is not similar to the rest of the Park Service.'"

Zinke has told employees that he plans to reorganize Interior. Union officials hope that will extend to the Park Police, which they say should report directly to Interior's assistant secretary. But Glick said they are also open to other options that allow for a "new direction in leadership."

Asked to comment on the request to be an Interiorwide force, Park Police Chief Robert MacLean said his agency "is proud of its heritage and proud to be part of the NPS."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

He would not provide the number of officers on staff, in total or at specific park units. But he said his agency is "focused on ensuring a balanced presence in all of the national parks entrusted to us, including the Baltimore-Washington Parkway."

"Honestly, I don't know a police chief in this country who would not like a larger budget and more officers," MacLean said, later adding: "The safety of our officers is extremely important and personal to me. The agency is dedicated to providing the best possible resources within authorized appropriations."

Big events, fewer breaks

The iconic Park Service ranger is a backcountry jack-of-all-trades. The ranger climbs mountains, patrols wilderness, fights fires — and epitomizes the national park brand (Greenwire, July 19, 2016).

The Park Police can seem comparatively incongruous. Despite its name, it is an urban police force, employing officers who juggle as many responsibilities as their backcountry colleagues but without the romantic image.

They conduct murder investigations, respond to car accidents, search for the missing, gather intelligence. Instead of wilderness, they patrol parkways, roads and monuments in Washington, New York and San Francisco. They are experts on crowd control. They protect federal officials.

Several former and current officers expressed pride in their mission.

"The bottom line is, we're here to do our job. I'm not going to climb a snow-packed cliff trying to rescue some idiot who broke his leg skiing," said Jeff Capps, a retired officer who worked in the vice president's motorcade as senior motor sergeant. "But if you have demonstrations that are violent, I know how to fix that problem. Crowds? We know how to handle crowds."

Capps and other officers said the force is overworked, with judicious use of overtime and few opportunities to take days off. For big events, that means all hands on deck, with little time between shifts.

During President Trump's inauguration, the force had 120 fewer officers than it had for President Obama's 2013 inauguration, according to the union. The result was some officers getting a six-hour break between long shifts, Glick said.

He argued that the amount of overtime is affecting morale. Fewer officers also volunteer to patrol big events, meaning officers sometimes need to be taken off their regular beats, he said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"What's happening is that people are already working so much overtime, they're getting burned out," Glick said.

The complaints are not new. The union has asserted for decades that the force's size is not keeping up with growing threats and responsibilities. In 1999, an analysis from Booz Allen Hamilton backed them up: It recommended the Park Police increase its force to 820.

At the time, the Park Police had about 500 officers, even though it was authorized to employ 650. The analysis warned that the understaffed and poorly funded agency left the National Mall and nearby monuments vulnerable to attack, according to a 2000 article in The Washington Post.

Some experts criticized the report as alarmist, pointing out that the FBI, Secret Service, D.C. police and other agencies also patrol downtown areas and engage in anti-terrorism work. But others say the Park Police are unique — a federal law enforcement agency that has the capabilities of an urban police force.

Former Park Police Chief Teresa Chambers said Interior needs to make a choice: Adequately fund the Park Police, or be honest about what it can accomplish.

"I think there's a false feeling of security that we sometimes give the community by trying to be everything all the time," she said. "If the Park Police is going to continue to dwindle or stay low, that needs to be shared with the community. You can't be pretending that all is well on the Baltimore-Washington Parkway."

'Like Oliver in the musical'

On an October day in 2002, a National Park Service official called Chambers into her office.

Chambers had been on the job for less than a year. Two snipers were at large in Washington; they would kill 10 people before police caught them. The NPS official wanted to ensure Chambers was not offering the Park Police helicopter to aid in the search because of the cost.

Chambers evaded the question.

"Of course we were helping with air support. This is after the kid was shot going to school," she said in a recent interview. "I'm thinking, 'Really, are you not hearing yourself?'"

Chambers was fired in 2004 for telling reporters that her department was understaffed. At the time, the Park Police had about 620 sworn officers — 50 more than it does today.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Chambers was reinstated in 2011, after the Merit Systems Protection Board ruled her firing illegal. She retired in 2013. But her frustration is still apparent.

The Park Police budget is "buried deep, deep, deep within an environmental organization known as the Department of Interior," she said. "We were a little gnat on the side."

Over the past decade, the National Park Service has seen its funding grow about 7.5 percent, when adjusted for inflation, according to the Congressional Research Service.

But the agency also struggles with a \$12 billion maintenance backlog, and many parks are operating without a full staff. The number of law enforcement rangers has also dipped to 1,331 in 2016 from 1,547 in 2006, according to numbers NPS released to Public Employees for Environmental Responsibility.

In short, the Park Police is fighting for a piece of a limited pie. That could get worse as the Trump administration proposes to cut Interior's budget by 12 percent in fiscal 2018.

When Chambers was chief, her department did not get a seat at the table for internal budget talks, she said. Instead, it was a virtual back-and-forth.

"It's a paperwork flow. It goes up, and then we wait patiently like Oliver in the musical for a crumb. What's going to be in our bowl?" Chambers said.

The tension increased in 2013, when Park Police officers were ordered to take one unpaid day off per pay period to cut costs during sequestration. It was the only federal law enforcement agency to do so during the across-the-board government budget cuts — even while the rest of NPS had no furloughs at all.

Officers were outraged, and the union warned it could affect safety.

Jonathan Jarvis, then the NPS director, announced a month later that he had found money within the Park Police budget to stop the furloughs. The agency described the problem as a technical one: Most of the Park Police budget goes to salaries, so it was harder to find other areas to absorb the required cut.

But Park Police officers describe it as the time their own agency deemed them nonessential.

That cuts deep within a force that traces its roots back to the "watchmen" who likely patrolled federal land in Washington in the 1790s. The force did not join the Park Service until 1933, and its existence has been repeatedly questioned, according to a [history](#) posted on the NPS website.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Glick asserts that separating the two agencies will relieve the tension. The Park Police, he said, should be an Interior police force, not just a Park Service one. The union is also asking the department to increase the force to 1,000 officers in five years, allow some officers to take their work vehicles home and let the Park Police prepare its own budget proposal.

"We are not asking to be made a bureau of our own," he said. "We are asking the Department of Interior to recognize the unique nature of our mission."

[BACK](#)

2. **EPA: Seeing 'chilling effect,' unions push back on ethics memo**

E & E News, May 9 | Kevin Bogardus

Several unions representing U.S. EPA employees are asking the agency to rework ethics guidance they believe could silence their members.

Union leaders based in the agency's Region 9 office wrote in a letter obtained by E&E News that the agency should clarify a recent ethics memo, a portion of which they believe "sets inappropriate limits on the First Amendment rights of EPA employees."

At issue is a Feb. 3 email, sent out by EPA's Office of General Counsel, that said agency workers are free to speak their minds but warned them not to forget federal ethics rules when doing so (Greenwire, Feb. 9).

In their March 24 letter, the union officials honed in on a portion of the guidance that said EPA employees should not give "undue prominence" to their work position or title.

"The implication of EPA's February 3rd Ethics Reminder is that not only should EPA employees should [sic] avoid referencing their EPA position or title but that even after an appropriate disclaimer, it is unacceptable to discuss EPA experience and expertise because it would give 'undue prominence' to their EPA affiliation," said the letter.

The union leaders asked EPA to reject that interpretation and instead find that as long as agency employees say they are speaking in their personal capacity, they're free to reference their job positions and titles at EPA.

"Well, I'm human, and I breathe air, and I work at EPA. Are those enough disclaimers for you?" said Mark Sims, one of the union officials who signed the letter. "It has a chilling effect on EPA employees from speaking out."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Sims is president of the EPA unit of International Federation of Professional and Technical Engineers Local 20.

"As long as we make clear that we were speaking in our own capacity and not representing the views of the agency, we should be free to speak," Sims said.

Other union officials agreed with Sims' assessment of the ethics memo.

"The Feb. 3 guidance is not clear enough so that we feel our members can wind up inadvertently violating the ethics rules, or self-censoring for fear of violating the ethics rules," said Thelma Estrada, president of American Federation of Government Employees Local 1236, who also signed the letter.

"In other words, the ambiguity of that guidance can have a chilling effect on the EPA employee's First Amendment right to speak as a public citizen."

As of yesterday, the union officials said they hadn't heard back yet from EPA in response to their letter.

Jahan Wilcox, an EPA spokesman, said the agency does plan to address the concerns.

"The EPA will respond to the union through the labor relations process," Wilcox said. "The ethics rules remain the same as always and have not changed because we have a new administration. This memo was just a reminder that employees should make clear when they are expressing a personal opinion."

The dispute over the ethics memo comes during a tense time at EPA.

President Trump has proposed massive budget cuts for the agency and has begun the rollback of several environmental rules. Some EPA staffers have been up in arms, joining protests against the Trump administration, including at the People's Climate March last month.

Jeff Ruch, executive director of Public Employees for Environmental Responsibility, called the ethics memo a "soft gag" on EPA employees wanting to speak out during difficult times at the agency.

"If you're an EPA climate scientist speaking on that topic, what other details could you possibly add to detract from the prominence of you being an expert? No one is going to care if you're blonde or short," Ruch said.

He said the memo carries "the threat of disciplinary action" against employees for speaking their minds.

"We will defend any EPA employee who gets in trouble for expressing their views, but that's not a good position for anyone to be in," Ruch said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

[BACK](#)

3. **PIPELINES: Protesters shut down Chase Bank branches in Seattle**

E & E News, May 9 | Tom James, Reuters

Several Chase Bank locations in Seattle were forced to close yesterday as Native American leaders and climate activists led protests demanding that the company not lend money to projects like the Keystone XL pipeline.

Activists said they disrupted operations at 11 branches, and 26 people were arrested by late afternoon.

At one branch in downtown Seattle, 50 protesters occupied the main lobby, making speeches, singing, holding signs and banners, and even ordering a tall stack of pizzas. At another branch, two protesters locked themselves by their necks to the front doors with bicycle locks.

"I have a personal responsibility to make sure we have a livable climate," said one, a 21-year-old named Andrea.

Activists have shifted to targeting financial backers of pipelines instead of sites like the Dakota Access pipeline, where thousands protested last year.

"It's a relatively small percentage of their overall portfolio," said protest organizer Ahmed Gaya. "If you can make that very small part ... have a vastly disproportionate effect on their public image, that's very persuasive."

The strategy has seen some results: Citigroup Inc. executives conceded last month that they had approved investments in Dakota Access too quickly, while Dutch bank ING Group agreed to sell its \$120 million share of a loan for the pipeline (Tom James, Reuters, May 9). — SM

[BACK](#)

4. **WATER POLICY: Court sides with BLM on withholding Calif. farm data**

E & E News, May 9 | Amanda Reilly

The Bureau of Land Management properly withheld data about the locations and depths of agricultural water wells in California, a federal court today ruled.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

A three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit found that the data falls under a Freedom of Information Act exemption covering "geological and geophysical information and data, including maps, concerning wells."

The exemption "means what it says and thus the government's withholding was permissible," Judge Patricia Millett, an Obama appointee, wrote for the court.

At issue is a program administered by BLM and California that allows large agricultural producers in the Sacramento River Basin to sell surface water to downstream buyers. Producers can then replace that water for their croplands with groundwater wells.

Seeking information on permits for the industrial agricultural water transfers, the nonprofit group AquAlliance filed a Freedom of Information Act request in November 2013 seeking a host of documents and communications on 2013 water transfers. The group later sought all applications for approved 2014 water transfers.

After AquAlliance filed a lawsuit, BLM turned over records but redacted information on well completions, construction and physical location. The agency said the information fell under the FOIA well exemption.

AquAlliance, however, said in October oral arguments that Congress meant for the exemption to apply only to oil wells, not water wells.

Matt Kenna, an attorney at the Western Environmental Law Center representing AquAlliance, also argued that even if the exemption applied to water wells, location and depth are not "geological" or "geophysical" data.

Millett had seemed skeptical of AquAlliance's arguments: "How does knowing well depth not reveal geophysical information?" she asked then (Greenwire, Oct. 17, 2016).

The D.C. Circuit today found that the plain text of the FOIA exemption runs counter to AquAlliance's arguments. There's "nothing ambiguous" about the law, Millett wrote.

"The ordinary meaning of 'wells' includes water wells," Millett wrote, citing the 2014 edition of Black's Law Dictionary.

Millett also wrote that providing well-depth and location information would "necessarily" disclose geological or geophysical information.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"After all, to function, water wells must be drilled deep enough to reach the sub-surface water table," Millett wrote. "So the depth and location of wells reveal the location both of groundwater deposits or flows and of aquifers or the water table."

The D.C. Circuit's decision affirms a lower-court opinion. Judges Robert Wilkins, a Democratic appointee, and Janice Rogers Brown, a Republican appointee, heard the case with Millett.

[Click here](#) to read the court's opinion.

[BACK](#)

5. OIL AND GAS: Audit faults BLM oversight of lease restrictions

E & E News, May 9 | Scott Streater

The Bureau of Land Management is failing to track the oil and gas industry's compliance with lease stipulations designed to protect natural and cultural resources on public lands, according to a new Government Accountability Office report that concludes BLM cannot assure the public "that it is meeting its environmental responsibilities."

Specifically, the GAO [report](#) found the agency could not accurately determine how many times it approved industry requests for exemptions from specific lease stipulations because it has no systematic method for tracking exemptions among the various field offices across the West.

The industry exemptions at issue include seasonal timing restrictions on drilling activity and minimum setback distances from wildlife habitat, according to the report circulated today by Arizona Rep. Raúl Grijalva, the House Natural Resources Committee's ranking Democrat and a vocal critic of Trump administration efforts to increase fossil fuel development on federal lands.

BLM acknowledged in the report that improvements in tracking the exception request approvals are needed; an oil and gas industry representative blamed the problems on the Obama administration's overly complicated regulatory system.

Nevertheless, GAO's survey of 42 BLM field offices, from fiscal 2005 through 2015, "found that fewer than half tracked data on exception requests," the report said.

"BLM does not have a policy requiring field offices to consistently track exception data or documented procedures specifying how requests should be considered and documented," the report adds.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The result is that "BLM may be unable to provide reasonable assurance that it is meeting its environmental responsibilities," according to the report.

What's more, BLM has largely kept the public in the dark on exception request approvals, the report says.

"According to BLM's policy, public notification of an exception is not required unless granting it would result in a substantial modification or waiver of a lease requirement, which, according to BLM officials, rarely occurs," the report says.

GAO made six recommendations for improvement, including developing policies to "consistently" track exception approvals and to make that data available to the public.

For Grijalva, who requested that GAO study BLM's efforts to mitigate the environmental impacts of oil and gas development, the report's conclusions are troubling.

"The BLM is simply not keeping the public informed about what oil and gas companies are doing to our public lands," he said in a statement

"We can't make it this easy for companies extracting public resources to ignore their environmental responsibilities. The American people have almost no way to know when BLM simply winks and gives oil and gas drillers a green light," he added. "We're dealing with one of the least transparent and most oil- and gas-industry-friendly administrations in my lifetime, and we need agencies to take these protections seriously now more than ever."

GAO shared a draft of the report last month with the Interior Department.

BLM acting Director Mike Nedd wrote in a two-page response that the agency concurs with five of the six recommendations "and plans to take actions addressing these recommendations."

But Nedd wrote that BLM only "partially concurs" with the recommendation that the exemption data be made public, noting that the "case file" for each project with exception decisions "can be made available to the public upon request."

Nedd also wrote that BLM is updating the agency's database "to provide for greater transparency and accountability, ensure consistent data quality, standardize the permit process, and provide the vehicle for addressing specific shortcomings identified in the report."

Mixed reaction



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Kathleen Sgamma, president of the Denver-based Western Energy Alliance, said the report's conclusions are "not surprising" considering that the Obama administration "kept BLM sidetracked on several very complex new regulations and policies that kept its resources tied up in generating new red tape rather than effectively managing environmental protection."

Sgamma also noted that the problems in the report represent "a data tracking issue, not a lapse in environmental protection."

"BLM only approves exceptions to lease stipulations after careful review because either the operations will not affect a resource value governed by a stipulation, or because a company has demonstrated a better way to protect that resource," she added.

President Trump in the last month has signed a number of executive orders, including one requiring the review of all policies that may "potentially burden" energy production activity on federal lands.

"We look forward to more rational policies at BLM that will keep staff focused on monitoring and tracking what's actually happening in the field rather than on generating yet more red tape," Sgamma said.

But Chris Saeger, executive director of the Western Values Project, said the GAO report foreshadows troubling things to come under the Trump administration and Interior Secretary Ryan Zinke.

"The BLM apparently had a head start on Secretary Zinke's plans to keep the American public in the dark about its plan to drill some of the most important places in America, at the expense of public lands users and the outdoor economy," Saeger said. "Secretary Zinke is certain to make sure the Bureau of Logging and Mining lives up to its name over the years to come."

Report details

GAO visited six BLM field offices — selected because of "geographic variability" and the volume of "leasing and permitting activity" — and interviewed agency staff.

At the six field offices it visited, GAO reviewed "a nongeneralizable sample" of 54 exception requests from fiscal 2009 through 2015 "and reviewed the supporting documentation."

It also sent surveys to 52 BLM field and district offices, focusing on "BLM approved requests for exceptions to lease and permit requirements" from fiscal 2005 through 2015.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

GAO received responses from 42 offices, the report says.

Of the 42, six were excluded "because officials stated that they had received few or no exception requests" for lease requirements. Among the remaining 36, "24 responded that they did not track these data, and two responded that they were unsure whether they tracked these data."

As for exceptions to permit requirements, 21 of the BLM offices "responded that they did not track these data, and one responded that it was unsure whether it tracked these data."

At the six field offices that were visited, the GAO report says, five "tracked exception data."

"However, officials from 3 of the 5 offices stated that the data were not consistently tracked, raising concerns about the data's reliability," the report says.

On the plus side, the report says BLM "consistently involved the public" when developing lease requirements. It also "involved the public to some extent" on drilling permit requirements.

"However, BLM generally did not involve the public when considering an operator's request for an exception to a lease or permit requirement," the report says.

BLM, the report says, "does not currently require field offices to make the results of its exception decisions available to the public. Without access to this information, the public may not be able to provide substantive input into BLM's future land use planning processes."

[BACK](#)

6. **METHANE: Law pros warn of 'prolonged litigation' if Congress kills rule**

E & E News, May 9 | Ellen M. Gilmer and Pamela King

Dozens of law professors are urging Congress to back away from efforts to scrap an Obama-era rule aimed at slashing methane emissions from the oil and gas industry.

In a letter yesterday to Senate Majority Leader Mitch McConnell (R-Ky.) and Minority Leader Chuck Schumer (D-N.Y.), academics from across the country warned against using the Congressional Review Act to nix the Bureau of Land Management's methane venting and flaring rule, arguing that use of the CRA would leave the agency legally vulnerable and could hamstring its ability to oversee the industry.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"Specifically, repealing this rule through the CRA may greatly impair BLM's ability to promote recapture of wasted gas, absent new legislation from Congress," the [letter](#) said. "It will also generate considerable litigation and delay, consuming taxpayer dollars and agency resources and prolonging the wasteful practices of some oil and gas operators."

Thirty-nine law professors, two environmental studies professors and one foreign relations fellow signed on to the letter. They argue that the CRA's prohibition on an agency issuing a rule "substantially similar" to a scrapped regulation would make it difficult for BLM to meet its legal mandate to reduce waste of oil and gas resources on public and tribal lands.

The House voted in February to kill the BLM rule, splitting mostly along party lines. Senate Republicans are hoping to vote on the measure this week before the window for using the CRA closes (E&E Daily, May 8).

Industry groups and supporters of the repeal effort have suggested that, if the CRA passes, the Bureau of Land Management could introduce a limited rule to curb natural gas waste. Before President Trump took office, the CRA had been successfully invoked only one time, and the legal implications of introducing a "substantially similar" rule remain untested (Energywire, Feb. 1).

University of Denver law professor Justin Pidot, who helped coordinate the letter, said future BLM attempts to reduce methane emissions would likely face expensive legal battles if the CRA effort is successful.

"Rest assured that if the BLM issues a new regulation that touches upon these issues, they will be sued, and the argument will be made that this is a 'substantially similar' rule," Pidot said. "That will tie things up in court for years, expend tons of resources from the agency and potentially have the effect of broadly constraining the agency in the future. We just don't know."

The methane rule includes caps on methane flaring and requirements that operators address leaks and develop plans to minimize waste before drilling. All of those elements could arise in future regulatory efforts and face challenges for being "substantially similar," the letter says.

Pidot, a former Justice Department attorney who also served a stint in President Obama's Interior Department, said he hopes the letter wins over a few senators who have not yet signaled how they plan to vote.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"I hope that having the academics weigh in on what this resolution would do and what threats it poses to the future of managing oil and gas development on public lands would have some effect on one or two senators who aren't just going to follow lockstep in repealing regulation after regulation through the CRA," he said, adding later: "I think it's more political posturing than anything else as part of this anti-regulatory zeal that Congress has right now to just sort of rip away everything that's been done, but I think it's misguided."

Adjusting the regulation through the rulemaking process presents its own legal complications, said Robert Dillon, spokesman for the American Council for Capital Formation, which is leading a campaign to support the CRA.

"If you go through a full regulator process, you're going to tie up Interior for a year, and then you're going to open new avenues of legal challenge," said Dillon, a former aide to Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska). "The most expensive provisions of the methane rule take effect next January, and companies that are subject to it have to make a fiscal decision this year whether they're going to invest in the technology to meet the new requirements.

"That's not something they can wait a year to do."

Industry agrees that BLM has the authority to manage waste and is unlikely to sue the agency for attempts to regulate in that realm, Dillon said.

"The CRA does not take away authority that Congress granted BLM," he said. "It only takes away a rule that Congress feels goes beyond BLM's authority."

A 'Catch-22'

The law professors' letter tracks closely with former Interior solicitor John Leshy's April 28 missive to Senate leadership.

Overturning the methane rule through the CRA would prohibit Interior Secretary Ryan Zinke from using other means to prevent the waste of natural gas on public lands — a duty to which BLM is bound under the Mineral Leasing Act, Leshy said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"If the Waste Prevention Rule is overturned under the CRA, in other words, the Secretary could well find himself in a kind of Catch-22 situation," the letter says.

As the expiration date on the CRA resolution approaches, continued delays to the Senate vote indicate lawmakers in the upper chamber are encountering major pushback from their constituents, said Leshy, who served at Interior during the Clinton administration.

Sen. Maria Cantwell of Washington, the top Democrat on the Senate Energy and Natural Resources Committee, said bringing the CRA to a vote is among the items on the GOP priority list this week.

"We think it's likely that they will," Cantwell told reporters on a conference call yesterday.

Instead of using the CRA, Zinke's Interior should launch a rulemaking process to address the provisions of the methane rule that the new administration finds problematic, Leshy said.

"Government is complicated, and it does require you to wrestle with complicated issues," he said.

In a March 28 [secretarial order](#), Zinke called for a 21-day review of the BLM rule to determine whether it is consistent with President Trump's "[energy independence](#)" [executive order](#).

It's unclear how the review will play out if the CRA is successful. Congressional review appears to nullify Interior's review, Leshy said.

"If the CRA passes, it seems to me there's a substantial question as to whether they can do anything at all," he said.

Leshy criticized the new administration and Republicans in Congress for rushing CRA resolutions on a number of Obama-era regulations, including BLM's Planning 2.0 rule (Energywire, March 8).

He said he hopes "cooler heads" like Sens. Rob Portman of Ohio and Cory Gardner of Colorado — two Republicans who could vote against their party on the methane CRA — will prevail. However, Portman last night issued a statement saying he would vote to repeal the methane rule.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The methane rule was finalized last November, and its initial requirements, including estimating fugitive methane emissions, are in effect now. Stricter requirements kick in on Jan. 1, 2018. While the CRA effort plays out, industry groups and several states are challenging the rule in court (see related story).

[BACK](#)

7. **COAL: States sue Trump admin for ending lease moratorium**

E & E News, May 9 | Ellen M. Gilmer

Four states sued the Trump administration today for lifting an Obama-era moratorium on federal coal leasing.

California, New York, New Mexico and Washington filed suit this afternoon in the U.S. District Court for the District of Montana. They are challenging Interior Secretary Ryan Zinke's decision to scuttle a broad Obama-era review of the coal leasing program.

The Obama administration froze coal leasing in January 2016 to conduct a programmatic environmental impact statement to update a 1979 analysis governing leasing on public lands.

Zinke ordered that federal coal leasing be restarted in March. His directive came a day after President Trump signed his "energy independence" executive order to promote domestic energy production.

The Northern Cheyenne Tribe and several environmental groups filed a separate lawsuit challenging the action in March, arguing that it violated the National Environmental Policy Act (Greenwire, March 30).

The state of Wyoming has moved to intervene in that lawsuit on the Trump administration's side. Most federal coal leasing takes place in the Powder River Basin, which straddles Montana and Wyoming.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

8. Could Trump dismantle the American West?

High Country News, May 9 | Jim Lyons

Public lands are a uniquely American idea and every American has an ownership stake in the lands we all own. For decades, we've done our best to manage these lands for local communities and a growing nation, even while preserving their unique natural, historic, or cultural features. The result has been national monuments and parks, national forests and wildlife refuges, wild and scenic rivers, wilderness areas and a host of other specially designated places preserved as a gift to future Americans.

These iconic places define the American West. But the Trump administration brings a new philosophy to public land management. Their changes appear to be part of a larger strategy articulated by President Donald Trump's senior strategist, Steve Bannon, to advance in his words "the deconstruction of the administrative state." During his first 100 days, Trump has aggressively implemented this strategy by reviewing and repealing Obama-era conservation initiatives and long-standing policies; replacing agency personnel; and setting the stage to shrink federal land management agencies and make their important work even harder..

The Federal Land Policy and Management Act and the National Forest Management Act, both enacted in 1976, were supposed to end decades of public land disposal and resource plunder, and to affirm that the public lands would be managed for the greater good of all uses for the long term. Multiple use and sustained yield were the concepts that would guide how public lands and national forests would be managed from then on. But couple the Trump "deconstruction" philosophy with a growing pack of lawmakers who want to hand federal land over to state and local interests and the stage is set to re-litigate the laws and policies that have guided public land for half a century.

How can they do this? Through the people the president puts in charge, the policies they implement, and the budget they dispense.

Two key political appointments likely to significantly influence future public land policies are Interior Secretary Ryan Zinke and Supreme Court Justice Neil Gorsuch, who are both Westerners.

Zinke, an avid outdoorsman, opposed a GOP position advocating the transfer of public lands, while supporting full funding for the Land and Water Conservation Fund. His first day in office,



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Zinke directed his agencies to expand public access for hunting, fishing and outdoor recreation — a tip of his cowboy hat to the sportsmen’s groups that supported him. But soon after that he announced that “the Interior Department is in the energy business.” As if to illustrate the point, he then named as acting director of the Bureau of Land Management Mike Nedd, the agency’s lead for energy and minerals, replacing Kristin Bail, who had previously managed the renewable resources program. Zinke then reopened public lands to coal mining, set aside a policy requiring developers to mitigate any damage to public lands they might cause, and put on hold his department’s climate change efforts. Finally, Zinke directed his agencies to do a rapid review of any rules or policies impeding domestic energy production as a precursor to new policy direction likely to accelerate energy development on public lands. He is currently in Utah, assessing both Bears Ears and Grand Staircase-Escalante, two monuments that rankle local control advocates.

Perhaps Trump’s most significant public lands decision so far, though, was Gorsuch’s nomination. Gorsuch’s views on the standing of sportsman and environmental groups to challenge public land management decisions and his stance on the so-called Chevron deference — which reinforces the authority of federal officials to interpret and implement the law — could hasten the deconstruction of public lands, particularly if the Supreme Court reverses Chevron.

Should the White House decide to modify or eliminate any monuments, the administration’s legal authority to do so is certain to be tested in the courts. And, should this issue get to the Supreme Court with Gorsuch on the bench, the outcome is increasingly in question. Of course, an effort to eliminate the Antiquities Act, used by Republican and Democratic presidents since Teddy Roosevelt, could also come up in the Congress.

In addition, the Trump White House has worked with the Republican Congress to make unprecedented use of the Congressional Review Act, or CRA, to rescind rules affecting public land use and management not to the administration’s liking. CRA provides 60 legislative days for Congress to decide which rules from the previous administration should be terminated. Using the CRA, Congress has axed rules affecting stream protection, what companies pay for energy from public lands, and a BLM planning rule intended to make the process more inclusive and transparent. According to the CRA, once rescinded, the government can never issue a rule that is “substantially similar” to the rule that was killed.

A desire to return public land management decisions to local control is a thread that connects many of the administration’s new public land policies. Despite the public process that brought about BLM Planning 2.0, an update to its decades old planning process—opponents objected. In



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

particular, they rejected the concept of “landscape-scale” planning, which was adopted to improve BLM’s ability to deal with issues like fire, water management, invasive species, and wildlife habitat which often transcend county and state political boundaries. Rule opponents asserted that landscape planning would empower others outside of their communities (i.e., environmentalists) to have more influence over how nearby public lands are managed.

Also under review is the September 2015 determination by the U.S. Fish and Wildlife Service that Endangered Species Act protection for the Greater sage grouse would not be necessary. The Service’s decision was based on federal and state grouse management plans – the product of years of major collaboration among federal and state agencies, governors, private landowners, and others. Despite this historic conservation effort to protect an ecosystem and avert the need to use the ESA to prevent the grouse’s demise, House Natural Resources Committee Chairman Rob Bishop, R-Utah, is likely to repeat his efforts to insist that sage grouse management be dictated by individual state sage grouse plans and not the collaborative ecosystem conservation strategy. And if, as a result, the Fish and Wildlife Service should find the individual state sage grouse plans inadequate, Bishop is likely to also include language to prevent the agency from listing the grouse — thereby threatening the integrity of bedrock conservation law.

In addition to all this, the Trump administration is clearly intent on shrinking the size of the federal government. An initial hiring freeze followed by proposed historic cuts in the administration’s budgets for the EPA, USDA, and DOI reinforced the message that the role and authority of federal conservation agencies will be substantially reduced. Trump also issued an executive order essentially requiring federal agencies to justify their existence, as a precursor to the president’s plan to reorganize the government through his Office of Management and Budget. This could become part of the battle over next year’s federal budget.

Regardless of whether efforts to sell or transfer public lands ultimately succeed, the combination of policy rescissions and reviews, new direction to prioritize energy and mineral development, and potential elimination or modification of national monuments, signals a dramatic shift in federal policy. The Trump approach is in fact more akin to how the public lands were managed before the multiple use and sustained yield dictates of the Federal Land Policy and National Forest management acts. Add to this the potential for steep cuts in agency budgets, and management agencies may be hard pressed to fulfill their responsibilities.

Decisions by the Trump administration to reverse, rescind, and revisit Obama’s conservation policies and land protection initiatives have been comprehensive and relentless. The barrage of



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

executive orders, directives and policy reviews looks like a “shock and awe” campaign against conservation, clearly designed to disrupt years of progress.

Should this deconstruction succeed, management of the public lands may revert to the states and, by default, to the leasees and permittees who drill, mine, cut, graze and otherwise use for their own profit. How will others who depend on the public lands fare? Can sportsmen be confident that fish and wildlife habitat will be conserved, or that access will remain open? Will rural communities benefit from more aggressive energy and mineral development, or will this focus be at the expense of the booming outdoor recreation economy? And how will the Trump administration policies affect remaining wildlands, open space, and the iconic natural, cultural, and historic resources that symbolize the American West?

Under Trump, the future of our public lands could be at stake.

Jim Lyons is a lecturer and research scholar at the Yale School of Forestry. He was the deputy assistant secretary for lands and minerals under the Obama administration's Interior Department and the USDA's undersecretary for natural resources and the environment during the Clinton administration.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

[MAY 5, 2017](#) - [MAY 6, 2017](#) - [MAY 7, 2017](#) - [MAY 8, 2017](#) - [MAY 9, 2017](#)

TOP STORIES – MAY 5, 2017

1. [With National Monuments Under Review, Bears Ears Is Focus Of Fierce Debate](#)

NPR, May 5 | Kirk Siegler

A lot of the anger over federal public land in rural Utah today can be traced back to a windy, gray day in Arizona in September 1996. At the Grand Canyon, President Bill Clinton formally designated the Grand Staircase-Escalante National Monument in Utah, more than 100 miles away.

2. [Record-setting southern Utah tourism highlights stakes of national monument debate](#)

KSL News, May 5 | Dave Cawley

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke’s plan to visit southern Utah next week will place him, and by extension the Trump Administration, in the middle of two bitter fights over public lands in the state.

3. [Patagonia to Zinke: 'Conserve Our Shared Public Lands for Future Generations'](#)

EcoWatch, May 5 | Yvon Chouinard and Rose Marcario

Dear Secretary Zinke,

As Secretary of the Interior, you hold the solemn responsibility to steward America's public lands and waters on behalf of the American people who own them. Our public lands, including the national monuments you are now reviewing, represent a vital part of our nation's heritage—a legacy that belongs not just to us, but to all future generations of Americans. It is an important part of your job to safeguard this legacy by making careful and informed decisions about what federal lands can be used for development and what special or vulnerable areas should be preserved for the future.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

4. INTERIOR: Agency suspends advisory panels even as decisions loom

E & E News, May 5 | Scott Streater

The Interior Department is formally reviewing the "charter and charge" of more than 200 advisory panels that assist federal agencies managing hundreds of millions of acres of public lands at a time when the Trump administration is considering significant changes to land-use designations and management practices.

5. 27 national monuments under Interior Dept. review

David DeMille, May 5 | David DeMille

ST. GEORGE, Utah — Nearly two dozen national monuments will face a federal review period following an executive order by President Trump.

TOP STORIES – MAY 6, 2017

[BACK](#)

6. Native American advocates size up Trump administration

KPAX News, May 6 | Eleanor Mueller

With President Donald Trump's first 100 days in office in the rearview mirror, lawmakers and advocates are uncertain but hopeful about the impact the new administration will have on the Native American community.

7. Op-ed: Utah Farm Bureau applauds review of national monuments

The Salt Lake Tribune, May 6 | Ron Gibson

Utah Farm Bureau applauds President Trump's review of presidential national monument designations over the past two decades, including the highly controversial 1996 Grand Staircase-Escalante and 2016 Bears Ears National Monument.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

8. Much at stake as Interior Secretary Ryan Zinke visits Bears Ears

The Deseret News, May 6 | Amy Joi O'Donoghue

SALT LAKE CITY — To all in the fight over the Bears Ears monument designation, there is much to win, a way of life to lose, and very little room on any side to compromise.

9. Supporters of Bears Ears, Grand Staircase rally in advance of Interior Secretary Ryan Zinke's visit

The Salt Lake Tribune, May 6 | Peggy Fletcher Stack

After his birth in Utah's Monument Valley, James Adakai's umbilical cord was buried at Bears Ears.

10. In our opinion: Reviewing the Antiquities Act is an important course of action

The Deseret News, May 6 | Deseret News editorial board

We believe in the importance of conservation. The nation's public and shared lands are a vital treasure that need to be preserved.

11. Op-ed: Will Bears Ears Be the Next Standing Rock?

The New York Times, May 6 | Terry Tempest Williams

After seven years of organizing, the Bears Ears Intertribal Coalition — made up of the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute and Zuni Nations — played a key role in securing the protection of 1.35 million acres surrounding Bears Ears from development and resource extraction just before President Obama left office.

12. Zinke promises to hear out protestors of rescinding national monuments

The Washington Times, May 6 | Ben Wolfgang

Interior Secretary Ryan Zinke on Sunday launched a “listening tour” across Utah designed to quell an uproar over his department's controversial review of national monuments.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

13. National Monuments: Presidents Can Create Them, but Only Congress Can Undo Them

Govexec.com, May 6 | Nicholas Bryner, Eric Biber, Mark Squillace and Sean B. Hecht

On April 26 President Trump issued an executive order calling for a review of national monuments designated under the Antiquities Act. This law authorizes presidents to set aside federal lands in order to protect “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.”

14. Op-ed: National monuments are a positive economic force for rural communities

The Salt Lake Tribune, May 6 | Amy Roberts

The next several months are pivotal for the future of America's public lands. It is not easy to articulate how we have gotten to this point – but here we are.

TOP STORIES – MAY 7, 2017

[BACK](#)

15. Rallies over Bears Ears act as prelude to Zinke's visit

KSL News, May 7 | Jasen Lee and Marjorie Cortez

SALT LAKE CITY — For scores of Utahns, preserving the monument status of the state's newest protected public lands and one of its more revered places was more than enough reason to spend a weekend afternoon at the state Capitol.

16. Zinke met by protest as he arrives to consider Utah voices on national monuments

The Deseret News, May 7 | McKenzie Romero

SALT LAKE CITY — While protestors clogged the sidewalk outside, Interior Secretary Ryan Zinke said he will be gathering perspectives of people on all sides of a deeply controversial issue as he reviews the Bears Ears and Grand Staircase-Escalante national monuments.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

17. Zinke starts review of Utah's Bears Ears National Monument

The Las Vegas Review-Journal, May 7 | Michelle L. Price and Brady McCombs, AP

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke will start a four-day Utah trip Sunday to assess whether 3.2 million acres of national monuments in the state's southern red rock region should be scaled down or even rescinded.

18. The new range war

The Christian Science Monitor, May 7 | Amanda Paulson

MAY 7, 2017 SALMON, IDAHO—Merill Beyeler bears the classic look of a Western rancher. He's got the leathery face of someone who has spent a lot of time outdoors. He wears flannel shirts, jeans, and a bone-colored cowboy hat.

19. The Latest: Zinke says he may not favor shrinking monuments

NewsOK, May 7 | The Associated Press

SALT LAKE CITY (AP) — The Latest on a visit to Utah by Interior Secretary Ryan Zinke to review the designation of national monuments (all times local):

20. Zinke says monument designations have been an 'effective tool,' though 'very few ... are to the scale of the recent actions'

The Salt Lake Tribune, May 7 | Matthew Piper

As he embarked on a tour of Utah to review two national monuments, Ryan Zinke said he sees no evidence Native American proponents of Bears Ears National Monument were exploited by special interest groups, as state leaders have suggested.

21. Zinke Begins Utah Listening Tour

KUER News, May 7 | Judy Fahys

Utahns for and against national monuments have been asking the Trump administration to weigh in on Bears Ears ever since it was created in December. U.S. Interior Secretary Ryan Zinke arrived in Utah Sunday to hear their concerns firsthand.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

TOP STORIES – MAY 8, 2017

[BACK](#)

22. Zinke in southern Utah to tour Bears Ears

The Deseret News, May 8 | Amy Joi O'Donoghue

BLANDING — Native American supporters of the new Bears Ears National Monument talked Monday about the sacred nature of the rugged landscape and why it's so important to protect.

23. Zinke kicks off Utah tour in national monuments review

The Hill, May 8 | Timothy Cama

Interior Secretary Ryan Zinke is in Utah this week to tour two controversial national monuments that the Trump administration is considering rescinding or shrinking.

24. Mr. Zinke, Keep Channeling Teddy Roosevelt

The New York Times, May 8 | The Editorial Board

On his first day on the job, Ryan Zinke, President Trump's secretary of the interior, rode a horse to work, in plain imitation of Teddy Roosevelt, who as president used to gallop around Washington, and whose admirable record as a conservationist Mr. Zinke says he hopes to emulate.

25. Could management shift to states even if public lands remain federally owned?

The Las Vegas Sun, May 8 | Daniel Rothberg

At a Lake Tahoe fundraiser in August, Elko County Commissioner Demar Dahl — a leader in the movement to transfer federal land to the states — met privately with then-candidate Donald Trump. According to a story Dahl has told many times since then, he asked Trump how he would feel operating a 10-floor hotel in which eight floors were owned by a bureaucracy 2,500 miles away.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

26. Could management shift to states even if public lands remain federally owned?

The Center for American Progress, May 8 | Mary Ellen Kustin

On April 26, President Donald Trump launched an attack on national parks, public lands, and waters. His executive order called on U.S. Secretary of the Interior Ryan Zinke to “review” the 54 national monuments that presidents have designated or expanded since 1996. The order gives wide discretion to the secretary to recommend actions that the president or Congress should take to alter or rescind the protections for these natural, historical, and cultural treasures.

27. US Interior secretary tours hotly contested Utah monument

The Washington Post, May 8 | Michelle L. Price and Brady McCombs, AP

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke on Monday will get a bird’s-eye view of one of 27 national monuments he’s been ordered to review as he flies over 1.3 million acres of southern Utah’s red rock plateaus, cliffs and canyons graced with sagebrush, juniper trees and ancient cliff dwellings in one of America’s newest and most hotly contested monuments.

28. Interior Secretary Zinke in southern Utah to tour Bears Ears

The Deseret News, May 8 | Amy Joi O'Donoghue

BLANDING — Interior Secretary Ryan Zinke landed in San Juan County Monday to begin his first full day exploring the rugged footprint of the new Bears Ears National Monument.

29. Bears Ears: Hatch, Utah delegation lead pushback effort

The Spectrum, May 8 | David DeMille

After signing an executive order calling for a review of more than two dozen national monuments, President Donald Trump handed the pen to U.S. Sen. Orrin Hatch, crediting the Utah Republican for being a driving force behind the order.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

30. San Juan County residents welcome visit from Secretary Zinke

ABC 4 Utah, May 8 | Glen Mills

Interior secretary Ryan Zinke is touring two national monuments, and taking input from local stakeholders.

31. Interior Turns Down Meetings With 2 Groups Supporting Utah Monuments

The Morning Consult, May 8 | Jack Fitzpatrick

The Department of the Interior turned down meetings this week with at least two groups supporting national monument designations in Utah, spurring complaints that the Trump administration's review of monuments may be one-sided.

32. Zinke: Monument status may not be best to save sacred land

The Washington Post, May 8 | Michelle L. Price and Brady McCombs, AP

BLANDING, Utah — U.S. Interior Secretary Ryan Zinke said sacred tribal lands he toured Monday in America's newest and most hotly contested monument should be preserved but he questioned whether the monument designation was the right way to do it.

33. Interior Secretary visits Bears Ears National Monument to decide its fate

Fox 13 News, May 8 | Ben Winslow

BEARS EARS NATIONAL MONUMENT -- Interior Secretary Ryan Zinke hiked past the lines of protesters out into the desert landscape.

34. Interior Secretary visits Bears Ears National Monument to decide its fate

KUTV 2 News, May 8 | Daniel Woodruff

Blanding, Utah — (KUTV) As the sun set over San Juan County Monday evening, Blanding, Utah, was buzzing.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

35. Interior secretary tours Bears Ears, hotly contested monument in Utah

PBS Newshour, May 8 | Michelle L. Price and Brady McCombs, AP

BLANDING, Utah — U.S. Interior Secretary Ryan Zinke took an aerial tour Monday of one of America's newest and most hotly contested monuments — one of 27 he's been ordered to review by President Donald Trump to determine if they were properly established.

36. Zinke flies over Bears Ears as critics urge him to 'Make San Juan County Great Again' and rescind monument

The Salt Lake Tribune, May 8 | Brian Maffly

Blanding • When Hank Stevens' family hunted under Bears Ears Buttes, they always honored the deer whose life they had taken and the place that nurtured it.

37. Tribal leaders demand apology from Hatch after he said they 'don't fully understand' Bears Ears implications

The Salt Lake Tribune, May 8 | Mariah Noble

After Sen. Orrin Hatch said Sunday that American Indians "don't fully understand" what they would lose if Bears Ears is "made clearly into a monument," tribal leaders have called his comments offensive, and they demand an apology.

TOP STORIES – MAY 9, 2017

[BACK](#)

38. Boyd Matheson: The Navy SEAL and the Bears Ears

The Deseret News, May 9 | Boyd Matheson

Interior Secretary Ryan Zinke, a former Navy SEAL commander, is touring Utah this week in response to President Donald Trump's executive order calling for a review of national monument designations over the past 21 years. There will be many who want to get in the secretary's ear as he visits the Bears Ears and Grand Staircase-Escalante areas. I hope he can shun and shut out the strident and vitriolic voices in order to truly listen to and hear all the parties who have something constructive to say.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

39. The public is invited to comment as Interior Secretary Ryan Zinke tours monuments Utah politicians want abolished or shrunk

The National Geographic, May 9 | Laura Parker

Interior Secretary Ryan Zinke is touring a pair of controversial national monuments in Utah on horseback this week at the behest of President Trump, who is reconsidering their merits. Zinke's four-day visit will take in Bears Ears and Grand Staircase-Escalante in southern Utah, the main targets in a review of 27 large monuments Trump ordered last month. The president assigned Zinke to examine whether his predecessors over-stepped their authority and made these monuments too large or ignored objections from the public.

40. The Case for the Grand Staircase-Escalante National Monument

The Center for American Progress, May 9 | Jenny Rowland

President Donald Trump's national monuments executive order is an attack on American national parks, public lands, and oceans. One of its specific targets is the Grand Staircase-Escalante National Monument in Utah.

41. NATIONAL MONUMENTS: Standing in Bears Ears, Zinke says protections may change

E & E News, May 9 | Jennifer Yachnin,

BLANDING, Utah — Interior Secretary Ryan Zinke questioned yesterday whether a monument designation is the "right vehicle" to protect tracts in southern Utah, suggesting that other public lands categories could be more appropriate for the 1.35-million-acre Bears Ears National Monument.

42. The Latest: Utah Rancher Tells Zinke Monument Unnecessary

US News, May 9 | The Associated Press

MONTICELLO, UTAH - Fifth-generation Utah rancher Bruce Adams has enjoyed a prime seat next to U.S. Interior Secretary Ryan Zinke this week as he reviews a national monument created on lands that Adams' ancestors helped settle in 1879.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

43. Executive Order gives ranchers hope

Livestock News, May 9 | Karin Schiley

The signing of a recent executive order by the president is giving ranchers hope that the administration is taking steps to reverse what some consider governmental land-grabs throughout history.

44. NATIONAL MONUMENTS: Bears Ears won't become a national park — Zinke

E & E News, May 9 | Jennifer Yachnin

MONTICELLO, Utah — Interior Secretary Ryan Zinke today ruled out the possibility that he will recommend converting Bears Ears National Monument into a national park but said he remained open to all other options for the 1.35 million acres of public lands.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

1. **With National Monuments Under Review, Bears Ears Is Focus Of Fierce Debate**

NPR, May 5 | Kirk Siegler

A lot of the anger over federal public land in rural Utah today can be traced back to a windy, gray day in Arizona in September 1996. At the Grand Canyon, President Bill Clinton formally designated the Grand Staircase-Escalante National Monument in Utah, more than 100 miles away.

"On this remarkable site, God's handiwork is everywhere in the natural beauty of the Escalante Canyons," he said.

But Clinton didn't set foot in Utah. The planning for the monument was largely done in secret, and state leaders had little warning it was coming.

Now, nearly 21 years later, mistrust toward the federal government persists, in the tightknit, mostly Mormon town of Blanding, Utah. Folks can't help but draw a parallel to how President Barack Obama's sweeping Bears Ears National Monument ended up in their backyard.

"I don't understand how it would protect the land when you're inviting thousands of footprints in," says Laura O'Donnell.

O'Donnell, who works at Blanding's modest visitor center, says she is uncomfortable with her town suddenly being the flashpoint in the heated debate over the future of federal public lands.

Interior Secretary Ryan Zinke is keeping a promise to travel into rural Utah beginning this weekend to hear from locals who live around the new 1.35 million-acre Bears Ears monument and the established 1.8 million-acre Grand Staircase monument to the west. The Trump administration has launched a 45-day review over whether large national monuments like these that protect federal land should be rescinded or shrunk.

In Blanding, Zinke's visit is highly anticipated. Here, opposition to the monument runs deeper than the usual anxieties in sagebrush country about adding more protections to public land that would restrict future mining and other development.

"Monuments should be an honor to an area, and we feel like this one is nothing but a punishment," says Jami Bayles, who founded a group called the Stewards of San Juan County.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

From her office at a small college, you can see the twin Bears Ears buttes framing the distant horizon out on the vast Cedar Mesa west of town. While not as visually dramatic as the famous national parks nearby, the area is dense with cliff dwellings and ancient artifacts.

Bayles and many of her neighbors felt offended when the federal government announced additional protections under a new monument because they felt it sent a message that the land was being threatened.

"We keep that place pristine, we keep it clean, we check on it all the time," Bayles says. "I guess my argument is, 'OK, yeah, it belongs to everybody, but not everybody has been taking care of it.' "

Bayles says that the monument is being pushed by extreme, out-of-state environmentalists and that her side has struggled to be heard.

There are deep pockets behind the campaign to protect Bears Ears.

San Juan County is about 50 percent Native American. A short drive down the road, on the Navajo Nation Reservation, tribal leaders say it's a lie for people in Blanding to argue that the monument is being pushed on them from the outside.

"For them to be here for 130 years, they should at least understand the Native Americans now," says Kenneth Maryboy, a chapter president.

Native Americans from around the Four Corners region, where Utah, Colorado, New Mexico and Arizona meet, who back the new monument are open about the fact that they're getting outside help and money because they didn't have a voice before, according to interviews with tribal leaders. Many tribes in the region have officially come out in support of the monument, though not all.

Maryboy was involved with the first talks with Utah's congressional delegation almost a decade ago about protecting Bears Ears as a National Conservation Area. They broke down last year, then came Obama's executive order.

"Our gripe and our fight is to preserve what's there, the Native American artifacts, the antiquities and all the shrines and the ruins," Maryboy says.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The sacred burial grounds of the famous Navajo leader Manuelito are included in the new monument. Maryboy sees the monument as crucial to protecting these antiquities from vandalism and looting, a historical problem in San Juan County.

"The San Juan County good ol' boys don't want to see this happen," says Maryboy. "They adamantly, openly said, 'This is our land. The damn Navajos need to go back to the reservation.'"

It's not an overstatement to say that Zinke will see deep tension and polarization when he arrives at Bears Ears late this weekend for a two-day tour.

Tribes here point to a history of broken promises with the U.S. government. If the Trump administration moves to abolish Bears Ears, it's not hard to imagine a Standing Rock-inspired protest here. On the other hand, if the monument stays intact, some wonder whether the militias that support rancher Cliven Bundy and his sons would arrive in San Juan County.

Back in Blanding, some locals like Ferd Johnson are floating a compromise. Why not just shrink the monument and protect the cliff dwellings and other antiquities themselves, they say.

"All these environmentalists, these Navajos, Hopis and the other Indians didn't even know where the Bears Ears was," Johnson says. "Why is it so sacred if they don't even know where it is?"

The tribes dispute this. Some have already signaled they'll sue if, after Zinke's Utah trip, the Trump administration moves to rescind Bears Ears.

[BACK](#)

2. **Record-setting southern Utah tourism highlights stakes of national monument debate**

KSL News, May 5 | Dave Cawley

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke's plan to visit southern Utah next week will place him, and by extension the Trump Administration, in the middle of two bitter fights over public lands in the state.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

One, a white-hot battle over the 1.3-million-acre Bears Ears National Monument in San Juan County, erupted last December when then-President Barack Obama created the monument at the request of tribal representatives and against the wishes of county and state leaders.

The other fight has simmered for two decades. It deals with an older and even larger monument, blamed by many in southern Utah for slowly strangling the life out of their communities. Yet the disagreement over Grand Staircase-Escalante National Monument is coming back to a boil even as tourism in the region sets new records year after year.

A review of economic indicators by KSL, including employment data, visitation statistics, tourism-related tax revenues and county building permit records obtained through an open records request, reveals both the struggles and opportunities facing places like Cannonville, Kanab, Boulder and Big Water.

The simmering dispute

An irritated Rep. Mike Noel, R-Kanab, was sick of hearing about the values of southern Utah's tourism economy. During a meeting of the state's House Natural Resource, Agriculture and Environment Committee in late February, the lawmaker unloaded on his colleagues from Salt Lake City.

"People tell me there's all kinds of jobs down there; everything's going great," Noel said. "I really kind of get a gutful of it up here, I really do. It bothers me because it sends a false premise."

Noel represents House District 73, a giant swath of territory covering all of Kane, Garfield, San Juan, Wayne and Piute Counties, as well as pieces of Beaver and Sevier Counties. He chastised urban lawmakers for suggesting federal management of Utah lands has had a positive influence by driving visitors, and by extension their tax dollars, into the rural region he represents.

"I've lived there for 41 years. I've seen what's happened down there and my ancestors have lived there for over 100 years and it's not in a good condition as far as you say, as far as economically and what's happening to families," Noel said.

In recent years Noel has helped lead the charge in several high-profile efforts to take control of federal lands. Key among those lands is the monument at the heart of his district — Grand Staircase-Escalante.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The maligned monument

As designated by President Bill Clinton in 1996, Grand Staircase-Escalante National Monument covered roughly 1.9 million acres. It's bounded on the east by Capitol Reef National Park and Glen Canyon National Recreation Area, and on the west by Bryce Canyon National Park. The monument's northern edge abuts the Dixie National Forest, while its southern extremity touches the Arizona border.

Wrapped within it sits a maze of twisted river canyons, eroded sandstone pinnacles and arches, relics of pioneer history and fossilized dinosaur bones.

Rep. Noel's cry to turn over those lands to state management, or to at least prioritize cattle grazing, ATV use and mineral extraction, have support from people like Garfield County Commissioner Leland Pollock.

"200,000 acres would be a stretch, to say that there's antiquities, things of value that meet the Antiquities Act criteria," Pollock said. "What is it? It's BLM range. It's brush land. It's sage brush."

The Bureau of Land Management administers the monument, unlike most other Utah monuments which are instead operated by the National Park Service.

Prior to the designation two decades ago, a bitter fight had raged between the mining company Andalex Resources, Inc. and environmental groups over the company's plans to extract large amounts of coal from the region. Andalex held federal mineral leases around the Kaiparowitz Plateau.

The wording of President Clinton's declaration made clear those existing leases were to be honored. However, the company made the decision not to develop the resources and ultimately gave up the leases in exchange for \$14 million from the Department of the Interior.

Miners were not the only ones with claims to the land. Ranchers also held leases that allowed them to graze their cattle over much of what is now in the monument. Those uses were largely respected and allowed to continue by the Bureau of Land Management, though some parcels were withdrawn from use.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Monument critics believe the coal reserves could still be developed, to the economic benefit of the region, were the federal land managers not standing in the way.

Recreation opportunities on the monument are expansive, though not without difficulty.

Unlike many national parks, where trails are paved and shuttle buses run on tight schedules, Grand Staircase-Escalante is almost entirely primitive. It holds just three established campgrounds: Calf Creek along state Route 12 between Boulder and Escalante, Deer Creek on the Burr Trail Road and White House on the Paria River. Roads to most popular destinations are unpaved and at times impassable due to weather or damage.

"They did not want tourism," Pollock said. "The monument itself, they would tell me when I was first sworn in as a commissioner, 'this wasn't created for tourism. It was created to study science.'"

The popularity explosion

Want them or not, tourists are coming to Grand Staircase-Escalante in record numbers.

Visitation statistics maintained by the National Park Service show Zion led the pack of Utah parks in 2016, taking in 4.3 million people. Bryce Canyon, the state's second-most-visited park, welcomed almost 2.4 million. Both figures are nearly double the visitation recorded in 1996, when Grand Staircase-Escalante was born.

BLM records show the monument has also almost doubled its annual visitation during the same period. It set a high-water mark of 923,236 visitors last year, placing it above even Canyonlands and about on par with Capitol Reef National Park.

The rate of visitation growth for Zion, Bryce and Arches accelerated sharply in 2013. Kem C. Gardner Policy Institute Director Natalie Gochnour noted that in recent years, the Utah Office of Tourism has heavily advertised the parks with the Mighty Five campaign.

"There's a lot of money that goes into promoting our state and it's proven to be very well invested ... but you have to be really careful that you also invest in the quality of that experience," Gochnour said. "Whether it's roads or campgrounds or bridges or water treatment plants, amenities, you need to invest in the tourism infrastructure business to get a payback from it."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

In Washington County, home to St. George and the Zion gateway community of Springdale, taxes on short-term lodging and restaurant sales have followed a similar curve as the park's visitation. Grand County, too, has shown strong tourism-related tax growth, boosted by visitors to Arches who also stay and spend in Moab.

The visitation spike has helped accelerate recovery in Washington and Grand Counties following the recession of the late 2000s.

"The tax revenues related to tourism and travel are going up, have been for the last five years," Jennifer Leaver said. She works as a research analyst at Gardner Institute and has spent a good deal of time examining the economics of southern Utah. "Jobs have been either remaining flat or going up. Wages have been going up."

But while Garfield County is home to Bryce Canyon, it has not seen quite the same boost.

Challenges of the tourism economy

The tiny town of Boulder is made up of little more than a few buildings and farms snuggled into the valley where state Route 12 and the Burr Trail meet on the southern slopes of Boulder Mountain. As of the 2010 Census, Boulder claimed a population of 226.

Yet it's exactly where Blake Spalding and her partner chose to start their business, Hell's Backbone Grill, shortly after Grand Staircase-Escalante's creation.

"We really just built it up. This is our 18th season. We have about 45 employees that work with us year after year," Spalding said.

Hell's Backbone Grill, which is located on the grounds of the Boulder Mountain Lodge, has received numerous accolades from both local and national press over the years. It draws clientele with its menu and its reputation, but finding qualified help has proved to be one of the restaurant's biggest challenges.

"There's not a business from a construction company to the school to the towns themselves, certainly my restaurant, that isn't hiring right now. We have jobs aplenty," Spalding said. "What we don't have is residents to fill them."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Making a life in a place like Boulder can be incredibly difficult, especially for someone accustomed to urban living. Cell phone service is spotty. Cultural options are limited, though outdoor recreation is in abundant supply. Grocery runs can require long drives to bigger towns. And while there are jobs available, many are not the kind capable of providing a steady living.

Lecia Langston, a regional economist with the Utah Department of Workforce Services, said tourism jobs tend to come and go.

“For Garfield County particularly they see a huge amount of seasonality so that during the summer they basically have to import a lot of their labor because they need it, but they don’t need it in the winter,” Langston said.

People who can’t afford to stay the winter on what they earned are forced to leave in search of other opportunities, as work in other more stable fields can prove tough to find.

“Garfield County has the highest percentage of leisure and hospitality services jobs in the state. They run about 43 percent of their total non-farm employment,” Langston said.

The result is a yo-yoing effect. In March, the most recent month for which numbers are available, the seasonally adjusted unemployment rate in Garfield County was 7.1 percent. That was the lowest it’s been since the end of the recession but it was still well above the statewide average of 3.1 percent.

“If you were to look at the raw rate in July for Garfield County it would be very, very, very low,” Langston said. Conversely, it would be much, much higher in December. “Kane County (in March) actually looks fairly low, given the fact that they do have a lot of seasonality. Their unemployment rate right now is 3.2 percent, which is comparable to the state average.”

Kanab on the cusp

Kane and Garfield Counties have much in common, making that difference in their unemployment rate very conspicuous.

“What’s interesting about Kane County is they do have a couple of unusual employers that make their employment numbers look a little bit different,” Langston said. “Kane County’s largest employer is actually Best Friends Animal Sanctuary. They show up in what we call ‘other services’ so they have a really high percentage of employment in that sector. The other thing



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

that's important to know about Kane County is they do have some manufacturing. Stampin' Up was a homegrown company that started in Kane County and still has a sizable employment presence."

That little bit of diversity helps make Kane's economy more resilient. Kane County Office of Tourism Executive Director Camille Johnson said the addition of steady jobs has allowed for more stability and, as a result, investment in the visitor experience.

"We had Comfort Suites and Hampton Inn open up in the last year and we've got a La Quinta on line to open in 2018. Then I just learned of one of our local partners that's doing an expansion," Johnson said. "We've had a lot of new restaurants open up."

The city also has geography to its advantage. Kanab sits within striking distance of Zion, Bryce Canyon, the Grand Canyon, Lake Powell and the Wave. The county is promoting Kanab as a place to base camp while visiting the whole variety of southern Utah destinations. The goal is to keep visitors in town long enough to help the local economy, rather than having them simply pass through on their way to another place.

Johnson said overcrowding in the banner locations like Zion also has Kane County pointing increasingly more visitors toward hidden gems outside of the Mighty Five.

"Because tourism is such a hot industry for us right now, we're having a little bit of a labor force crisis and a housing crisis," Johnson said. "With the two new hotels opening up and several restaurants, it spread our already thin labor force even thinner."

Up in Garfield County though, the hospitality industry has grown more slowly since the creation of Grand Staircase-Escalante.

Commercial building permit papers obtained by KSL through an open records request reveal much of the new lodging construction over the last 20 years has focused Ruby's Inn or the Bryce Canyon gateway communities. Recently, more rustic rental options like cabins, yurts or RV parks have started to open around Escalante and Tropic.

Back in Kanab, some fear the rapid growth could dilute the history and western character of the region.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

“Locals will say to me ‘we don’t want to be like Moab, we don’t want to be like Springdale, please don’t let that happen’,” Johnson said. “They’re afraid that we’ll lose the spirit of our community and our heritage and then it won’t be appealing for locals to stay here and then they uproot and then we lose that heritage.”

The tale of two Utahs

The loss of locals is already happening and not just in Kanab. It’s evident from the average age in many rural Utah counties.

“There are two different economic realities in our state. We call it ‘the tale of two Utahs’,” Natalie Gochnour said. “They basically have children who left the counties, presumably for employment opportunities, schooling and they don’t come back. And so these counties get older and older and older.”

Why don’t they come back? Experts agree it’s a lack of high-paying skilled work in rural communities.

“It’s kind of a catch-22 because there aren’t necessarily the kinds of jobs young people want, or that pay the kind of wages that they’d really like to have, so they leave and you don’t get the population growth that you need to spur the economic growth,” Lecia Langston, the Workforce Services regional economist, said.

Garfield County even declared a state of emergency in 2015 due to declining enrollment at Escalante High School.

“In 1996 you had about 144 children enrolled at Escalante school, seventh through 12th grade,” Commissioner Leland Pollock said. “When we declared that state of emergency it was down to 51.”

Pollock points to Grand Staircase-Escalante National Monument as the primary reason for the drop. Others though see the problem in more nuanced terms.

“I think it’s really a time to think very purposefully about rural Utah, particularly rural Utah that’s hurting, and figure out how do we connect and unify and help,” Gochnour said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

She suggested that could mean having policymakers lean on urban Utah's strength, investing the fruits of Wasatch Front productivity into rural counties through infrastructure improvements like better roads or broadband access. At the same time, battles over public lands could be quieted by some good-faith deal-making.

"I think a really productive place for state decision makers to focus is on land exchanges and making all of these state institutional trust lands that are locked up inside federal lands, not accessible, getting them closer to the cities, closer to the towns and letting those towns grow," Gochnour said.

The Wasatch Front could in turn benefit in the form of reduced air pollution and traffic congestion, as more people disperse into areas outside of the urban core. Gochnour suggested outdoor gear companies already operating in the state could lead the charge, choosing to locate their manufacturing facilities in areas like Kanab.

"Maybe it's time for the state and the federal government, locals, recreationists to all come together and say 'there is a path forward that can address our needs'."

[BACK](#)

3. **Patagonia to Zinke: 'Conserve Our Shared Public Lands for Future Generations'**

EcoWatch, May 5 | Yvon Chouinard and Rose Marcario

Dear Secretary Zinke,

As Secretary of the Interior, you hold the solemn responsibility to steward America's public lands and waters on behalf of the American people who own them. Our public lands, including the national monuments you are now reviewing, represent a vital part of our nation's heritage—a legacy that belongs not just to us, but to all future generations of Americans. It is an important part of your job to safeguard this legacy by making careful and informed decisions about what federal lands can be used for development and what special or vulnerable areas should be preserved for the future.

That is why the arbitrary 120-day deadline for you to review whether to shrink or rescind dozens of national monuments is absurd. As you know, the process to establish a national monument



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

often takes years, if not decades. It involves significant study of the area of the proposed monument—including its ecological, cultural, archeological, economic and recreation value—and robust consultation with local communities and their elected representatives at every level. Given the unique and complex histories of each monument, there is simply no way to meaningfully review dozens of individual monuments in such a short period.

You justify this review on the false premise that the American people have not yet been heard on the designation of these national monuments. But the communities near the national monuments under your review have already made their voices heard during public input and stakeholder engagement periods prior to designation. For example, notwithstanding the rhetoric of Utah Governor Gary Herbert and members of the Utah Congressional delegation, the designation of Bears Ears National Monument involved years of public input gathered by the Obama administration. This process included a series of public meetings in Southeastern Utah in 2016, including several sessions attended by former Interior Secretary Sally Jewell. It also included significant engagement with the Bears Ears Inter-Tribal Coalition, which represents tribal nations for whom the land is sacred and contains archeological artifacts with immense cultural value. Additionally, in a recent poll, 68 percent of voters in seven Western states said they prioritize the protection of land, water and wildlife for recreation on public land, compared with 22 percent who prioritized increased production of fossil fuels. Your review must account for this extensive record of consultation as you purport to seek public input.

As you undertake this review, we urge you to consider the enormous economic benefits of protected public lands for nearby communities, including many rural areas. A recent study showed that areas in the West with protected lands consistently enjoy better rates of employment and income growth compared to those with no protected lands. In the 22 years since the Grand Staircase-Escalante in Utah was declared a national monument, jobs grew by 38 percent in two neighboring counties. The designation of 17 national monuments—including nine monuments covered under your review—led to significant increases in per capita income in regions adjacent to the newly-protected areas.

Rescinding or shrinking the national monuments under review also threatens the fast-growing outdoor recreation economy, which relies significantly on recreation access to protected public lands. These lands are not "locked up," as the Trump administration has said repeatedly declared—they are extremely productive. As you know, since you participated in the outdoor industry's announcement of a new economic study last week, the recreation economy drives \$887 billion in consumer spending every year and supports more jobs (7.6 million) than oil,



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

natural gas and mining combined. Rescinding or shrinking the national monuments under review would significantly impact the strength of the outdoor recreation economy and limit our ability to create and sustain jobs.

Patagonia has been outfitting outdoors people and protecting public lands for more than 30 years. The debate over land and water conservation is always complex and sometimes divisive. But we have never witnessed the legacy of America's federal lands encountering greater risk than we see right now. As you visit these protected places and report back to the president, I urge you to follow in the tradition of President Teddy Roosevelt and conserve our shared public lands for future generations.

[BACK](#)

4. **INTERIOR: Agency suspends advisory panels even as decisions loom**

E & E News, May 5 | Scott Streater

The Interior Department is formally reviewing the "charter and charge" of more than 200 advisory panels that assist federal agencies managing hundreds of millions of acres of public lands at a time when the Trump administration is considering significant changes to land-use designations and management practices.

The Bureau of Land Management has told members of its 30 resource advisory councils (RACs) to postpone scheduled meetings through at least September as part of the new national review of Interior's advisory panels, both internal and external.

That includes canceling meetings of six other BLM advisory committees affiliated with specific sites within the agency's National Conservation Lands system, as well as two other high-profile panels: the National Wild Horse and Burro Advisory Board and the North Slope Science Initiative Science Technical Advisory Panel in Alaska.

It also affects other panels, such as the National Park System Advisory Board, which advises the NPS director and Interior secretary "on matters relating to the National Park Service, the National Park System, and programs administered by the National Park Service," including the Antiquities Act, which has been targeted by GOP congressional leaders.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The timing means some land management recommendations — including a high-profile review of national monuments — will be completed without the advisory panels' input.

Heather Swift, an Interior spokeswoman, told E&E News in an email today that the review is part of an ongoing effort by Interior Secretary Ryan Zinke aimed at "restoring trust in the Department's decision-making."

Swift said the review of "the charter and charge of each Board/Advisory Committee" is designed to "maximize feedback from these boards and ensure their compliance with the Federal Advisory Committee Act," the 1972 law that ensures that advice by various advisory committees is objective and accessible to the public.

"This review process necessitates the temporary postponement of advisory committee meetings," Swift said.

But Swift said the review is also designed to ensure compliance with "the President's recent executive orders."

President Trump in the last month has signed a number of executive orders, including one requiring the review of all policies that may "potentially burden" energy production activity on federal lands.

Trump last week also signed one requiring Interior to review the boundaries of dozens of national monuments designated within the last two decades and to decide whether they should be altered or eliminated (Greenwire, April 26).

That executive order is targeted at more than 30 national monuments designated since 1996 that comprise at least 100,000 acres. It will initially focus on the fate of the recently designated 1.35-million-acre Bears Ears National Monument but will ultimately include sites like the 1.9-million-acre Grand Staircase-Escalante National Monument, both in Utah.

That executive order requires Zinke to submit a report with his recommendations on the national monuments to the president within 120 days, before the Interior review of the advisory committees and boards is completed and the postponement of the meetings lifted.

That means the Utah resource advisory council that provides recommendations to BLM on management of the 22.9 million acres of federal public lands in the state will not weigh in on the



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

national monument issue; neither, presumably, will the members of the agency's Grand Staircase-Escalante National Monument advisory committee.

That concerns Greg Zimmerman, deputy director of the Center for Western Priorities.

"The Trump administration and Interior Secretary Zinke talk a big game about including Western communities in decisionmaking on public lands, but this action proves it's nothing more than talk," Zimmerman said. "They are shutting out input from communities just as the administration takes unprecedented steps toward wiping national monuments from the map."

It's a particular concern for BLM, critics say.

Canceling the BLM RAC meetings "sends a clear signal that Secretary Zinke intends to make decisions behind closed doors and not through an open and transparent public process," Zimmerman said.

The agency's 30 RACs, whose members are appointed by the Interior secretary, are designed to help guide BLM administrators on a wide variety of issues involving major projects such as multistate transmission lines and energy projects.

The advisory panels typically have 10 to 15 members, who are supposed to represent a cross-section of local residents, state government agencies, industry and conservation leaders. They evaluate and submit recommendations on "land use planning, fire management, off-highway vehicle use, recreation, oil and gas exploration, noxious weed management, grazing issues, wild horse and burro herd management issues," and other topics, according to BLM.

Recommendations from the RACs, established by Interior in 1995 during the Clinton administration, are supposed to carry significant weight with BLM leaders.

But there have been some high-profile examples in the past two years where BLM ignored the recommendations of its RACs.

BLM in January approved the final two segments of the Gateway West Transmission Line Project in Idaho over the objections of an eight-member subcommittee of the BLM Boise District's RAC that concluded the route would unnecessarily affect communities, natural resource values and private landowners (Greenwire, Jan. 20).



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

And last year, BLM formally approved the 287-megawatt Soda Mountain Solar Project in the Southern California desert, despite the recommendation of BLM California's Desert District RAC against the project and its impacts on wildlife, groundwater quality and other natural resources (E&E News PM, April 5, 2016).

[BACK](#)

5. **27 national monuments under Interior Dept. review**

David DeMille, May 5 | David DeMille

ST. GEORGE, Utah — Nearly two dozen national monuments will face a federal review period following an executive order by President Trump.

The Department of the Interior, under new Trump appointee Secretary Ryan Zinke, released the names of 27 monuments Friday that it will put under a review, including a public comment period that will run for 60 days.

“Today’s action, initiating a formal public comment process finally gives a voice to local communities and states when it comes to Antiquities Act monument designations,” Zinke said in a written release. “There is no pre-determined outcome on any monument. I look forward to hearing from and engaging with local communities and stakeholders as this process continues.”

Trump ordered the reviews last week, covering a 21-year period bookended by two of the more controversial monument designations in recent memory, both in Utah: the Grand Staircase-Escalante National Monument designated by President Clinton in 1996 and the Bears Ears National Monument designated by President Obama late last year.

Zinke is scheduled to visit both monuments next week, meeting with local officials.

Either Congress or the president can protect federal land by designating a national monuments, with the 1906 Antiquities Act giving the president authority to quickly preserve land without waiting for legislation from Congress. There were 129 monuments nationwide at the start of the year, with recent presidents tending to designate more land than most of their predecessors. George W. Bush and Obama each designated more than 200 million acres as monument lands.

The Bears Ears designation was especially contentious in recent years, with many Utah officials comparing it to the Grand Staircase-Escalante designation two decades earlier.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

No president has ever moved to rescind a designation made by a previous president.

[BACK](#)

6. **Native American advocates size up Trump administration**

KPAX News, May 6 | Eleanor Mueller

With President Donald Trump's first 100 days in office in the rearview mirror, lawmakers and advocates are uncertain but hopeful about the impact the new administration will have on the Native American community.

Trump's choice of Ryan Zinke to be secretary of the interior quelled the concerns of some; as a former congressman from Montana, Zinke has experience representing Native Americans in Washington, which is seen as a promising sign by many of the community's top advocates.

But some of the President's executive actions and controversial comments, including a recent reference to Democratic Massachusetts Sen. Elizabeth Warren as "Pocahontas," have raised some concerns. Lawmakers serving on the Senate Committee on Indian Affairs have voiced trepidation about the impact the new administration may have on Native American health care, education funding and sovereignty, among other issues.

However, community stakeholders say they are trying to balance those concerns with optimism as the President's first term unfolds.

Zinke takes over

In interviews, lawmakers expressed trust in Zinke's demonstrated ability to understand the issues important to Native Americans across the nation. Hailing from a state with seven Indian reservations, Zinke possesses "a degree of knowledge" not typical of the interior secretary position, said Sen. John McCain, the current longest-serving member and former chairman of the Senate Committee on Indian Affairs.

"Secretary Zinke has much more experience on Native American issues than his predecessor -- who had literally none," the Arizona Republican told CNN in an interview. "My initial impression is President Trump and the people around him support sovereignty and the Native American population. They can have a degree of knowledge and involvement in Native American issues that was not the case amongst their predecessors."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The interior secretary under former President Barack Obama was Sally Jewell, the previous CEO of outdoor retailer REI. The Interior Department did not respond to requests for comment.

In 2015, then-Rep. Zinke sought to make tax breaks on coal mined from American Indian reservations permanent -- a move viewed as boosting the communities' revenue and creating jobs for tribal members. In a statement emailed to CNN, the National Congress of American Indians expressed their support for Zinke, citing "his approach to the (Bureau of Indian Affairs) as well as his commitment to giving tribal nations a seat at the table across the federal government."

"Ryan Zinke has a long history of fighting for our country," NCAI President Brian Cladoosby said in the statement. "Throughout his service as a congressman for Montana, he fought for Montanans and Montana's tribes in the halls of Congress. We have no doubt that Secretary Zinke will continue fighting for all tribes as secretary of interior."

Tribal sovereignty

The densest cloud of uncertainty surrounds the matter of tribal sovereignty, or the US agreement to protect the ability of individual tribal governments to govern themselves.

While Zinke's congressional track record reflects commitment to Native American self-determination, Trump's past is not as clear.

"Secretary Zinke has always supported the principles of tribal sovereignty and self-determination," McCain said. "That's an important pillar of our tribal relations."

In 1993, Trump's comments in a congressional hearing on Indian casinos shocked lawmakers and others.

"Go up to Connecticut, and you look (at the Mashantucket Pequots)," Trump told the House Natural Resources Native American affairs subcommittee. "They don't look like Indians to me."

In June 2016, then-presidential candidate Trump labeled Democratic Sen. Elizabeth Warren of Massachusetts "Pocahontas" -- a reference to her claimed Indian heritage.

"Pocahontas is at it again!" Trump wrote in a tweet. "Goofy Elizabeth Warren, one of the least productive U.S. Senators, has a nasty mouth."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The President resurfaced the comment in Atlanta on April 28 this year, telling a crowd of National Rifle Association members that "it may be Pocahontas" pursuing the Democratic presidential nomination in 2020.

The remarks were condemned by the National Council of American Indians, who in a May 3 statement called them "derogatory."

"I'm disturbed by some comments the President has made," Sen. Tom Udall, vice chairman of the Senate Committee on Indian Affairs, told CNN. "He has made some very derogatory comments about tribes. I hope Secretary Zinke encourages President Trump about the importance of self-determination, teach him about that, understand what it's all about."

Recent executive actions have done little to assuage these worries, the New Mexico Democrat said. On the Dakota Access Pipeline and the planned border wall (which would cut a reservation in half), Trump has moved ahead "without talking to" American Indian stakeholders, Udall said.

"He's taken action without consultation," Udall said. "One of the cores of trust and responsibility is government-to-government consultation, talking with tribes that are concerned."

"It shows a complete lack of understanding of tribal sovereignty, self-determination -- things very, very important to tribes," Udall added.

However, these are missteps that could be remedied with future collaboration, Udall said.

"The tribes are a little apprehensive," Udall said. "But I think if they see an outreached hand, it is going to help get some things done."

Education

One issue that's already on Zinke's plate at Interior is Native American education. Speaking at a March 8 hearing of the Senate Committee on Indian Affairs, the secretary acknowledged the failings of the Bureau of Indian Education.

"Words cannot capture how terrible it is that children in schools overseen by Bureau of Indian Education are so poorly served," Zinke said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Many lawmakers agree that the schools should be a top priority for the new administration. But though Zinke has said he supports upgrading the schools, actually making changes is more difficult.

"He responded as you might expect (during the March 8 hearing) -- that he was committed to it, that he understood the challenges and the situation, and he said it was on his highest priority list," McCain said. "He gave the right answers. And I believe him. But I've heard those same answers for years and years."

Among the things McCain said he would like to see: More federal funding for school choice initiatives.

"The answer to that in my view is to give the tribe access to BIE funds to be used for private tuition, tutors, classes, charter schools, so Native families have more choices," McCain said. "I'm not saying charter schools are better or worse -- although I personally believe they're better -- but Native American parents should be able to have a choice where they want their children to go."

According to a 2014 Government Accountability Office report, the Bureau of Indian Education spent about \$15,391 per pupil annually -- compared to the average of \$9,896 per student at public schools nationwide.

Despite this, Government Accountability Office reports have found that BIE students have higher dropout rates, lower scores on college admission tests and lower college entrance rates than their public school counterparts.

"We have a long way to go when it comes to Indian education," Udall said.

And the confirmation of Betsy DeVos as secretary of education has done little to assuage the New Mexico Democrat's concerns: "The thing that worries me the most is the new education secretary," he said.

DeVos's efforts to "voucherize education" "could well apply to the Bureau of Indian Education," Udall said.

"I think that would be a real disaster," Udall said. "It would be draining resources away from already depleted resources pool. That is not a good idea."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Health care

Also on Zinke and lawmakers' wish lists are improvements to Native American health care.

"The one (issue) I would really start with would be Indian health care," Udall said. "It's been a hot-button issue."

During his January 17 confirmation hearing, Zinke told lawmakers that "as bad as the VA is, (Native American health) is worse."

With the ongoing GOP efforts to repeal the Affordable Care Act, lawmakers and advocates are unsure what the future may hold for the health care of the Native American community.

According to Udall, Republicans are "not involving Democrats" in health care reform discussions; an exclusion that makes it difficult for the party to advocate for Indian-American rights.

"It's a closed-door affair," Udall said. "The best advocates for Native Americans excluded from the table."

Given the underfunding of the Indian Health Service, many tribal members "rely heavily" on the Affordable Care Act's health exchange, Udall said. Were the federal government to cut discretionary spending -- as proposed in the President's budget -- and repeal Obamacare, tribes across the country would suffer, Udall said.

"The proposal in the budget is to increase defense dramatically at the expense of the domestic side," Udall said. "With that proposal and the proposal on the Affordable Care Act, that could be a big hit on the tribes across the country."

Speaking at the March 8 hearing, Paul Torres, the chairman of Al Pueblo Council of Governors, also voiced concerns about the budget cuts.

"These across-the-board cuts are alarming because the majority of programs serving Indian Country fall under the category of discretionary spending and are not exempted under the President's proposed plan," Torres said.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

7. **Op-ed: Utah Farm Bureau applauds review of national monuments**

The Salt Lake Tribune, May 6 | Ron Gibson

Utah Farm Bureau applauds President Trump's review of presidential national monument designations over the past two decades, including the highly controversial 1996 Grand Staircase-Escalante and 2016 Bears Ears National Monument.

It is refreshing, remembering President Bill Clinton sitting on the south rim of the Grand Canyon in Arizona without consulting local officials or notifying Utah's elected leaders of his intention to set aside 1.9 million acres in the Grand Staircase-Escalante National Monument. Or, that one month before the end of his presidency, Barack Obama would unilaterally lock up another 1.35 million acres in the Bears Ears National Monument. Certainly, a closer look is warranted!

The president has authority under the Antiquities Act to "protect objects of historic and scientific interest" but it must be "confined to the smallest area compatible with the proper care and management of the objects to be protected." Such was the case when Teddy Roosevelt made the 1,300-acre Devils Tower the first National Monument in 1906. Sadly, things have taken a drastic turn toward massive monuments since President Jimmy Carter in the 1970s.

Did protection of unique features or politics of the day drive the designation of nearly 3.5 million acres being locked away in the Grand Staircase-Escalante National Monument and Bears Ears National Monuments? It's obvious the politics of Clinton and Obama didn't line up with Utah. The courts have declared there is no need to protect common sagebrush ground with no scientific or historic value. While there are clearly beautiful areas of historic and cultural importance that can be preserved in these monuments, much of it is common sagebrush that should be open for multiple uses.

A review of land ownership in the most affected counties – Kane, San Juan and Garfield – would bring into focus whether or not the designation of these national monuments is excessive and regulatory overkill. These rural county governments already struggle to meet their citizens' needs and to educate their children with only 10 percent (Kane), 8 percent (San Juan) and a paltry 5 percent (Garfield) of the land in these counties privately owned.

National monument designations in these three counties have, and will continue, to adversely impact generations-old sheep and cattle ranching families, as well as other multiple uses such as recreation and resource development. Livestock ranching, a major economic contributor going



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

back to pioneer settlement, must now deal with a new level of Resource Management Planning by the Bureau of Land Management and U.S. Forest Service.

In Utah, with 67 percent of the state owned and controlled by the federal government, family sheep and cattle ranchers have been compelled for generations to combine their limited private land and water with the public domain to have sustainable and economically viable businesses. While this model worked historically for these family businesses, increasing uncertainty in how public lands are managed makes going forward difficult. Ranchers have already had to absorb a reduction of 70 percent of livestock grazing numbers in the past 50 years.

Cattle ranching and its economic contribution in Southern Utah's Kane, Garfield and San Juan Counties has been hard hit by the presidential orders. Approximately 40,000 head of cattle were harvesting the annually renewing forage in these counties in 2016, generating more than \$33 million in direct sales. Using a conservative multiplier, as ranching families spend those dollars and they ripple through the small towns, cattle sales will generate more than \$50 million to the local economy. And that is a contribution that can renew itself every year.

Livestock grazing on the public lands is an important part of the history and culture of rural Utah and is a critical component of these rural economies. Harvesting the renewable forage provides an affordable protein for American dinner tables, contributes to the health of the ecosystem, reduces the potential for catastrophic wildfires, and supports rural, local economies.

The Utah Farm Bureau welcomes President Trump's desire to review these monuments for the past 20 years to ensure they're keeping with the stated intent of the Antiquities Act. With all the economic growth taking place along the Wasatch Front, it's important for us all to support one of the pillars of economic success for these rural Utah counties – agriculture.

Ron Gibson is president of the Utah Farm Bureau Federation.

[BACK](#)

8. **Much at stake as Interior Secretary Ryan Zinke visits Bears Ears**

The Deseret News, May 6 | Amy Joi O'Donoghue

SALT LAKE CITY — To all in the fight over the Bears Ears monument designation, there is much to win, a way of life to lose, and very little room on any side to compromise.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

When Interior Secretary Ryan Zinke steps off the plane Sunday in Utah, he will become the key witness to a dramatic showdown over the fate of the 1.35 million-acre monument, and for the next several days, the man everyone in this fight will want to meet.

If the monument stands, Native Americans, environmental groups and conservation organizations that spent millions of dollars on the effort for a new monument in San Juan County can set about on the next steps.

Monument status elevates the cultural, historical and spiritual significance of the rugged country, they say, and puts federal land managers on a path to protecting thousands upon thousands of ancient artifacts.

A monument designation for the region gives five Native American tribes not only a reason to celebrate, but a reason to hope that strong bonds will be forged with an American government that over centuries has let them down at best or betrayed them at worst.

To these Native American men and women who fight for the survival of the Bears Ears National Monument, it assures their spiritual connection there will live on, cradled in the arms of wind-swept buttes, pine-dotted mountaintops and sprawling Cedar Mesa sandstone.

But a loud chorus of people in San Juan County say they love the land as well, but hate the monument.

They're offended that a place hailed for its beauty and solitude suddenly needs an absentee landlord in Washington, D.C., to exercise oversight when generations have grown up with it as their backyard.

Regardless of the promises in President Barack Obama's Bears Ears proclamation, they see monument status as the wedge in the door of access that the federal government will eventually slam shut.

They fear hunting, fishing, grazing, collecting firewood, motorized travel — multiple uses of the land — will be chipped away and restricted until the activities are eventually gone. In their place will rise a Moab-esq atmosphere with monument signs, a visitor center, lines of cars and hoards of selfie-taking tourists intent on scratching one more destination off their to-do list.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

With 65 percent of land within Utah's borders already owned and controlled by the federal government, the state's leaders and county governments are indignant that one more layer of government control — over their objections — was hoisted upon a county that is already the poorest in the state, where jobs are already tough to come by.

Against this backdrop, Zinke — a former Navy Seal Team Six leader — will wade into the fray by visiting Bears Ears and meeting with local residents before he returns to Washington, D.C., to eventually advise President Donald Trump on what its fate should be.

"The fact that he has agreed to come and visit, I think, is a good thing for everybody," Gov. Gary Herbert said. "He needs to come and look at the public lands issues we have here in the Intermountain West and particularly in Utah. He needs to look at some of the areas of controversy. I think he needs to come with an open mind and an unbiased attitude, and take a look and listen to the pros and cons."

Zinke's visit to the Bears Ears and Grand Staircase-Escalante national monuments — also under fire but in a blaze that was set 21 years ago when it was created — comes as a result of an executive order issued by President Trump on April 26.

That order directs a 45-day review centered around Bears Ears with resulting recommendations for the president, as well as a look at designations of monuments with more than 100,000 acres since 1996.

With a sympathetic president at the helm who campaigned on the promise to return power to the states and power to the people — and also unravel federal regulations — Utah's leaders are practically giddy at the prospect there will be some sort of presidential directive on Bears Ears.

While no president has ever rescinded a monument, and therefore that executive power has never been tested in court, five presidents have significantly reduced monuments. In the most extreme example, President Howard Taft reduced the Navajo National Monument by 89 percent.

Over time, 11 national monuments have been abolished through acts of Congress, according to the National Park Service, most typically because their importance was overstated or the resources for which they were established were diminished.

In Utah, a legal battle raged to overturn Grand Staircase-Escalante National Monument, but that proved unsuccessful.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

History, then, offers a mosaic of executive branch and congressional reactions to controversial monument creations.

For supporters of Bears Ears, a rescission is akin to blasphemy — and any reduction in size as a so-called "compromise" is untenable.

"Friends of Cedar Mesa is committed to on-the-ground stewardship of these public lands whatever the politicians decide," said Josh Ewing, the group's executive director. "However, any shrinkage of the monument just makes it that much harder for us to do good stewardship to benefit the landscape as we're forced into legal/political/policy battles to stop bad things from happening to lands that should have been protected in the first place."

Jami Bayles, president of Stewards of San Juan County, said the designation goes against what residents want and won't automatically come with protections supporters want. The monument designation needs to go.

"It is appalling that nonlocal voices have drowned out those who treasure this land the most. Long before established bureaus arrived, it was and has always been the local people who have protected and cared for this land. We are the reason it is pristine," Bayles said.

[BACK](#)

9. Supporters of Bears Ears, Grand Staircase rally in advance of Interior Secretary Ryan Zinke's visit

The Salt Lake Tribune, May 6 | Peggy Fletcher Stack

After his birth in Utah's Monument Valley, James Adakai's umbilical cord was buried at Bears Ears.

The Navajo Nation's commissioner for Bears Ears now worries such a sacred spot will be lost unless Interior Secretary Ryan Zinke agrees to meet with the state's tribal authorities during his four-day visit to Utah — a face-to-face conversation the secretary has so far declined.

Zinke needs to "listen to everyone," Adakai told a crowd of more than 1,000 supporters of the Bears Ears and Grand Staircase-Escalante national monuments gathered on the Capitol's steps Saturday afternoon.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Zinke intends to be in the Beehive State from Sunday to Wednesday as part of President Donald Trump's plan to review 27 large monuments designated since 1996.

The review could lead Trump to shrink the size of some monuments or possibly attempt to rescind one, which has never happened. Zinke has until June 10 to report back on the 1.35 million-acre Bears Ears monument, the last one created by President Barack Obama just weeks before his term ended. The secretary has a few more months to make recommendations on the others, including Grand Staircase. Zinke's fact-finding trip will be highly watched and highly political, with a much smaller anti-monument rally held in Blanding on Saturday.

Many in the larger Capitol crowd — including a contingent of American Indians — held signs that read "Save our monuments — antiquities in stone and bone," "Don't Trump Utah," "Don't give our public lands to greedy local politicians," "Rural Born Utahn for Bears Ears" and "Honor Tribal Sovereignty."

As they filled the Capitol's steps and spilled down the lawns, Gavin Noyes, executive director of Utah Dine Bikeyah, told The Salt Lake Tribune he hoped Zinke would "walk the land with traditional tribal elders whose past and future is tied to Bears Ears." His group, which is led by Native Americans, sought the creation of the controversial monument over the objection of Utah's members of Congress and most state leaders.

Noyes opened the 1 p.m. rally under a blazing sun with a call for the Cabinet official to listen to more than just Utah's top politicians.

"Don't touch our monuments," he said. "Listen to the people, not the delegation."

The Dine Bikeyah director urged attendees to plant pro-monument signs in their yards so that when the Interior secretary arrives Sunday for meetings in Salt Lake City, he will be visually bombarded. Noyes further instructed supporters to pack Zinke's news conference scheduled for 4 p.m. Sunday to make their wishes known.

Evangeline Gray, a Navajo medicine woman, offered a prayer to the Creator Spirit, calling on the divine to "get people to hear our voices ... that the land is precious to us ... and to touch [the delegation's] heart."

Virgil Johnson, chairman of the Utah Tribal Leaders Association, said: "We are stewards of this land ... protective of our land and beliefs."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Noting tribal sovereignty, Johnson said he asked for a meeting with Zinke while the Cabinet member was in Utah but was declined.

"We are not being heard," he said. "Our rights are being swept aside. ... It needs to stop."

That was followed by wild applause.

During Utah's legislative session earlier this year, state representatives passed resolutions asking the president either to reduce the size of Grand Staircase and Bears Ears or eliminate Bears Ears altogether.

"I represent a conservative district," state Rep. Patrice Arent, D-Millcreek, said "but I didn't hear from one person asking me to vote for these bills."

These lands are not just valuable to Utahns, but "all over the nation and world," Arent told the crowd. "We cannot afford to auction them off to the highest bidder."

She further argued that tourists visiting these monuments have helped, not hurt, the local economy — a point reiterated by Nate Waggoner, of the Boulder Chamber of Commerce, near the Grand Staircase monument.

At the same time supporters were meeting in Salt Lake City, dozens of Bears Ears opponents gathered in Blanding's Pioneer Park.

"Unlike the rally being held 300 miles away at the state Capitol, the San Juan celebration of local voices is about bringing together those who know and love our public lands the most," Ryan Bennaly, vice president of Stewards of San Juan County, wrote on the group's website. "For the monument advocates far, far away, San Juan County is a vacation spot. For First Nations people, it's our home."

At the Blanding rally, Jami Bayles urged participants to meet back at the park Monday, when they hope to meet with the secretary in person.

"San Juan County is eager to have Secretary Zinke visit our home and see firsthand why locals oppose the national monument designation," Bayles wrote on the site. "We have worked tirelessly to advocate for what's best for this land, and it's nice to know that someone is finally listening."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Back at the Capitol rally, attended by many Native Americans and some residents of San Juan County, Jared Campbell of Salt Lake City brought his 3-year-old daughter, Phoebe, because she's "grown up living in the outdoors."

Recently, Campbell spent four days in the designated area, drinking in its beauty and grandeur.

After that experience, he wondered if monument opponents across the state have "touched the soil" there.

Zinke will have his chance this week. He plans a full day of meetings in San Juan County on Monday, followed by a visit to Bears Ears on Tuesday. He'll then travel to Kanab and a part of the Grand Staircase monument on Wednesday.

[BACK](#)

10. **In our opinion: Reviewing the Antiquities Act is an important course of action**

The Deseret News, May 6 | Deseret News editorial board

We believe in the importance of conservation. The nation's public and shared lands are a vital treasure that need to be preserved.

Yet, legislators must fix the Antiquities Act and allow for greater local input and decision-making power before monuments are made.

As Utah welcomes U.S. Secretary of the Interior Ryan Zinke to the state this weekend, we also welcome his department's review of the Antiquities Act.

Sec. Zinke's visit to Utah comes as President Trump directed the Department of the Interior to review national monument designations made under the Antiquities Act since 1996 that exceed 100,000 acres. On Friday, the department released a list of 15 monuments under review and invited public comment. The Bears Ears (1,353,000 acres) and the Grand Staircase-Escalante (1,700,000 acres) monuments in Utah both made the list.

The review is a worthwhile endeavor to see what public input went in to the designations. It should help lead to legislative revisions of the Antiquities Act, which is being used to lock up land without the consent of local citizens.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Conservationists, of course, are fearful that this review will lead to rescinding or reducing of the Bears Ears National Monument. But, in the long-run, the important question for America is what should be the proper political process for declaring a monument designation that permits local involvement.

When President Theodore Roosevelt championed the Antiquities Act in the early 20th century, the legislation was enacted to protect Native American artifacts and sacred burial sites from looting and to preserve historic edifices or areas of scientific importance. Designations under the act were to “be confined to the smallest area compatible with proper care and management of the objects to be protected.”

In recent years, however, with the stroke of a pen, the executive branch has restricted access to millions of acres of land without, in some instances, even consulting the local citizenry or their political representatives. No matter the original intent of the Antiquities Act, the law is increasingly used to sanction unacceptable federal overreach.

Shared governance and compromise is part of what makes the American system unique — abuse of the Antiquities Act is antithetical to those principles.

Reporting by Deseret News’ Jesse Hyde uncovered the behind the scenes political maneuvering that led to the Trump administration’s decision to review the law. Utah’s senior Sen. Orrin Hatch played a major role in persuading Trump to look at rescinding or reducing the Bear’s Ears National Monument.

It’s well known that Utah’s political leaders have been lobbying the administration to reverse the order by President Obama creating the Bear’s Ears monument. In announcing the review, President Trump made it clear that he philosophically sides with Utah’s political leadership, saying, “The Antiquities Act does not give the federal government unlimited power to lock up millions of acres of land and water, and it is time we ended this abusive practice.”

If the administration is inclined to follow the advice of Utah’s governor, legislative leaders and congressional delegation and ultimately rescind or make changes to national monuments in Utah, it will immediately trigger lawsuits and a judicial review of the president's authority to do so.

What will come of such a legal battle is unclear, but the real long-term solution to this problem is to fix the legislation. Whether or not Bear’s Ears should be rescinded is a question separate from



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

the legitimacy of the Antiquities Act. Polls show Utahns are largely split on the issue of Bear's Ears. We believe the region deserves protection.

Political leaders, however, have couched the most recent designation as a “betrayal” by the Obama Administration of good-faith efforts by the state to cobble together a consensus on how best to protect the land. Supporters of the monument argue, with some justification, that the state’s efforts in that direction were doomed to succumb to political pressures as they stumbled through the legislative process in Washington. Others counter by pointing out that the prospect of a presidential monument designation caused negotiations to go no where since conservationists were confident they would get their monument anyway.

The solution, however, should not be that the executive branch steps in to pick a winner. Rather, the U.S. needs a system that fosters the kind of compromise and local solutions that were being worked out.

Reviewing the Antiquities Act with an eye toward congressional revision is an important course of action and one that will hopefully lead to good conservationism and sound practices of shared governance.

[BACK](#)

11. **Op-ed: Will Bears Ears Be the Next Standing Rock?**

The New York Times, May 6 | Terry Tempest Williams

“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, Kwiyaagatu Nukavachi, Ansh An Lashokdiwe, or ‘Bears Ears.’ For hundreds of generations, native peoples lived in the surrounding deep sandstone canyons, desert mesas ... one of the densest and most significant cultural landscapes in the United States.”

— Proclamation by President Barack Obama establishing Bears Ears National Monument, Dec. 28, 2016

After seven years of organizing, the Bears Ears Intertribal Coalition — made up of the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute and Zuni Nations — played a key role in



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

securing the protection of 1.35 million acres surrounding Bears Ears from development and resource extraction just before President Obama left office.

But in our climate of political myopia, President Trump recently ordered the Interior Department to review the size and scope of national monuments larger than 100,000 acres created since 1996. He complained that these designations “unilaterally put millions of acres of land and water under strict federal control,” called them a “massive federal land grab” and directed Interior Secretary Ryan Zinke to review and reverse some of them.

There is a subtext here, as his order made clear. Monument designations, the document said, can “create barriers to achieving energy independence” and “otherwise curtail economic growth.” Among the likely beneficiaries of any reversals are the oil and gas industries, mining and logging interests and commercial development.

In issuing this order, President Trump — who has never visited Bears Ears — apparently chose to listen to the bellicose politicians of Utah and do the bidding of Senator Orrin Hatch and Representatives Rob Bishop and Jason Chaffetz, who complain that Utahns were cut out of the process. Call that another alternative fact. The lawmakers claim it was an endgame move by the departing President Obama to create a “midnight monument.”

The truth is, the establishment of Bears Ears National Monument was a healing moment of historic importance. A unique agreement was reached between Indian tribes and the United States government for a collaborative approach to the management of Bears Ears. It was a clasp of hands across history. It was also about America looking into the deep future rather than into the narrow exhaust pipe of today. It was about drilling for hope and dignity, rather than fossil fuels.

But now Bears Ears could very well become another Standing Rock in both desecration and resistance — the latest example of a new colonialism, with the government bulldozing Indian sovereignty and privileging Big Oil. “If the Trump administration moves forward with their interests, they are taking us backward 100 years, rupturing trust once again between the federal government and Indian people,” Regina Lopez-Whiteskunk, a former councilwoman from the Ute Mountain Ute Tribe, said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

No president has ever attempted to abolish a national monument, and it is unclear whether a president has the power to do it without Congress. And no president in the last half-century has reduced the size of a monument.

Bears Ears is a cradle of Native American history. Far from creating a “midnight monument” willed into existence at the slash of a presidential pen, the Obama designation provides these sacred lands with the protection that has long been in the prayers and dreams of tribal leaders.

“Bears Ears is all about Indian sovereignty,” said Russell Begaye, the president of the Navajo Nation.

The removal of one square inch from Bears Ears National Monument will be seen as an assault on the home ground of Native Americans in the American Southwest, a disrespect for their ceremonial lives and the traditional knowledge of their ancestors. Hundreds of thousands of artifacts are buried in the serpentine canyons and shifting pink sands of Cedar Mesa, hidden, until exposed by rain or wind or theft. The desecration of Indian graves has prompted F.B.I. raids and convictions.

But it’s not just about local desecration. So much of the American West these days is under threat of development and fossil fuel extraction. Our very sense of wildness and wilderness is at stake, from Grand Staircase-Escalante National Monument in Utah to the Organ Mountains-Desert Peaks in New Mexico. “This is a war on our public lands,” said Senator Tom Udall, Democrat of New Mexico. Our national parks and monuments and other public lands are breathing spaces for a society increasingly holding its breath.

“We are not just protecting these lands for our people, but all people,” Jonah Yellowman, a Navajo medicine person and spiritual leader, said.

As a Utahn, I have spent considerable time in the pinyon-juniper-laced mesas and sandstone canyons of Bears Ears. This is a landscape of immense stillness where ancient handprints left on red rock walls are a reminder of who came before us and who will follow.

If President Trump is successful in rescinding Bears Ears National Monument, it will be a breach of faith with our future and our past. Over 330 million visits were made to the national parks last year. One park or monument at risk means all are at risk. Pick yours: Yellowstone, Yosemite, Grand Canyon, Big Bend, Acadia. The federal Bureau of Land Management has proposed



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

issuing oil and gas leases just outside Zion National Park, one of the nation's most visited parks. Forty national parks are vulnerable to oil and gas extraction.

A portrait of Andrew Jackson has been newly hung in the Oval Office over Donald Trump's shoulder. The portrait might remind our 45th president of how Jackson signed the 1830 Indian Removal Act, which lit the match to America's criminal treatment of native people. The Trail of Tears is just part of Jackson's legacy. His face still remains on the \$20 bill — fitting perhaps, since so much of the battle over land is the battle over the dollar.

No amount of money is a substitute for beauty. No amount of political power can be matched by the power of the land and the indigenous people who live here. If we do not rise to the defense of these sacred lands, Bears Ears National Monument will be reduced to oil rigs and derricks, shining bright against an oiled sky of obliterated stars.

Terry Tempest Williams is the author, most recently, of "The Hour of Land: A Personal Topography of America's National Parks." She teaches at Dartmouth.

[BACK](#)

12. **Zinke promises to hear out protestors of rescinding national monuments**

The Washington Times, May 6 | Ben Wolfgang

Interior Secretary Ryan Zinke on Sunday launched a "listening tour" across Utah designed to quell an uproar over his department's controversial review of national monuments.

Mr. Zinke is spearheading a federal study of more than two dozen land and marine monuments following an executive order from President Trump last month.

The process is likely to lead to the first revocation of a U.S. monument, though there are still outstanding legal questions about whether a president has the power to make such a rescission.

Attempts to un-designate any monument surely will be met with legal challenges from environmental groups and tribal groups.

Mr. Zinke's review notably includes Utah's Bears Ears National Monument, established late in President Barack Obama's tenure and a prime example, critics say, of the previous



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

administration stretching the century-old Antiquities Act to its breaking point in declaring vast areas of land as monuments and shutting them off from energy exploration and other activities.

Mr. Zinke met Sunday afternoon in Salt Lake City with members of the Bears Ears Inter-Tribal Coalition, kicking off a trip that will include a stop at Bears Ears on Tuesday and conclude Wednesday.

While Sunday's meeting was not open to the public or press, about 500 people protested outside the building as it occurred, carrying signs and shouting "Save our monuments, stand with Bears Ears!"

Talking with reporters after the meeting, Mr. Zinke said the local Indians are "smart, capable, passionate, and have a deep sense of tie to their culture and want to preserve it."

He said no decisions had been made and that he was coming to Utah "without any predisposition of outcome."

Sen. Orrin G. Hatch, Utah Republican, said Sunday evening that the Indians might be being manipulated by left-wing political groups.

More broadly, the monuments review includes sites dating back to 1924's Craters of the Moon National Monument in Idaho through Bears Ears.

Other notable monuments under review include Utah's Grand Staircase-Escalante, Hanford Reach in Washington, Grand Canyon-Parashant in Arizona, the Papahānaumokuākea marine monument off the coast of Hawaii and a host of others.

Though the review need not mean any will be stripped of their designations, it's clear the administration intends to shrink the number of monuments and, in the process, open up that land for energy development.

Critics charge that the listening tour, along with the fact that the Interior Department is soliciting public comments as part of its study, is a sham.

"Trump and Zinke pretend to care what the public thinks, but they're really only listening to the oil, gas and timber industries. It's special interests, not the public, that want these monuments to lose protection," said Randi Spivak, public lands director at the Center for Biological Diversity.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

“We must leave these spectacular cultural and national treasures just as they are. Our grandchildren won’t look back and wish we’d cut down more trees or drilled for more oil.”

[BACK](#)

13. National Monuments: Presidents Can Create Them, but Only Congress Can Undo Them

Govexec.com, May 6 | Nicholas Bryner, Eric Biber, Mark Squillace and Sean B. Hecht

On April 26 President Trump issued an executive order calling for a review of national monuments designated under the Antiquities Act. This law authorizes presidents to set aside federal lands in order to protect “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.”

Since the act became law in 1906, presidents of both parties have used it to preserve 157 historic sites, archaeological treasures and scenic landscapes, from the Grand Canyon to key landmarks of the civil rights movement in Birmingham, Alabama.

President Trump calls recent national monuments “a massive federal land grab,” and argues that control over some should be given to the states. In our view, this misrepresents the law. National monuments can be designated only on federal lands already owned or controlled by the United States.

The president’s order also suggests that he may consider trying to rescind or shrink monuments that were previously designated. Based on our analysis of the Antiquities Act and other laws, presidents do not have the authority to undo or downsize existing national monuments. This power rests with Congress, which has reversed national monument designations only 10 times in more than a century.

Contests over land use

Trump’s executive order responds to opposition from some members of Congress and local officials to national monuments created by Presidents Bill Clinton and Barack Obama. It calls for Interior Secretary Ryan Zinke to review certain national monuments created since 1996 and to recommend “Presidential actions, legislative proposals, or other actions,” presumably to shrink



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

or eliminate these monuments. The order applies to monuments larger than 100,000 acres, as well as others to be identified by Secretary Zinke.

When a president creates a national monument, the area is “reserved” for the protection of sites and objects there, and may also be “withdrawn,” or exempted, from laws that would allow for mining, logging or oil and gas development. Frequently, monument designations grandfather in existing uses of the land, but prohibit new activities such as mineral leases or mining claims.

Zinke said that he will examine whether such restrictions have led to “loss of jobs, reduced wages and reduced public access” in communities around national monuments. Following Secretary Zinke’s review, the Trump administration may try either to rescind monument designations or modify them, either by reducing the size of the monument or authorizing more extractive activities within their boundaries.

Two of the most-contested monuments are in Utah. In 1996 President Clinton designated the Grand Staircase-Escalante National Monument, a region of incredible slot canyons and remote plateaus. Twenty years later, President Obama designated Bears Ears National Monument, an area of scenic rock formations and sites sacred to Native American tribes.

Utah’s governor and congressional delegation oppose these monuments, arguing that they are larger than necessary and that presidents should defer to the state about whether to use the Antiquities Act. Local officials have raised similar complaints about the Gold Butte National Monument in Nevada and the Katahdin Woods and Waters National Monument in Maine, both designated by Obama in late 2016.

What the law says

The key question at issue is whether the Antiquities Act gives presidents the power to alter or revoke decisions by past administrations. The U.S. Constitution gives Congress the power to decide what happens on “territory or other property belonging to the United States.” When Congress passed the Antiquities Act, it delegated a portion of that authority to the president so that administrations could act quickly to protect resources or sites that are threatened.

Critics of recent national monuments argue that if a president can create a national monument, the next one can undo it. However, the Antiquities Act speaks only of designating monuments. It says nothing about abolishing or shrinking them.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Two other land management statutes from the turn of the 20th century – the Pickett Act of 1910 and the Forest Service Organic Act of 1897 – gave the president authority to withdraw other types of land, and also specifically stated that the president could modify or revoke those actions. These laws clearly contrast with the Antiquities Act’s silence on reversing past decisions.

In 1938, when President Franklin D. Roosevelt considered abolishing the Castle-Pinkney National Monument – a deteriorating fort in Charleston, South Carolina – Attorney General Homer Cummings advised that the president did not have the power to take this step. (Congress abolished the monument in 1951.)

Congress enacted a major overhaul of public lands law in 1976, the Federal Land Policy and Management Act, repealing many earlier laws. However, it did not change the Antiquities Act. The House Committee that drafted the 1976 law also made clear in legislative reports that it intended to prohibit the president from modifying or abolishing a national monument, stating that the law would “specifically reserve to the Congress the authority to modify and revoke withdrawals for national monuments created under the Antiquities Act.”

The value of preservation

Many national monuments faced vociferous local opposition when they were declared, including Jackson Hole National Monument, which is now part of Grand Teton National Park. But over time Americans have come to appreciate them.

Indeed, Congress has converted many monuments into national parks, including Acadia, the Grand Canyon, Arches and Joshua Tree. These four parks alone attracted over 13 million visitors in 2016. The aesthetic, cultural, scientific, spiritual and economic value of preserving them has long exceeded whatever short-term benefit could have been derived without legal protection.

As Secretary Zinke begins his review of Bears Ears and other national monuments, he should heed that lesson, and also ensure that his recommendations do not overstep the president’s lawful authority.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

14. **Op-ed: National monuments are a positive economic force for rural communities**

The Salt Lake Tribune, May 6 | Amy Roberts

The next several months are pivotal for the future of America's public lands. It is not easy to articulate how we have gotten to this point – but here we are.

It seems like only yesterday that the outdoor industry and outdoor recreation economy were tiny blips on the radar of our national economy and jobs figures, yet over the last 20 years, the outdoor recreation economy has grown exponentially and contributes \$887 billion per year to the nation's GDP, and is responsible for over 7 million American jobs across the country.

The outdoor recreation economy, and the industry that supports it, is a major force in international trade, economic development, job creation and public lands policy and is a major financial contributor to programs that get kids and families outside across the nation. It is a growing economy that is uniquely American.

The outdoor industry supports protecting our nation's public lands, not just because the American landscape and its rugged, natural beauty sets our nation apart from the rest of the world, but also because America's public lands are the very foundation, the infrastructure, of the massive outdoor recreation economy.

So, why are the next few months so pivotal? President Trump signed an Executive Order last month ordering the Department of the Interior to review the designation of National Monuments over 100,000 acres in size and created between 1996 and the end of 2016 under the authority of the Antiquities Act, a Teddy Roosevelt-era law that has protected more of America's landscapes and waterways than perhaps any other law. Interestingly, the majority of Utah's National Parks were first protected as monuments.

As part of his department's review, Secretary of the Interior Ryan Zinke has stated that he is committed to a transparent process that will take into account the views of multiple stakeholders. This is a good starting point, and we look forward to working with the Administration, Secretary Zinke and others to highlight the significant, beneficial role National Monuments and the Antiquities Act play in our American heritage, the protection of iconic places, and the development of local economies built on recreation and tourism.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The notion that monuments are harmful to their surrounding communities and result in net job loss is demonstrably false. Cities and towns that have protected lands like National Parks and Monuments attract employers in fast-growing economic sectors like tech and health care. It is proven that the communities that protect and invest in recreation infrastructure end up having more diverse economies and are better prepared to weather potential economic downturns.

While it is true that some traditional jobs do, at times, decrease with the designation of a monument in the short-term, those losses tend to stabilize even as the local economy transitions. The addition of monuments in most cases speeds up the economic diversification of the local community from traditional rural economies to a more dynamic combination of energy development, agriculture, ranching, tourism and outdoor recreation that coexist on the land. These economies and the local tax base that supports schools and government services benefit from adding more recreation-related businesses such as guide services, retailers, manufacturers and additional service related jobs such as doctors, engineers and teachers. Outdoor recreation generates \$59 billion in state and local tax revenue.

As Secretary Zinke visits Utah this week and begins the evaluation of past monument designations, we ask that he remember that our national monuments are already the people's lands and that he consider the full and positive impact they have on the overall physical and economic health of our nation. We hope he notes the benefits they provide to our rural communities by counting ALL of the businesses and jobs added over a period of time after a designation, and the growth of the community's economy before and after the designation. As we have seen in Garfield County, Utah or Chaffee County, Colorado, if the process is truly transparent, the findings will be enlightening and should inform any eventual decision by this Administration on existing and future national monuments.

Amy Roberts is executive director of the Outdoor Industry Association.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

15. **Rallies over Bears Ears act as prelude to Zinke's visit**

KSL News, May 7 | Jasen Lee and Marjorie Cortez

SALT LAKE CITY — For scores of Utahns, preserving the monument status of the state's newest protected public lands and one of its more revered places was more than enough reason to spend a weekend afternoon at the state Capitol.

Hundreds of people fanned out across the front lawn and stairs leading up to the Capitol on Saturday to show their support for the national monument status of Bears Ears and Grand Staircase-Escalante.

The "Monumental Rally," as it was called, was organized as "an urgent call to action" because the two monuments are in the crosshairs of powerful political interests, including Utah's congressional delegation and members of the Trump administration.

Opponents call the designations by two Democratic presidents — Barack Obama for Bears Ears and Bill Clinton for Grand Staircase-Escalante — federal overreach that didn't take into account the feelings and sensibilities of local interests.

Contrarily, supporters believe the designations preserve the land considered hallowed by Native Americans for centuries.

"My ancestors lived in the area and traded with other Native Americans in the area," explained Hank Stevens, member of the Navajo Nation. "The land is sacred in Native American culture. It's very important."

Stevens expressed concern that if the monument status were rescinded by the Trump administration, revered artifacts may be destroyed and many of the traditions practiced by local tribes could be lost.

Interior Secretary Ryan Zinke is scheduled to be in Utah this week to visit with stakeholders concerned about the designation of Bears Ears and Grand Staircase-Escalante as national monuments. The Trump administration has directed Zinke to conduct a 45-day review of the Bears Ears monument and a 120-day review of Grand Staircase-Escalante, then offer some recommendations.

The state Capitol rally was organized by Gavin Noyes, executive director of Utah Diné Bikéyah — a nonprofit organization that supports indigenous communities in protecting culturally significant ancestral lands.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Noyes said Utahns must show Zinke that supporters intend to defend culturally important places such as Bears Ears and Grand Staircase-Escalante.

"This event is really important to remind Utahns that this is not a political issue," he said. "All Utahns care about our public lands and monuments. I'm proud to see so many of my fellow citizens out here supporting each other and supporting the land, and standing up for what's best for our future.

"We (also) want to remind people that local voices matter, and they should have a say in how lands are treated in this state. The governor and the Utah (congressional) delegation are out of touch."

Buoyed by a strong turnout, with throngs of people wearing "Protect Bears Ears" T-shirts and many hoisting signs supporting the individual causes of both national monuments, Noyes said he believes the message of the people will resonate with Zinke while he's in Utah.

"If Secretary Zinke gets a full understanding of who we are as Utahns and what our landscapes are like, I absolutely think that he would stand with us defend these lands," Noyes said.

Salt Lake City resident Ian Wade said because Bears Ears and Grand Staircase-Escalante are such "special" places, they deserve the added protection of monument status. He attributed much of the opposition to the monument status to partisanship.

"It's a political thing. People are just opposed to the idea that President Obama designated something in Utah just like they hated President Clinton when he designated Grand Staircase," Wade said. "Just the simple anger that a Democrat would do something in a Republican state."

Meanwhile, opponents of the monument designation gathered simultaneously at Pioneer Park in Blanding for a rally organized by Stewards of San Juan County.

Unlike monument supporters who are backed by corporations and the likes of actor Leonardo DiCaprio, Stewards of San Juan County has been a true grass-roots effort, said the organization's president, Jami Bayles.

People have literally walked up to her and other leaders of the group on the streets, offering the cash in their pockets to fight the designation, she said.

Ultimately, "it's a fight about what's right and what's wrong," Bayles said.

Area residents have been slighted by name-calling, insults, purposely left out by organizations conducting public opinion polls, and personal accounts of some opponents of the designation have even been dismissed as "fake news," she said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"We've been told by out-of-state recreation enthusiasts that, 'My hobby is more important than your livelihood. If you don't like it, go live somewhere else,'" Bayles said.

Through it all, area residents have stood resolute against the designation in the waning days of the Obama administration.

"The best part is we did this together. We did this on our own time and, we did this on our own dime. We paid for all this ourselves," Bayles said.

San Juan County Commissioner Phil Lyman urged those in attendance to be "loud and controversial." Otherwise, the county "is going to be steamrolled," he said.

Still, Bayles and Lyman urged opponents to comport themselves with grace and decency during Zinke's upcoming visit to the area and the ongoing fight.

"It's San Juan County's opportunity to show who we are with dignity and respect," Lyman said.

While Bears Ears is one of 27 national monuments that will be reviewed under an executive order by President Trump signed Friday, the outcome is yet unknown. Bayles said opponents of the designation will continue to fight "long and hard. We're going to fight with everything that we have."

Sen. Mike Lee, R-Utah, addressing the rally via FaceTime, said he will urge Zinke during his upcoming visit to Utah to end the monument designation.

"It's time to expect, my fellow Americans, to expect more. It's time to expect freedom," Lee said.

Eva Clarke, secretary of Stewards of San Juan County, said the fight has been a painful reminder that area residents must constantly be engaged to protect the land and way of life.

Area residents have joined forces with "my ancestors ... who first loved this beautiful, red earth," Clarke said.

"Thank you so much. Keep up the good fight," she said.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

16. **Zinke met by protest as he arrives to consider Utah voices on national monuments**

The Deseret News, May 7 | McKenzie Romero

SALT LAKE CITY — While protestors clogged the sidewalk outside, Interior Secretary Ryan Zinke said he will be gathering perspectives of people on all sides of a deeply controversial issue as he reviews the Bears Ears and Grand Staircase-Escalante national monuments.

Zinke landed in Salt Lake City on Sunday bound for his four-day "listening tour" regarding the monuments — both designated by Democratic presidents and decried by Utah Republicans — but the voices on the street expressed their doubt the secretary will listen much at all.

Speaking to reporters in the offices of Utah's Bureau of Land Management, Zinke said that while many of the nearly 30 national monuments he will be reviewing enjoy widespread support, he doesn't believe that's the case with Bears Ears.

"The Bears Ears is not widely supported or accepted in the state of Utah," Zinke said, citing the outcry from state legislators and congressmen over the designation, and a Native American population he says is at odds with one another.

Zinke went on to say he has no doubt the area will be a breathtaking "cultural treasure," but he isn't decided about how it should be protected.

"I'm sure what I'm going to find over the next couple of days is beautiful, beautiful land worthy of protection. What vehicle that takes, I don't want to be predisposed because I haven't see it and haven't talked to everybody yet," Zinke said.

Outside, Dena Williams, of Salt Lake City, stood with her two sons among the crowd of protestors watching for a glimpse of Zinke's motorcade. The family carried signs demanding, "Keep public lands in public hands."

"This is important because this is about their future, their quality of life, and everything they hold important today and in the future is at risk," Williams said of her two boys.

Asked if she thinks Zinke will listen to that plea, Williams said she "wants to remain hopeful, but it's hard to tell."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Nikolas Johnson, 14, and Lukas Johnson, 12, are active with the Boy Scouts of America, going often to Grand Staircase to hike, camp and enjoy nature.

"The president or anyone else shouldn't be controlling the lands. It should be the people," Nikolas said.

Lukas said he wants the nature he enjoys to be preserved for other kids in the future, voicing concern that without protections, "lousy coal and oil" will take over the land.

Under an executive order from President Donald Trump, Zinke will conduct a 45-day review of the Bears Ears monument and a 120-day review of Grand Staircase-Escalante before sending his recommendations to the White House.

"I'm looking at making sure we follow the law, what the Antiquities Act was intended to do, talking to all parties, and getting a perspective of making sure Utah and the stakeholders have a voice," Zinke said of the reviews.

While Zinke acknowledged no U.S. president has ever rescinded a national monument, he noted that few monuments "are to the scale of the recent actions," and saying it's not uncommon for a monument and its boundaries to be modified.

Rallies for and against the monument designations over the weekend prefaced Zinke's visit.

Opponents of the monuments say the designations by Democratic presidents Barack Obama and Bill Clinton are examples of federal overreach that didn't take into account the feelings and sensibilities of local interests.

But supporters believe setting the areas aside under the Antiquities Act preserves land considered hallowed by Native Americans for centuries and ensures they will remain intact for future generations to enjoy.

Zinke met Sunday with the Bears Ears Inter-Tribal Coalition, which is made up of leaders of the Hopi Tribe, Utah Navajo Chapter of Ojijato, Navajo Nation Council, Ute Indian Tribe and Zuni Tribe.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The secretary called it the first time the tribal leaders have had an opportunity to voice their perspectives about the monument designations, describing the mistrust he believes they feel over a history of efforts to manage the land.

A similar mistrust, Zinke says, is felt by Utahns living near the monuments, the state's elected leaders and others.

However, at least some representatives of Native American groups in the state say they have been cut out of the conversation. Virgil Johnson, tribal chairman of the confederated tribes of the Goshute nation, was among the protestors Sunday and said his letter requesting a meeting with Zinke was denied.

"The executive order gives us a right to come to the table, but they're making decisions without native voices at the table," Johnson said. "What we would like is for him to see why we are very protective of our sacred grounds and the artifacts that are left there."

Throughout his media appearance, Zinke called himself a Montana man; a former geologist who is fascinated by archaeology; a military commander who wants to see "the frontlines" of any situation; an admirer of President Teddy Roosevelt, who created the Antiquities Act and designated the first national monument; and someone who is not an advocate of transferring or selling public lands.

Zinke also met Sunday with Sens. Orrin Hatch and Mike Lee, both R-Utah, followed by meetings with the State Historic Preservation Office and Utah Department of Heritage; legislative leadership and Utah Attorney General Sean Reyes; and the Utah School and Institutional Trust Lands Administration.

At the media appearance, Hatch introduced the secretary as someone who is "experienced in Western lands" and "understands what we're up against."

Afterward, Hatch said Native Americans in Utah "may not understand" how a national monument designation restricts what they are able to do on the land. Asked to provide examples of what tribes would no longer be able to do, Hatch simply said the reasons would take too much time to go into.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"They would be severely restricted on what they could or could not do on the land," Hatch said. "I can just tell you it will never cease until the far left gets their way in locking up all these lands in Utah, and we're just not going to allow that."

Hatch said there are a number of political obstacles between different Native American groups in the state and that sometimes different groups are "manipulated." He also said the state's elected leaders "love Utah" and will ensure it's protected without being "shoved around by radical people from elsewhere, on either side of the issues."

On Monday, Zinke will be joined by Gov. Gary Herbert and members of the state's congressional delegation as he flies over Bears Ears and takes a tour of the House of Fire site.

Moving forward, Zinke encouraged Utahns wanting to weigh in on the review to visit [regulations.gov](https://www.regulations.gov) in the coming weeks to leave a comment.

[BACK](#)

17. **Zinke starts review of Utah's Bears Ears National Monument**

The Las Vegas Review-Journal, May 7 | Michelle L. Price and Brady McCombs, The Associated Press

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke will start a four-day Utah trip Sunday to assess whether 3.2 million acres of national monuments in the state's southern red rock region should be scaled down or even rescinded.

The re-evaluation of the new Bears Ears National Monument on sacred tribal lands and the Grand Staircase-Escalante National Monument, created in 1996, is part of an executive order signed last month by President Donald Trump calling for a review of 27 national monuments established by several former presidents.

The Bears Ears monument, a source of ire for Utah's conservative leadership, is a top priority in the review.

Zinke has been tasked with making a recommendation on that monument by June 10, about 2 ½ months before a final report about all the monuments.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Utah Republican leaders, led by U.S. Sen. Orrin Hatch, campaigned hard to get President Donald Trump to take a second look a monument designated by President Barack Obama near the end of his term.

Hatch and others contend the monument designation is a layer of unnecessary federal control that hurts local economies by closing the area to new energy development.

Hatch said in a statement he looks forward to hosting Zinke and showing him “our beautiful state and working with him to give the people of San Juan County a voice in protecting the lands they’ve lived on for generations.”

Zinke will spend Sunday in Salt Lake City before traveling Monday to the southeastern corner of Utah to spend time in the Bears Ears area.

On Wednesday, he’ll be in the area near the Grand Staircase-Escalante National Monument.

Interior officials haven’t made public the details of whom Zinke plans to meet with. But officials with a coalition of five tribes that pushed for the Bears Ears designation said they have a one-hour meeting with Zinke Sunday in Salt Lake City.

Natasha Hales, the Bears Ears Inter-Tribal Coalition lead staffer, said members plan to tell Zinke about their long history with the Bears Ears land and the landscape’s sacred importance.

They also plan to reiterate that they willing to take legal action to defend the monument if needed.

“The Utah congressional delegation is cherry picking a few voices in opposition to this but there’s overwhelming support for this,” Hales said. “We wanted to take Secretary Zinke out on the ground with our people and show him around but that invitation was never extended.”

The monument review is rooted in the belief Trump and other critics that a law created by President Theodore Roosevelt to designate the monument has been improperly used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Grand Staircase-Escalante is 1.9 million acres, about the size of Delaware. Bears Ears is a bit smaller at 1.3 million acres.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Conservation groups counter that the review puts in limbo protections on large swaths of land home to ancient cliff dwellings, towering Sequoias, deep canyons and oceans habitats where seals, whales and sea turtles roam.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments, which would be unprecedented.

Patagonia, the outdoor clothing company, put ads in newspapers in Utah and Montana over the weekend playing off Trump's own comments at the signing of the executive order in which he said, "I've heard a lot about Bears Ears, and I hear it's beautiful."

"Mr. President, Bears Ears National Monument is beautiful," the ad said, listing how it has more species diversity than Yellowstone and darker skies than Yosemite.

Zinke has said the report will recommend whether any monuments should be abolished or resized.

He promises an open-minded approach and said he remains opposed to selling any federal land or transferring it to state or local control.

Congress might weigh in as well. Numerous bills on the issue were introduced in the previous session, including measures to prevent the president from establishing or expanding monuments in particular states and to require consent of Congress or state legislatures.

[BACK](#)

18. **The new range war**

The Christian Science Monitor, May 7 | Amanda Paulson

MAY 7, 2017 SALMON, IDAHO—Merill Beyeler bears the classic look of a Western rancher. He's got the leathery face of someone who has spent a lot of time outdoors. He wears flannel shirts, jeans, and a bone-colored cowboy hat.

Mr. Beyeler, whose family roots in Idaho's Lemhi County extend back to the 1850s, is also a rock-ribbed Republican. True, in Idaho, one of the reddest states in the nation, most people are Republican. But in Lemhi County, a hauntingly beautiful expanse of bald, taupe mountains and verdant river valleys wedged up against the Montana border, virtually no one puts a Democratic



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

bumper sticker on his or her pickup. So you'd think that people like Beyeler would be happy at the prospect of the new Trump administration, buttressed by one of the most conservative cabinets in decades, ushering in a dramatic change in the management of public lands in the West. You'd think that they would relish the prospect of federal agencies either opening up more expanses to ranchers and commercial interests or giving more control back to the states.

You'd be wrong.

While Beyeler occasionally chafes at the way federal lands are managed, he doesn't want US Forest Service and Bureau of Land Management land opened up unconditionally to loggers or developers, or – worse – handed over to bureaucrats in Boise and sold off. "The reason you come home is that this is the soul of our people," he says. "When you look at our public lands in that respect – as an economic driver and as the soul of our state – the idea of losing that, or risking that, is just too great."

As the Trump administration works to fashion an identity in Washington, one of the big questions is how much the federal government will change its stewardship of public lands in the West. With Republicans in control of Congress, many envision a significant shift in access to and development of public expanses similar to what happened under the Reagan administration 35 years ago. They believe it could be one of the signature achievements of the Trump era. A few on the right are even pushing for an outright transfer of some of those lands back to state control.

Yet others – including many Republicans – occupy a more pragmatic middle. Like Beyeler, they are looking for a recalibration rather than a land-management revolution. They believe that the natural landscape is as much a part of the region's identity as coal seams and oil shale and requires at least some federal stewardship. And they believe firmly that public lands need to stay public – not sold off to private interests.

When Rep. Jason Chaffetz (R) of Utah recently introduced a bill in Congress to sell 3.3 million acres of federal lands in the West, he was forced to withdraw the legislation days later because of the backlash from his own constituents, many of whom regularly fish for steelhead trout or hunt elk on federal lands.

"I've been working in this field for 17 years, and no one has ever seen a congressman introduce a bill and then withdraw it within a week," says Land Tawney, director of Backcountry Hunters



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

and Anglers, a nonprofit that fiercely opposed the bill. “The sportsman community is about 70 percent conservative. We’re finding this is a unifying issue, with folks on both sides of the aisle. There can be nothing more American than our public lands.”

The land-use decisions of the next four years will have the most impact in places like Lemhi County, which is 92 percent owned by the federal government. Few areas of the United States are more remote than the high desert sagebrush area here.

Salmon, the county’s largest town, is 90 miles from a railroad, and 150 miles from an airport, the Interstate, or a Wal-Mart. The county is empty, stark, and stunning. Local ranchers and residents differ – even within families – over how public lands should be managed. But some of them are also working with government officials in a way that could become a model for solving future land wars in the West.

The battle over public lands and resources is as old as westward expansion itself. It extends from early fights over mining and water claims in the 1800s to the Sagebrush Rebellion of the 1970s to the anti-Washington “wise-use movement” of the 1980s and ’90s. The only constant in it all is the ebb and flow of tensions between Western residents and the largest landholder, Washington.

“The political side of it dates all the way back to the creation of the country,” says Robert Keiter, a law professor at the University of Utah and director of the Wallace Stegner Center for Land, Resources, and the Environment.

Last year, simmering frustrations about federal control over Western lands culminated most visibly in the occupation of the Malheur National Wildlife Refuge in Oregon by militant ranchers. Yet Westerners’ grievances have been finding an outlet through various assaults in Washington as well.

In late April, the Trump administration ordered the Interior Department to review some 30 places that have been designated national monuments over the past 20 years. The White House believes the designations have increasingly set aside more land than was intended under the 1906 Antiquities Act, costing the nation jobs. Environmentalists see the move undermining one of the most important tools for protecting national parks and public lands.

The change could affect places such as the Bears Ears National Monument, in the red-rock area of southern Utah, which was protected in the waning days of the Obama administration. Several Utah lawmakers, including Mr. Chaffetz and Republican Rep. Rob Bishop, have been pressing to



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

overturn the designation. (In response, the Outdoor Industry Association pulled a trade show, which brings about \$45 million a year to Utah, from Salt Lake City.)

Western lawmakers have also been pushing the idea of selling off some public lands to private parties, or transferring them to state ownership. And the Trump administration is trying to repeal a regulation that requires oil and gas firms operating on public lands to control their methane emissions.

Behind all the rebellious moves is the size of Washington's real estate portfolio. The federal government owns 47 percent of all the land in 11 Western states. That ranges from a high of 85 percent in Nevada to a low of 30 percent in Montana.

"It's a long-standing irritation, and at times it becomes more pronounced," says Lynn Scarlett, global managing director for public policy for The Nature Conservancy and a former deputy Interior secretary under President George W. Bush. Ms. Scarlett says tensions have always simmered over how the federal government manages those lands in regard to energy development, mining, grazing rights, and endangered species.

What's new in the latest backlash, she says, is the focus on the lack of maintenance on public lands, which is largely the result of federal agencies getting less funding. Departments such as the Forest Service, BLM, and US Fish & Wildlife Service had hoped that highlighting the backlog of work would help them garner more funds. Instead, critics have just seized on the maintenance issues to buttress their argument that the federal government isn't the right steward of public lands.

"The bottom line is that we want our public lands to be managed in a way that's responsible," says Jennifer Fielder, a Montana state senator and chief executive officer of the American Lands Council, a leader in the call to transfer federal land to state control. "Those of us who live near here are sick of seeing the lock-it-up and let-it-burn policies out of Washington."

Senator Fielder says she watches the ineptitude from her living-room window in Montana. The Feds' inability or unwillingness to thin underbrush and perform other basic management practices, she says, led to a wildfire last summer becoming much larger, and more expensive, than it needed to be. "Forty thousand acres burnt to a crisp, habitat destroyed," she says.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Others believe that having an absentee landlord isn't the best way to care for property and that the people closest to the land are the ones who know best how to manage it – and should reap the benefits from it.

“Without these lands, you can't operate as a republican form of government inside your state,” says Jim Chmelik, a former Idaho county commissioner and a leader of the land-transfer movement. “If you don't have access to your resources, you can't provide good-paying jobs and you can't provide a good quality of life.”

Yet critics of shifting control to the states believe it will either lead to lands being sold off to private interests or an oil derrick being put on top of every ridge, despoiling the natural beauty that attracts people from around the country – and contributes to regional economies. States also have far fewer resources than Washington to manage the vast public expanses. And most states are required to balance their budgets, which could put pressure on them to sell lands in lean times, even if they vow not to do so.

As proof, critics point out that 11 Western states were granted a total of almost 77 million acres of land at statehood. They've sold off about 44 percent of those lands. Nevada, granted 2.7 million acres at its founding, now has just 3,000 acres of public state land.

“Study after study has shown states can't afford” to manage public lands well, says Mr. Tawney of Backcountry Hunters and Anglers.

Just south of Lehmi lies Custer County – home of some of the most spectacular wilderness in Idaho. The celebrated Middle Fork of the Salmon River flows through the area, and the rugged Sawtooth Mountains rise steeply from the plains. It's the third largest county in Idaho, but home to barely 4,000 people. Roughly 96 percent of the county is federal land.

“Custer County is the size of Connecticut, but we have one sheriff and four deputies,” says Wayne Butts, a county commissioner who has lived in Challis, the county seat, since he was 8. “There's no tax bases.”

Sitting next to the warmth of a wood-burning stove in his small-motor repair shop, he ticks off the economic limitations of living in a remote area: The county has a 100-year-old jail with just six beds in one room, making it impossible to house men and women at the same time. Local roads are in desperate need of repair, but no money exists to fix them. A decrease in grazing



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

rights on federal lands has led to fewer ranchers, resulting in less local revenue. A molybdenum mine, once the county's largest employer, shut down in 2014.

People come from all over the country to hike, fish, and play in Custer County, but don't add much to the economy, says Mr. Butts: Many of them drive in from Boise, bring their own food and camping supplies. They don't even buy gas in Custer.

"Old-time customs and culture – that's the way we like it," says Butts. To him, that means ranching, mining, logging. He's frustrated that federal lands increasingly seem to be managed to inhibit those activities.

Still, despite all those irritations, Butts isn't willing to back transferring lands to state ownership unless he sees a budget proposal that makes sense to him. He thinks either the state or local communities could do a better job managing the lands, but he is well aware of the costs involved. Instead, he wants to see limits put on turning any more private land into public land and hopes that the Trump administration and Republican Congress will help roll back some of the more onerous environmental protections on federal lands that already exist.

A few dozen miles to the east of Challis, in the shadow of Idaho's tallest peak, Mt. Borah, Steve Smith shares many of Butts's grievances. Mr. Smith and his parents live on his family's 2,800-acre ranch, where they have a herd of 400 cows.

Just a mention of public lands is enough to set Smith and his father, Wiley, off, venting about their years of vexation in dealing with the BLM and Forest Service. This has included navigating around what they see as burdensome protections for the sage grouse, as well as a BLM water-rights claim that took them years to defeat.

Yet even this father and son don't agree on whether control of public lands should be shifted from Washington to the states. Despite his virulent criticism of federal management, Wiley doesn't believe states have the resources to care for public lands.

Steve would like to see a modest transfer – perhaps 2 percent of total holdings – provided states have a plan for how they will manage the areas. "The ranchers, the miners, the loggers – they're the ones that have taken care of these areas," he says. "[Federal officials] put a black mark on those industries and don't see that [the land] has been in their care for 150 years."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Others are more adamant in their opposition to state control. On a cold, rainy Saturday in March, nearly 3,000 people gathered at the State Capitol in Boise to support public lands staying public – and under federal stewardship.

The demonstration attracted plenty of traditional environmentalists, but also hunters, anglers, and dirt-bike riders. “Rednecks and hippies unite!” read one sign. “I fill my freezer on public lands,” said another.

In between various chants – such as “Keep public lands in public hands!” – the crowd listened to speakers ranging from a member of the Shoshone-Bannock Tribes to a fifth-generation Idaho woman who talked of accompanying her mother on her first moose hunt when she was 8 days old.

“I hunt and I fish on public lands,” says Travis Long, who came to the rally from Kuna, Idaho, outfitted in camouflage. “I’ve got four kids and I want to make sure public lands remain that way.”

It is too early to know what a Trump administration will mean for public lands. Much of the push to undermine the power of federal oversight agencies, or to transfer or sell off public lands, is coming from Congress, and President Trump’s Interior secretary, Ryan Zinke, has repeatedly said he would never transfer or sell them.

“I think we’re in a better place with [Mr. Trump and Mr. Zinke] than we would have been with others interviewed for the Interior secretary, or with Ted Cruz,” says Whit Fosburgh, president and chief executive officer of the Theodore Roosevelt Conservation Partnership, a nonprofit that represents sportsmen and sportswomen.

At the same time, Mr. Fosburgh and other conservation leaders say they’re concerned about legislation that has been passed or proposed. In March, for instance, the Trump administration rescinded Barack Obama’s three-year moratorium on coal leases on federal land. A proposed bill in Congress would strip the Forest Service and BLM of their law enforcement powers, putting the job of policing environmental and other rules in the hands of local sheriffs.

“It’s one more attempt to weaken management of public lands,” says Fosburgh.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Trump's proposed budget also includes a 12 percent cut to the Interior Department, which could make maintenance of public lands even more problematic and give states more leverage in their quest to take over.

Eventually, it's possible that some of the hostility to Washington's handling of public lands will die down under the new administration. The Sagebrush Rebellion subsided once Reagan came to power.

"In the big picture politically, it would not surprise me if [the transfer movement] slowly disappears from the radar screen with Republicans in control of Congress and the White House," says Mr. Keiter, the Utah law professor. "It works as an oppositional strategy to more progressive or environmentally friendly policies of Democratic administrations."

Perhaps the best hope for ending the standoffs over public lands is a more collaborative approach in the canyons and valley floors of the West itself – far from the politics of Washington and statehouses. One such effort is under way in Salmon, where ranchers, federal agencies, and conservation groups are finding common ground.

"What doesn't get attention is the really good, responsible, productive work taking place on the Western landscape," says Beyeler, the Lemhi County rancher.

At the same time that the Malheur standoff was occurring, he notes, the Forest Service and BLM were working with a local rancher to help him get seven miles of pipeline approved in an area that includes an important salmon spawning tributary. Endangered sockeye salmon travel more than 900 miles, up 6,500 feet of elevation, to spawn in rivers and lakes here.

"It was a collaborative process," says Beyeler. "I worry that this tension on whether the state or federal government should own [public lands] distracts from the collaborative work."

Tom Page, another Salmon Valley rancher, got into ranching in part because he wanted to see if he could do it in a conservation-minded way – and make money. He is surprised by how hard it has been to navigate all the environmental rules and by how difficult lawsuits filed by activists make it for local landowners.

When he recently sought to get approval for 200 feet of fence on his grazing allotment, to keep cows from straying into restricted forest land, federal officials told him not to apply for the permit. Because it would disturb fish and sage grouse habitat, the US Forest Service "knows they



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

have to write a thick document for those 200 feet of fence,” says Mr. Page, and that they’re likely to be sued by environmentalists – which was not worth it, in their view, for such a small project.

The Upper Salmon area, Page agrees, has become a model for conservation and collaboration – but only because it has nonprofits and both federal and private money helping to support that work. In rural counties with less federal attention, there tends to be a lot less trust, he says.

Bob Cope has seen both cooperation and conflict. A large man with a deep voice and earthy sense of humor, he is a veterinarian for all the local ranchers as well as a Lemhi County commissioner. He has served on numerous state and federal committees representing Western interests.

With face-to-face collaboration and local involvement, he says public-lands disputes are solvable. But he understands people’s frustrations, especially when they see onerous rules being made by people back East.

“We can work with our federal officials, but [local people] get handcuffed,” he says. “We’ve had management by legislation and litigation. There’s still a lot of mistrust on both sides.... People feel like they have no voice.”

Over on the 25,000-acre ranch he’s managed for 20 years, Shane Rosenkrance epitomizes the attitude of many people in this part of Idaho. He harbors a deep love for the lands he manages and the public holdings that surround them. Mr. Rosenkrance points to the imposing peaks rising out of the desert floor – the Lost River Range, the Pioneer Mountains, Mt. Borah. He wants them to remain in federal hands and not be sold to individuals who might turn them into their own private preserves.

“You can go anywhere you want,” says Rosenkrance, whose family has lived in the valley for seven generations. “Residents appreciate that more than anyone. But we don’t want some guy in New York telling us how to manage these lands, or to lock them up.”

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

19. **The Latest: Zinke says he may not favor shrinking monuments**

NewsOK, May 7 | The Associated Press

SALT LAKE CITY (AP) — The Latest on a visit to Utah by Interior Secretary Ryan Zinke to review the designation of national monuments (all times local):

6:40 p.m.

U.S. Interior Secretary Ryan Zinke says he may not necessarily recommend that President Donald Trump rescind or shrink two Utah national monuments, and it's possible that once he views the red rock areas, he could decide the monuments need to be larger.

Zinke told reporters Sunday in Salt Lake City that his visit is a listening tour and he wants to ensure that the Antiquities Act was used as intended when Bears Ears and Grand Staircase-Escalante monuments were declared.

The Interior secretary spoke to reporters after a closed-door meeting with leaders of a tribal coalition that campaigned for the monument.

His visit comes after an executive order signed last month by President Donald Trump called for a review of 27 national monuments established by several former presidents.

5:05 p.m.

More than 500 protesters urging the protection of Utah's Bears Ears National Monument are demonstrating outside a Salt Lake City building where U.S. Interior Secretary Ryan Zinke is meeting with tribal leaders.

Protesters carried signs Sunday and shouted "Save our monuments, stand with Bears Ears!" as Zinke started a four-day Utah trip.

He's assessing whether 3.2 million acres of the state's red rock region should remain national monuments or have borders scaled down.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Zinke's meeting with the Bears Ears Inter-Tribal Coalition, which pushed for the monument, was not open to the public or media.

His visit comes after an executive order signed last month by President Donald Trump called for a review of 27 national monuments established by several former presidents.

4:15 p.m.

U.S. Interior Secretary Ryan Zinke is meeting with a coalition of five tribes that pushed for President Barack Obama to designate Bears Ears National Monument.

Zinke's hour-long meeting Sunday with the Bears Ears Inter-Tribal Coalition came as the Interior secretary kicked off a four-day tour in Utah.

The meeting was not open to the public or media, but Zinke is expected to speak to reporters later in the day.

While in Utah, he's expected to assess whether the designation of 3.2 million acres of national monuments in the state's southern red rock region should be scaled back or rescinded.

His visit comes after an executive order signed last month by President Donald Trump called for a review of 27 national monuments established by several former presidents.

9:20 a.m.

U.S. Interior Secretary Ryan Zinke is set to start a four-day Utah trip to assess whether the designation of 3.2 million acres of national monuments in the state's southern red rock region should be scaled back or rescinded.

Zinke arrives in Salt Lake City Sunday to launch the re-evaluation of the new Bears Ears National Monument and the Grand Staircase-Escalante National Monument.

His visit comes after an executive order signed last month by President Donald Trump's called for a review of 27 national monuments established by several former presidents.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The Bears Ears monument is a source of ire for Utah's conservative leadership and is a top review priority.

Zinke must make a recommendation on that monument by June 10 ahead of a final report about all the monuments.

[BACK](#)

20. Zinke says monument designations have been an 'effective tool,' though 'very few ... are to the scale of the recent actions'

The Salt Lake Tribune, May 7 | Matthew Piper

As he embarked on a tour of Utah to review two national monuments, Ryan Zinke said he sees no evidence Native American proponents of Bears Ears National Monument were exploited by special interest groups, as state leaders have suggested.

"I think they're smart, capable, passionate, and have a deep sense of tie to their culture and want to preserve it," the secretary of the Interior said after a meeting with the Bears Ears Inter-Tribal Coalition, which requested the monument on behalf of five tribes, at Salt Lake City's Bureau of Land Management office on Sunday.

Minutes later, however, Sen. Orrin Hatch said Native Americans are "manipulated sometimes by people" and that the "far left" has further designs on the 1.35 million acres in southeastern Utah protected by President Barack Obama on Dec. 28.

"The Indians, they don't fully understand that a lot of the things that they currently take for granted on those lands, they won't be able to do if it's made clearly into a monument or a wilderness," Hatch said.

Asked to describe which activities Obama's designation would prevent Native Americans from doing, Hatch said, "That'd take too much time right now."

Pressed further for one example, Hatch said: "Once you put a monument there, you do restrict a lot of things that could be done, and that includes use of the land. ... Just take my word for it."

Navajo nation delegate Davis Filfred, who serves as member of both the tribal coalition and a tribal commission created to provide input on management of the monument, said Sunday night that the meeting with Zinke was overdue.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"I told him today that you met with the Utah delegation more than a couple of times thus far and this is the first time that we are meeting," Filfred said. "I'm requesting equal time."

While Filfred and others fight to defend it, Hatch and other state leaders have four days to convince Zinke that the Bears Ears National Monument designation constituted federal overreach and defied the will of most of the region's inhabitants.

Zinke then has until June 10 to recommend to President Donald Trump a fate for the newborn monument.

He also will stop within the boundaries of Grand Staircase-Escalante — whose 1996 designation by President Bill Clinton is the starting point for a review of 27 large monuments that was ordered by Trump. Utah leaders hope Trump will drastically reduce the boundaries of the 1.9 million-acre monument.

Zinke said he arrives in Utah "without any predisposition of outcome."

"Over the course of our history, I think it's undisputed that the monuments have been an effective tool to save [and] preserve some of our greatest cultural treasures," Zinke said, though he later added that "very few monuments are to the scale of the recent actions."

"Some of the monuments are, I don't want to say universally but certainly widely, supported and accepted," Zinke said. "The Bears Ears is not widely supported or accepted in the state of Utah."

His tour is reminiscent of one conducted last July by his predecessor, Sally Jewell, to inform Obama's decision.

Jewell witnessed striking vistas and delicate archaeological treasures as she weighed varied opinions about who should oversee them, and she concluded her visit by soliciting public comment for three hours inside a cramped Bluff Community Center.

The eventual designation hewed closely to boundaries in the Public Lands Initiative proposed by Utah's delegation, but if Obama's monument was intended as a compromise, it wasn't viewed that way by Utah leaders.

Hatch said Sunday that Obama made the declaration "without talking to any members of the delegation."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"It was pretty pathetic," he said.

Zinke's entourage drove past about two dozen protesters lining the 200 South border of The Gateway shopping mall as he accessed BLM offices Sunday for his first meeting with a full complement of the Bears Ears Inter-Tribal Coalition. Zinke met earlier with Sens. Hatch and Mike Lee, Gov. Gary Herbert, Utah Attorney General Sean Reyes and state legislative leaders.

Proponents of the two disputed national monument designations worry that their voices will be absent from the Interior secretary's upcoming agenda.

Zinke's office rejected repeated requests to meet with members of the roundly pro-monument Boulder-Escalante Chamber of Commerce, writing "his current schedule is quite full and it's unlikely that he'll be able to accommodate any additional engagements." Chamber members were invited to comment on a forthcoming feedback website.

Members of Utah Dine Bikeyah, a grassroots nonprofit that supports the monument, also have called publicly for a meeting and sent Zinke's office a letter Sunday describing two previous letters and "several email and verbal requests" to meet.

Executive Director Gavin Noyes said Sunday that the Bears Ears boundaries were drawn based on the group's conversations with 75 Native American elders.

"We want to make sure that he doesn't trim any boundaries without talking to people who know the Bears Ears area the best," Noyes said. "The biggest risk at this point is that he believes that [largely anti-monument] Blanding and Monticello residents are the only people that he needs to meet with."

The Center for Western Priorities' Greg Zimmerman declared in a Sunday statement that Zinke's itinerary "[makes] it clear he intends for his visit to Utah to be a one-sided affair, ignoring input from local stakeholders who support national monuments at Bears Ears and Grand Staircase-Escalante."

Tribal leaders who pushed for the monument have said they will sue to preserve the protections, if necessary.

Filfred said Zinke agreed to meet with members of the intertribal coalition only last Wednesday, after multiple requests went unanswered.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Sunday's hourlong meeting was insufficient for them to state their case for the monument, he said. He was unimpressed by Zinke's posture and took a cellphone photo of the secretary reclining in his chair.

"You're asking this question as if we're supposed to answer it in one sentence, one phrase, one paragraph," Filfred said.

Zinke said Sunday that it's clear involved Native Americans "have roots in that area. They recognize that this is the first time that they're at the table, and there is some distrust of previous efforts that the tribe and tribes, in this case, aren't heard. Remarkably, that's the same argument I hear from many counties and many elected officials: that the federal government by and large has not heard the local voice."

As a freshman representative from Montana, Zinke opposed a GOP effort to transfer federal lands to states.

"The federal government needs to do a much better job of managing our resources, but the sale or transfer of our land is an extreme proposal, and I won't tolerate it," he said last June after voting against a bill that would have given states the option to buy 2 million federal acres for logging.

He also took sides against Rob Bishop when the Utah representative, who serves as Natural Resources Committee chairman, tried to block funding to the Land and Water Conservation Fund that the government uses to buy and conserve potentially threatened lands.

In January, however, Zinke said there was "no doubt the president has the power to amend a monument" and "[i]t will be interesting to see if a president can nullify a monument."

Utah's Legislature resolved during this year's session to ask Trump to rescind Bears Ears despite legal scholars' doubts that he has such authority.

Rep. Mike Noel, R-Kanab, who has been supported by Utah leaders as a candidate to lead the Bureau of Land Management, has said that "a whole lot of just plain old sagebrush" that could be ranched or mined lies within the boundaries of the two monuments.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

A recent poll conducted by Dan Jones & Associates and commissioned by UtahPolicy.com found that a small majority of Utahns support reducing the acreage in Bears Ears or eliminating it altogether, while a similarly slim majority say Trump should leave the Grand Staircase as is.

[BACK](#)

21. **Zinke Begins Utah Listening Tour**

KUER News, May 7 | Judy Fahys

Utahns for and against national monuments have been asking the Trump administration to weigh in on Bears Ears ever since it was created in December. U.S. Interior Secretary Ryan Zinke arrived in Utah Sunday to hear their concerns firsthand.

Around two hundred protestors gathered outside the federal Bureau of Land Management's state office as Zinke met inside with leaders of the five tribes that will help manage the new Bears Ears National Monument.

"There's a lot of anger out there," he said afterward, speaking with reporters. "There's a lot of mistrust out there."

Zinke's visit coincides with an open public comment period on 27 national monuments that have been created in the past two decades. He invited all Utahns and all Americans to voice their concerns. Zinke insists his mind is NOT made up.

"I'm talking to all parties," he said, "and getting a perspective of making sure that Utah and all the stakeholders have a voice."

He's scheduled to tour the new Bears Ears National Monument on foot, in a plane and on horseback over the next two days. Then he visits the Grand Staircase Escalante Monument.

The Interior Secretary also met Sunday with Utah Republican leaders. They've organized the tour to make a case that Bears Ears should be rescinded and the Grand Staircase should be shrunk.

"We're going to make sure Utah functions the way it should function and that it's protected and that it's not just shoved around by radical people from elsewhere," said Sen. Orrin Hatch, a Utah Republican who joined Zinke Sunday at the BLM.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Native Americans and conservationists throughout the state are among the monument supporters who complain they're being excluded from the Zinke meetings.

[BACK](#)

22. **Zinke in southern Utah to tour Bears Ears**

The Deseret News, May 8 | Amy Joi O'Donoghue

BLANDING — Native American supporters of the new Bears Ears National Monument talked Monday about the sacred nature of the rugged landscape and why it's so important to protect.

At an event hosted by Utah Dine Bikeyah, reporters and photographers in town for Interior Secretary Ryan Zinke's visit were given aerial tours of the San Juan County monument.

The 30-minute flights come in advance of Zinke's scheduled hike to the House on Fire ruins near Mule Canyon, inside the monument footprint.

Utah Gov. Gary Herbert is expected at the hike, as well as several staffers from Utah's congressional delegation.

Willie Grayeyes, chairman of the board of Utah Dine Bikeyah, said he hopes Zinke realizes that as Interior secretary he has a "trust responsibility" to Native Americans.

That responsibility, he added, should be part of Zinke's decision on whether the monument stands as Grayeyes hopes.

Members of Utah's congressional delegation have been united in opposition to Bears Ears' designation by former President Barack Obama late last year. Sen. Orrin Hatch, R-Utah led out on the effort that led to President Donald Trump signing an executive order on April 26 to review monument designations going back to 1996.

San Juan County commissioners were also at the airport for Zinke's arrival, which has stirred up residents. This is the second time in less than a year that a secretary of the Interior has visited the region. Last summer, then-Secretary Sally Jewell was here.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"The windup has been pretty intense," said San Juan County Commissioner Phil Lyman, who said it was clear Zinke intended to listen to the variety of viewpoints about the December 2016 designation.

"He's gone above and beyond in that respect," he said. Lyman said the county leaders remain adamantly opposed to the monument.

"In this country we value consent, and this was done without our consent," he said.

This story will be updated throughout the day.

[BACK](#)

23. **Zinke kicks off Utah tour in national monuments review**

The Hill, May 8 | Timothy Cama

Interior Secretary Ryan Zinke is in Utah this week to tour two controversial national monuments that the Trump administration is considering rescinding or shrinking.

Zinke arrived Sunday for meetings with stakeholders, including elected officials and a group of American Indian tribes that pushed for the creation of the Bears Ears National Monument.

At a news conference with Sen. Orrin Hatch (R-Utah) late Sunday, Zinke said that, unlike many other national monuments, Bears Ears doesn't enjoy local support, according to the Salt Lake Tribune.

"Over the course of our history, I think it's undisputed that the monuments have been an effective tool to save [and] preserve some of our greatest cultural treasures," Zinke said, adding later that "very few monuments are to the scale of the recent actions."

"Some of the monuments are, I don't want to say universally, but certainly widely, supported and accepted," he continued said. "The Bears Ears is not widely supported or accepted in the state of Utah."

Zinke pushed back on the narrative that the five nearby tribes that supported former President Barack Obama's decision to protect the land were misled by environmentalists.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

“I think they’re smart, capable, passionate, and have a deep sense of tie to their culture and want to preserve it,” Zinke said, according to the Tribune.

Zinke had met earlier with the Bears Ears Inter-Tribal Coalition.

Hatch, however, said he thinks the tribes were tricked.

“The Indians, they don’t fully understand that a lot of the things that they currently take for granted on those lands, they won’t be able to do if it’s made clearly into a monument or a wilderness,” said Hatch, who declined to name specific activities that aren’t allowed within the monument area.

Dozens of protesters supporting the monuments faced Zinke outside the Salt Lake City offices of the Bureau of Land Management when he arrived, the Deseret News reported.

Zinke, Rep. Rob Bishop (R-Utah) and others are taking a plane trip Tuesday to see Bears Ears from the air. Later in the week, he’ll tour parts of Bears Ears and the Grand Staircase-Escalante national monument on horseback.

Interior will also take formal comments soon via mail and online as they consider a revision of those monuments and two dozen others.

[BACK](#)

24. **Mr. Zinke, Keep Channeling Teddy Roosevelt**

The New York Times, May 8 | The Editorial Board

On his first day on the job, Ryan Zinke, President Trump’s secretary of the interior, rode a horse to work, in plain imitation of Teddy Roosevelt, who as president used to gallop around Washington, and whose admirable record as a conservationist Mr. Zinke says he hopes to emulate.

By all accounts, Mr. Zinke, a former Navy SEALs member and congressman from Montana, is not a dope. He therefore knows that he cannot possibly match Mr. Roosevelt if he embraces the dismaying anti-environmental agenda Mr. Trump has saddled him with.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

As David Roberts of Vox has pointed out, that agenda is both plutocratic and lazy. It seeks to confer new benefits on oil and gas interests that are already richly favored. Yet it requires nothing of Mr. Trump himself. All he has done is issue executive orders that tell someone else to do the work. He cannot scrap the clean power rule or President Barack Obama's aggressive fuel efficiency standards; the relevant federal agencies will have to face the laborious and uncertain process of writing new rules and whatever court challenges those rules bring.

In similar fashion, in two separate orders, Mr. Trump has instructed Mr. Zinke to review Obama policies designed to protect important landscapes for the enjoyment of future generations and the oceans from catastrophic oil spills. The wording in both orders makes it clear that Mr. Trump wants the policies revised or jettisoned altogether, and in the end, great damage could be inflicted on the environment. It's up to Mr. Zinke to make sure that does not happen.

One order instructs Mr. Zinke to review all national monument designations made under the Antiquities Act after Jan. 1, 1996, that encompass 100,000 or more acres. Since Mr. Roosevelt signed the law in 1906, eight Republican (including T.R.) and eight Democratic presidents have used it to unilaterally protect threatened landscapes from commercial intrusion. Mr. Trump complains that such designations prohibit new mining and drilling projects that could create jobs, but a close look at his order shows that it makes no economic sense and is little more than cynical genuflection to the Utah congressional delegation.

The order's bookends are the 1.9 million-acre Grand Staircase-Escalante National Monument, established by President Bill Clinton in 1996, and the 1.35 million-acre Bears Ears National Monument established just last year by Mr. Obama. The designations have stuck in the craw of two Republican warhorses, Senator Orrin Hatch and Representative Rob Bishop.

Both monuments contain magnificent landscapes and priceless artifacts. Neither contains significant oil and gas reserves, and the Grand Staircase designation has led to a big growth in tourism. Bears Ears is likely to do the same. Both have popular support, and both are best left alone.

The second order deals with oil and gas exploration. The United States is producing robust supplies, from both federal and private lands, but the oil industry wants more, and so does Mr. Trump. He has therefore ordered Mr. Zinke to draw up a new five-year exploration plan, roll back an Obama rule from last December withdrawing America's Arctic waters from drilling, and "reconsider" several safety regulations implemented after the disastrous BP oil spill.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Five-year plans come and go; every nearly every administration draws up a new one. Mr. Trump's plan calls for drilling in the Atlantic, an idea Mr. Obama rejected after protests from coastal states. The instructions on Alaska and safety precautions are simply irresponsible. Mr. Obama withdrew Alaskan waters using existing legal authority and for a very good reason: An oil spill in the inhospitable waters of the Arctic would be a disaster. Further, after Shell's bumbling and ultimately fruitless \$7 billion attempt to find oil, companies have been abandoning old leases right and left, and, whatever their ambitions elsewhere, do not seem to be seeking new ones in the Arctic.

As for revising and presumably weakening the safety regulations — common-sense efforts to strengthen specific pieces of offshore drilling equipment, like blowout preventers, that failed in the 2010 gulf disaster — it's hard to believe that even industry wants something that stupid.

Back to Mr. Zinke's first day on the job. The day after he got off his horse, he addressed his employees and promised to defend them against brutal budget cuts that Mr. Trump had already threatened. That's all well and good, but the real measure of his leadership is whether he will also defend the crucially important work his employees are involved in, and, like Mr. Roosevelt, decide to protect and add to the public lands and waters instead of diminishing them.

[BACK](#)

25. Could management shift to states even if public lands remain federally owned?

The Las Vegas Sun, May 8 | Daniel Rothberg

At a Lake Tahoe fundraiser in August, Elko County Commissioner Demar Dahl — a leader in the movement to transfer federal land to the states — met privately with then-candidate Donald Trump. According to a story Dahl has told many times since then, he asked Trump how he would feel operating a 10-floor hotel in which eight floors were owned by a bureaucracy 2,500 miles away.

"He caught right on," Dahl said.

This is how Dahl sees Nevada's position relative to the federal government, which owns more than 85 percent of the state. "So many of the rules and regulations we have to live by are made



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

so far away in Washington by people who are not really familiar with our problems out here,” he said.

In late April, Dahl flew to Washington, D.C., to discuss the future of public lands with President Trump’s staff, after the administration invited him to a signing ceremony for an executive order on education. The political landscape around the land issue had changed since August. Trump’s administration had veered away from the pro-transfer position included in the Republican Party’s platform.

“I’m adamantly opposed to the sale or transfer of public lands,” Secretary of the Interior Ryan Zinke said at an Outdoor Industry Association event that same week in April. “So is my boss.”

That position, which has hardened in recent weeks, has forced land-transfer advocates in the West to look at more modest proposals for giving states more control over federal lands. At the meeting in April, for instance, Dahl suggested transferring more management responsibilities to the states.

When asked about such proposals, a spokesperson for the Interior Department said in an email that Zinke “believes the federal government needs to be a better manager and a better neighbor and that bureaus need to work more closely with one another and local and state governments on local land management policy.” She added: “What works for Seattle doesn’t exactly work for Henderson.”

State legislators across the West introduced bills this year encouraging Congress to revisit the idea of wholesale land transfers — ceding large parcels of land to the states, which could then sell the land for development and extraction, or manage it for the public. Those bills face an uphill battle.

The federal government, which owns the majority of land in Nevada, Oregon and Utah, sits on nearly 47 percent of all Western land. It’s a reality that has existed since statehood, when the federal government ceded land to newly formed states looking to raise revenue for public services. Nonetheless, it’s a development that remains a thorn in the side of land-transfer advocates, who argue that local jurisdictions should make choices about how their land is managed.

Politicians supporting the land-transfer movement, though, have had difficulty making gains, facing headwinds from both sides of the partisan spectrum.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Conservationists and sporting groups believe that transferring federal land could constrict space for hunting, fishing and outdoor recreation. It's likely that these groups would oppose Dahl's suggestion — to transfer management, not the land, to the states.

"That gets to be a very slippery slope," said Alex Boian, vice president of governmental relations for the Outdoor Industry Association. "It's not a real compromise."

A spokesperson for Montana-based Backcountry Hunters and Anglers echoed Boian's concern. She too called such proposals a slippery slope and likened the protection of public lands to a "second Second Amendment."

The groups flexed their political muscle this year with a successful social media campaign that urged Rep. Jason Chaffetz, R-Utah, to withdraw a bill to sell 3.3 million acres of federal land. "It's the first shot across the bow," Land Tawney, executive director for Backcountry Hunters and Anglers, told Outside Magazine in February. "We don't have the money, but we have the people."

At a recent lunch meeting with members of the Congressional Western Caucus, Zinke reiterated his opposition to divesting federal land, U.S. Rep. Mark Amodei, R-Nev., said in an interview with The Sunday.

Zinke declined to discuss whether there would be any exceptions, said Amodei, who introduced legislation in 2014 that would have transferred about 7.5 million acres of federal land to Nevada.

"That's not in the cards at this time," Amodei said.

Amodei instead plans to prioritize smaller gains for the land-transfer movement. He stressed the importance of monitoring land use around Yucca Mountain, funding for the Southern Nevada Public Land Management Act and proposed expansions of Air Force facilities at Nellis and Fallon. He said he expected the administration to be open to land bills that address county-by-county issues.

While Dahl was in D.C., Trump signed a directive ordering Zinke to review national monument designations dating back to the Clinton administration. The request asked the Interior Department to look at downsizing or eliminating any recent monuments declared through presidential powers. .



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The American Lands Council, a group that Dahl co-founded, applauded the order. But the group said on its website: “reforms need to go much further.”

[BACK](#)

26. Could management shift to states even if public lands remain federally owned?

The Center for American Progress, May 8 | Mary Ellen Kustin

On April 26, President Donald Trump launched an attack on national parks, public lands, and waters. His executive order called on U.S. Secretary of the Interior Ryan Zinke to “review” the 54 national monuments that presidents have designated or expanded since 1996. The order gives wide discretion to the secretary to recommend actions that the president or Congress should take to alter or rescind the protections for these natural, historical, and cultural treasures.

While the order is written in such a way that all recent national monuments—including the Stonewall, César E. Chávez, Belmont-Paul Women’s Equality, and Pacific Remote Islands Marine national monuments—are subject to the 120-day review, Secretary Zinke publicly called out two monuments: The “bookends” of his review will be the Grand Staircase-Escalante and Bears Ears national monuments, both located in Utah. These two monuments later made the list of monuments Secretary Zinke is initially reviewing.

It has been widely reported that the Utah congressional delegation was the driving force behind President Trump’s executive order. Sen. Orrin Hatch (R-UT) and Rep. Rob Bishop (R-UT) have been particularly outspoken in their opposition to the Antiquities Act writ large and to Utah’s national monuments specifically. Indeed, both were at the signing ceremony for the executive order; Utah Gov. Gary Herbert (R) and Sen. Mike Lee (R-UT) were also in attendance. President Trump gave Sen. Hatch the pen he used to sign the order after recognizing Hatch as “tough” for repeatedly calling Trump to say “you got to do this.”

The national monument review will be a legal, moral, and political minefield. President Trump’s embrace of the Utah delegation and its pet cause is especially interesting given that most of the delegation’s members were vocal in their opposition to him during the presidential primary. For a president known to keep a list of those who speak ill of him, it is a curious alliance. The Center for American Progress’ analysis suggests that a closer look at the oil, gas, and coal underneath



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Utah's national monuments—and the fossil fuel industry's influence on Trump and the Utah delegation—might help explain this newly formed partnership.

The Trump administration and the Utah delegation's history of disagreement

President Trump struggled to find support in Utah during his campaign, with the majority of the state's voters supporting someone else in both the Republican caucuses and the general election. Rep. Bishop reluctantly voted for Trump, saying, "Unless he resigns, I must support the Republican nominee as my only option." Sen. Hatch eventually supported Trump, but only after endorsing two other Republican candidates first. And Utah's junior senator, Mike Lee, another critic of the Bears Ears National Monument, told constituents that Trump "scares [him] to death." Similarly, Utah Rep. Chris Stewart (R) said last year that "Donald trump does not represent republican ideals, he is our Mussolini."

In addition, the Trump administration's early policy statements on land management differ from those of the Utah delegation. During the campaign, Trump indicated in an interview with Field & Stream magazine that his administration would be "great stewards" of public lands and that he did not "like the idea" of transferring federal lands to the states. His pick of Secretary Zinke, who resigned his delegate post at the Republican National Convention over the party's platform on this issue, underscored that commitment. By contrast, Rep. Bishop, Rep. Jason Chaffetz (R-UT), and Sen. Lee (R-UT) have all introduced legislation that would make it easier to sell off public lands.

It is noteworthy, then, that President Trump is pushing an executive order that is a thinly veiled land seizure. He even parroted a land seizure activist talking point—embraced by Rep. Bishop and other proponents of diminishing federal land management—just before signing the order, saying he would "give that power back to the states and to the people, where it belongs."

Curious, perhaps, until one remembers that this rhetoric traces its roots to industry-backed front groups with vested interests in selling off public lands for private gain.

Extractive industries threaten national monuments in Utah

Both President Trump and members of the Utah delegation, particularly Rep. Bishop, have benefited from oil, gas, and coal industry contributions. Trump's presidential campaign received more than \$1.1 million from the fossil fuel industry. And coal, oil, and gas interests contributed \$1 out of every \$10 raised—a total of at least \$10 million—for Trump's inaugural celebrations.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

These events were not subject to the same campaign finance restrictions as donations made during the election.

Rep. Bishop, meanwhile, received the highest percentage of out-of-state campaign contributions of anyone in the House, and the oil and gas industries—including the American Petroleum Institute, a trade association that represents hundreds of oil and gas companies—contributed more to his campaigns than any other industry. Although Bishop has repeatedly claimed that his issues with the Grand Staircase-Escalante and Bears Ears national monuments have nothing to do with the fossil fuel interests located below them, both monuments appear to be in the sights of this heavily invested industry.

The American Petroleum Institute was quick to send a letter to House Natural Resources Committee Chairman Bishop and his counterpart in the Senate shortly after the 115th Congress convened, imploring them to “re-examine the role and purpose of the Antiquities Act.” The organization argued that the law threatens the extraction of fossil fuels from public lands and waters. In addition, the oil and gas industry group Western Energy Alliance, or WEA, has indicated interest in drilling in Bears Ears. WEA President Kathleen Sgamma has said about the monument, “There certainly is industry appetite for development there, or else companies wouldn’t have leases in the area.” And geologists have known for years that the Grand Staircase-Escalante area has coal, oil, and mineral deposits.

The following maps reveal why special interests would want access to mine and drill within the boundaries of both Grand Staircase-Escalante and Bears Ears national monuments. A new analysis by CAP and Conservation Science Partners, or CSP, finds that Grand Staircase-Escalante scored in the 72nd percentile for oil and gas and the 37th percentile for mineral resources among similarly sized Western landscapes. The boundary of Grand Staircase-Escalante also encompasses the extensive coal beds found in the Kaiparowits Plateau. As CAP and CSP previously reported, when compared with similarly sized landscapes in the West, Bears Ears scored above the 50th percentile for both mineral resources and oil and gas. Without protection, Grand Staircase-Escalante and Bears Ears would be at great risk of destructive mining and oil and gas development.

These national monuments are also two of the wildest and most ecologically valuable places in the West. The new analysis indicates that Grand Staircase-Escalante is in the top 4 percent for ecological intactness and the top 6 percent for connectivity, which are essential to biodiversity



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

and landscape-level conservation. As CAP and CSP previously showed, Bears Ears is in the top 10 percent of similarly sized places in the West for these two important factors.

Even though national monuments are public lands that, by definition, belong to the people, President Trump said he was signing the executive order to “return control to the people—the people of Utah, the people of all the states, the people of the United States.” However, it appears the people he has in mind may be those with close industry ties.

Methodology

To determine the ecological importance of Bears Ears National Monument and Grand Staircase-Escalante National Monument, CAP and CSP mapped and summarized 10 landscape-level indicators of resilience to climate change; ecological connectivity; and intactness, biodiversity, and remoteness. Publicly available spatial data and published methods of analysis were used to create indicator maps across 11 Western states to compare Bears Ears National Monument and Grand Staircase-Escalante National Monument with equivalently sized areas throughout the West. The same was done with each of seven national parks. A mixture of iconic Western national parks known for their ecological importance and Utah national parks were selected for comparison. CAP and CSP also assessed Bears Ears for two threat indicators: mineral resource potential and oil and gas resource potential. No coal resources were found within Bears Ears National Monument. Similarly, CAP and CSP assessed Grand Staircase-Escalante for three threat indicators: mineral resource potential, oil and gas resource potential, and coal resource potential.

CAP and CSP determined the values of each of the indicators relative to the larger landscape using a simple scoring system based on percentile ranks. Specifically, the mean value of each indicator within Bears Ears National Monument and Grand Staircase-Escalante National Monument was compared with the distribution of means of a large random sample of 1,000 areas across the 11 Western states, including all jurisdictions. The size of the random samples was equivalent to the size of the monument. CAP and CSP did the same for the seven national parks. Scores on indicators ranged from 0 to 100. For example, a score of 98 for a given indicator signified that the mean value of that indicator in the monument was greater than or equal to 98 percent of the equivalently sized random samples. Scores of 50 or higher suggested a relatively important indicator.

A more detailed description of methods and data [can be found](#) here.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Mary Ellen Kustin is the Director of Policy for Public Lands at the Center for American Progress.

[BACK](#)

27. **US Interior secretary tours hotly contested Utah monument**

The Washington Post, May 8 | Michelle L. Price and Brady McCombs, AP

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke on Monday will get a bird's-eye view of one of 27 national monuments he's been ordered to review as he flies over 1.3 million acres of southern Utah's red rock plateaus, cliffs and canyons graced with sagebrush, juniper trees and ancient cliff dwellings in one of America's newest and most hotly contested monuments.

His tour guide aboard the helicopter will be Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose the Bears Ears National Monument. Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP Congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development and isn't the best way to protect the lands.

During the first day of a four-day trip to Utah to see two monuments, Zinke was serenaded in Salt Lake City by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears." They represented tribal leaders and conservationists on the other side of the debate who are imploring Zinke to leave Bears Ears alone to preserve lands considered sacred to the tribes.

After holding a closed-door meeting with a coalition of tribal leaders who pushed for the monument, Zinke spoke on Sunday of his admiration for President Theodore Roosevelt, who created the law that gives presidents the power to create monuments.

Zinke, a Montana Republican, said that "it is undisputed the monuments have been an effective tool to save, preserve our greatest cultural treasures."

He insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition. Zinke has been tasked with making a recommendation on the monument by June 10, about 2½ months before a final report about on all the monuments.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"I'm coming in this thing as a Montanan, a former congressman and now the secretary of the Interior without any predispositions of outcome," Zinke said at a news conference Sunday evening in Salt Lake City. "I want to make sure that the public has a voice, that the elected officials have a voice."

The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres (7,700 square kilometers), about the size of Delaware. Bears Ears is a bit smaller at 1.3 million acres (5,300 square kilometers).

Hatch, who appeared with Zinke at the Sunday news conference, said he is grateful the Interior secretary was making the visit.

"He understands that there are two sides. Maybe more than two sides," Hatch said.

Hatch led the campaign by Utah Republican to get President Donald Trump to take a second look a monument designated by President Barack Obama near the end of his term.

The monument review is rooted in the belief of Trump and other critics that a law signed by President Theodore Roosevelt allowing presidents to declare monuments has been improperly used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Conservation groups contend that the monument review puts in limbo protections on large swaths of land that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments, which would be unprecedented.

Congress might weigh in as well. Numerous bills on the issue were introduced in the previous session, including measures to prevent the president from establishing or expanding monuments in particular states and to require the consent of Congress or state legislatures.

Zinke and Herbert are scheduled to hold a news conference Monday afternoon before hiking up to the House on Fire, one of dozens of intact ancient ruins within the monument.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

On Tuesday, he plans to tour the area by while riding a horse, mentioning his horseback commute through the streets of Washington, D.C., on his first day on the job in March.

"I think, sometimes, the best way to see things is slow and easy with a horse," Zinke said.

[BACK](#)

28. **Interior Secretary Zinke in southern Utah to tour Bears Ears**

The Deseret News, May 8 | Amy Joi O'Donoghue

BLANDING — Interior Secretary Ryan Zinke landed in San Juan County Monday to begin his first full day exploring the rugged footprint of the new Bears Ears National Monument.

Zinke's midmorning arrival created much fanfare at the tiny airport on the southern edge of Blanding, where Native American monument supporters pressed their case to the media.

Zinke is expected to stay in Utah through Wednesday, and he is being accompanied on this trip by Rep. Rob Bishop, R-Utah.

Earlier Monday, Native American supporters talked about the sacred nature of the rugged landscape and why it's so important to protect. At an event hosted by Utah Diné Bikéyah, reporters and photographers in town for Zinke's visit were given aerial tours of the monument.

Zinke took his own aerial tour of the Bears Ears region in one of three Blackhawk helicopters before a scheduled hike later Monday to the House on Fire ruins near Mule Canyon, inside the monument footprint.

Utah Gov. Gary Herbert is expected at the hike, as well as several staffers from Utah's congressional delegation.

Ecoflight pilot Bruce Gordon, who has been flying 30 years, said he thinks having the "bird's eye" view of a landscape helps to further the conservation discussion.

"We give the land a voice and we try to be objective," he said. "The aerial perspective gives people a better view."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Willie Grayeyes, chairman of the board of Utah Diné Bikéyah, said he hopes Zinke realizes that as Interior secretary he has a "trust responsibility" to Native Americans.

That responsibility, he added, should be part of Zinke's decision on whether the monument stands as Grayeyes hopes.

Diné Bikéyah describes itself on its website as a nonprofit organization that "works toward healing of people and the Earth by supporting indigenous communities in protecting their culturally significant, ancestral lands."

Woody Lee, the legislative district assistant for the Navajo Nation Council, said he hopes Zinke makes time to meet with members of the nation. He said the Bears Ears region "is something we all hold sacred. It's like the U.S. Capitol building that all Americans hold sacred."

Members of Utah's congressional delegation have been united in opposition to Bears Ears' designation by former President Barack Obama late last year. Sen. Orrin Hatch, R-Utah led out on the effort that led to President Donald Trump signing an executive order on April 26 to review monument designations going back to 1996.

San Juan County commissioners were also at the airport for Zinke's arrival, which has stirred up residents. This is the second time in less than a year that a secretary of the Interior has visited the region. Last summer, then-Secretary Sally Jewell was here.

"The windup has been pretty intense," said San Juan County Commissioner Phil Lyman, who said it was clear Zinke intended to listen to the variety of viewpoints about the December 2016 designation.

"He's gone above and beyond in that respect," he said. Lyman said the county leaders remain adamantly opposed to the monument.

"In this country we value consent, and this was done without our consent," he said.

The morning brought together a pair of men who were engaged in an amiable discussion over the monument, despite holding polar opposite views.

Mathew Gross, with the Southern Utah Wilderness Alliance, and Matthew Anderson, with the conservative Sutherland Institute, even posed for photos together.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"We may be opposites, but everybody cares about this land," Anderson said.

[BACK](#)

29. **Bears Ears: Hatch, Utah delegation lead pushback effort**

The Spectrum, May 8 | David DeMille

After signing an executive order calling for a review of more than two dozen national monuments, President Donald Trump handed the pen to U.S. Sen. Orrin Hatch, crediting the Utah Republican for being a driving force behind the order.

"Believe me, he's tough," Trump said, nodding to Hatch during the April 26 signing ceremony. "He would call me and say, 'You gotta do this.' Is that right, Orrin?"

Two weeks later, Hatch and the rest of Utah's all-Republican congressional delegation were meeting with newly-appointed Interior Secretary Ryan Zinke ahead of his on-site visit to the Bears Ears and Grand Staircase-Escalante national monuments, Utah's two largest and the two that Hatch calls examples of Washington-ordered "land grabs" that lock out local communities.

The 83-year-old was already a 20-year veteran of the Senate when then-President Bill Clinton signed the Grand Staircase into monument status in 1996, and when he saw Bears Ears leaning the same direction two decades later he said the similarities were obvious.

"Nearly 20 years ago, the Clinton administration blindsided Utah with a massive 1.9-million-acre monument designation in Southern Utah," Hatch said, saying that in both cases a monument designation would go against the will of Utah's elected representatives and local residents.

The debate over those two monuments has made Utah ground zero in what is likely to become a wide-ranging political battle over monument designations, one that most observers expect to end up being fought in the courtroom.

On one side is the contention that Bears Ears, like other western monuments, is among the places most in need of protection, an undulating collection of mountainous terrain rich in cultural significance to native tribes, thousands of archaeological sites, paleontological resources, scenic landscapes and some of the nation's darkest night skies.

A large coalition of tribal leaders, environmentalist groups, archaeologists and others fought for the monument designation.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The monument proposal had the support of six of the seven Navajo chapters in the state, along with representatives from some two dozen other tribes and the National Congress of American Indians, as well as organizations like the Friends of Cedar Mesa and the Utah Diné Bikéyah, a conservation organization led by Native Americans.

"National monuments are designated so they may be preserved for all the people of the United States," said Madison Hayes, content manager for the advocacy group Alliance for a Better Utah. "These are national treasures. Once they are lost and sold off for development and extraction, there is no way to return these beautiful lands to their original state."

But Bears Ears, like the nearby Grand Staircase, is also rich with natural resources that area leaders contend could help prop up poor economies.

When Clinton signed the Grand Staircase into law, it closed ideas of mining coal out of potentially rich beds beneath the Kaiparowits Plateau, where the U.S. Geological Survey had suggested there were some 30 billion tons of minable coal.

Both monuments house what researchers suggest could be rich deposits of gas, oil, uranium and other resources.

Utah officials have long argued that environmental protections could be maintained while allowing for some resource extraction, and most have argued that both monuments ignored the wishes of local leadership.

"Utahns deserve a collaborative land management process that ensures local residents have a seat at the table," said U.S. Rep. Chris Stewart, whose district includes the Grand Staircase monument.

Legal experts suggest Trump would have difficulty unilaterally rescinding a national monument designated by a previous president, since that ability is not spelled out in the Antiquities Act.

But there are arguments that he could amend or shrink the borders of monuments.

Congress has acted in the past to remove monument status and to make changes to existing monuments, and Utah's lawmakers have been among those proposing legislative changes to the 1906 law.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Last year, Hatch and Sen. Mike Lee proposed one measure that would have allowed monument designations to expire if states didn't sign off on them, and then a second bill that proposed exempting Utah from any new monuments. Neither made it to a vote.

Similarly, the Public Lands Initiative, legislation developed by Utah Reps. Rob Bishop and Jason Chaffetz as an alternative to the Bears Ears monument designation, never saw a vote.

But Trump's win on Election Day has raised the hopes of state officials that a Republican administration might take a different look at the monuments.

Utah's back-and-forth with federal agencies over control of federally-controlled lands within its borders goes back decades, reaching a fevered pitch in recent years as state lawmakers propose suing over control of about 31 million acres.

County commissioners, along with county and municipal leadership across the region, Utah Gov. Gary Herbert and other state leaders have pushed for changes to the monument designation.

The Legislature passed a resolution this year demanding the federal government revisit the issue.

[BACK](#)

30. **San Juan County residents welcome visit from Secretary Zinke**

ABC 4 Utah, May 8 | Glen Mills

Interior secretary Ryan Zinke is touring two national monuments, and taking input from local stakeholders.

This is the latest step in a bitter battle over public lands in Utah. Both sides say their way of life is at risk, and they are doing all they can to protect it.

On Main Street in Blanding, Utah sits the JC Hunt Company. Carl and DeeAnn Hunt are the owners. They distribute petroleum to farmers and ranchers in the Four Corners area.

All around their business you will find a strong statement on public lands. They want the Bears Ears National Monument rescinded.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"We are afraid we will lose those rights to go on the land, and to enjoy the land the way that we have," said DeeAnn Hunt.

The Hunts say the process under the Obama Administration was hijacked, and local voices weren't heard.

"Everybody was against the designation of the monument, and yet that was never taken into consideration. We feel like the monument was a foregone conclusion," said Carl Hunt.

Now opponents are getting a second chance under President Trump's Executive Order calling for a review of the Antiquities Act.

Over the next few days Secretary Zinke will get an up close look at the Bears Ears and Grand Staircase- Escalante monuments, which combine for about 3.2 million acres.

He's also meeting with local stakeholders to get their input on the impact. Even monument supporters are welcoming the visit.

"I'm glad he's coming to educate himself, and also walk the lay of the land, to have a better understanding," said Mark Maryboy, with Utah Dine Bikeyah, and former San Juan County Commissioner.

But, Maryboy says they are ready to file a lawsuit with the 10th Circuit Court of Appeals if President Trump decides to rescind the monument or alter the size.

They say it's about protecting sacred traditions.

"Go baby, go baby drill. That's their philosophy, and we are all about conservation, Mother Earth, protect the land. We believe in climate change," said Maryboy.

The Hunts say they too want to preserve the land. They say it's in their blood, but they say the monument consumes way too much land.

"We've lived here, we love the land, we take care of it. We've been taught as young people to be stewards over the land and to take care of it," said DeeAnn Hunt.

Secretary Zinke is viewing the Bears Ears National Monument by helicopter and horseback on Monday. No decisions will be made during this trip.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

[BACK](#)

31. **Interior Turns Down Meetings With 2 Groups Supporting Utah Monuments**

The Morning Consult, May 8 | Jack Fitzpatrick

The Department of the Interior turned down meetings this week with at least two groups supporting national monument designations in Utah, spurring complaints that the Trump administration's review of monuments may be one-sided.

Interior Secretary Ryan Zinke is in Utah through Wednesday to meet with stakeholders about a review of potential changes to two national monuments in the state. But Interior has not announced any public meetings in the area, though the department is taking written comments online and Zinke has met with some major stakeholders.

Bears Ears National Monument and Grand Staircase-Escalante National Monument are among 27 national monuments the administration is considering altering or revoking under an executive action signed by President Donald Trump in April. Designation as a monument limits the number of activities that can take place on the land, such as energy production.

Opponents of the monuments criticized former Presidents Bill Clinton and Barack Obama for creating them without enough public input, using the 1906 Antiquities Act to unilaterally designate the monuments without approval from Congress.

But as Zinke starts a 45-day review of Bears Ears and a 120-day review of the others, monument supporters say he has not engaged enough with the local community.

Interior turned down requests for meetings with Utah Diné Bikéyah, a nonprofit that supports Bears Ears and coordinates with five nearby tribes, Executive Director Gavin Noyes said. The department also declined to meet with some members of the Escalante & Boulder Utah Chamber of Commerce, Vice President Kris Waggoner said.

"We feel like our board members and the elders in the local community have critical knowledge that he [Zinke] needs to understand before he recommends any changes to the monument," Noyes said in a phone interview Monday. "So we don't quite understand why he hasn't felt it necessary to engage us, but we'll certainly continue trying to get that critical information to him. We had hoped to walk the land with him."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Zinke met with the Utah congressional delegation Monday morning, Sen. Orrin Hatch (R-Utah) said in a statement. Interior also planned several stops to talk to local press Sunday through Wednesday, but Waggoner said she is not aware of any public meetings at which she could voice her support for the monuments.

Interior did not respond to requests on Monday for details on whom Zinke would meet during his tour.

The Salt Lake Tribune reported that Zinke on Sunday met with the Bears Ears Inter-Tribal Coalition, which supports the Bears Ears monument designation.

Noyes said he is concerned Zinke will not spend enough time in the southern half of San Juan County, Utah, an area with a more predominantly Native American population. That southern half of the county is where the most people hope to preserve the land for cultural reasons, he said.

“The people who use Bears Ears daily for cultural purposes, those are all south of where it seems he is going to visit,” Noyes said. “It seems like he’s spending his time primarily in the Anglo [northern] half.”

Bears Ears has also attracted criticism from some local tribal organizations, such as the Utah-based Aneth Chapter of Navajo and the Blue Mountain Diné, an organization that represents Navajos living in San Juan County.

In lieu of meeting in person with Zinke, Noyes said his group still hopes to hold a conference call with him before Zinke finishes his Bears Ears review. Waggoner said she will organize a “party” May 12-14 at a business she owns, where she will set up computers for guests to submit online comments on the monuments review.

[BACK](#)

32. **Zinke: Monument status may not be best to save sacred land**

The Washington Post, May 8 | Michelle L. Price and Brady McCombs, AP

BLANDING, Utah — U.S. Interior Secretary Ryan Zinke said sacred tribal lands he toured Monday in America’s newest and most hotly contested monument should be preserved but he questioned whether the monument designation was the right way to do it.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Zinke's aerial and ground tour of the Bears Ears National Monument was part of a review ordered by President Donald Trump to determine if 27 monuments were properly established.

Zinke spent the day getting familiar with the 1.3-million acre (5,300 square kilometers) swath of southern Utah with red rock plateaus, cliffs and canyons on land considered sacred to tribes.

His tour guide was Utah Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose Bears Ears National Monument.

Zinke, a Montana Republican, said he wants to make sure Native American culture is preserved but cautioned that not all tribal members share the same opinion about the monument designated by former President Barack Obama near the end of his term.

He spoke before taking a short, winding hike in the afternoon sun with Herbert and other state and local officials to a lookout post above ancient ruins.

"Of course, the legacy and what I've seen should be preserved," Zinke said, "The issue is whether the monument is the right vehicle."

Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development. They also say it isn't the best way to protect the land.

In Blanding, with a population of 3,400 people, two large banners read, "#RescindBearsEars," reflecting the popular sentiment among residents.

Bears Ears supporters made their voices heard too. They believe the monument adds vital protections to tribal lands where members perform ceremonies, collect herbs and wood for medicinal and spiritual purposes, and do healing rituals.

Tara Benally, a member of Navajo Nation, was standing just outside the Blanding airport wearing a shirt commemorating the December declaration of Bears Ears National Monument.

"We want it left as is. We have history going through there," said Benally, who lives south of the nearby town of Bluff. "That was basically my mom's playground as she was growing up."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

A group of Bears Ears supporters greeted Zinke when he arrived to the trailhead. One woman asked why he only met with tribal leaders for an hour.

Zinke, who was shaking another supporter's hand, turned around to face the woman and said: "Be nice." The woman responded that she always is.

The monument review is rooted in the belief of Trump and other critics that a law signed by President Theodore Roosevelt allowing presidents to declare monuments has been improperly used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Conservation groups contend that the monument review puts in limbo protections on areas across the country that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears."

He held a closed-door meeting with a coalition of tribal leaders who pushed for the monument then spoke of his admiration for Roosevelt.

Davis Filfred of the Navajo Nation said Monday that the one-hour meeting Sunday wasn't enough time for the Bears Ears Inter-Tribal Coalition to make their points to Zinke. Filfred, who was in the meeting, said it seems Zinke is listening more to opponents of the monument than people who want it preserved.

Zinke insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition.

The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres (7,700 square kilometers), about the size of Delaware. Bears Ears is smaller at 1.3 million acres.

Zinke has been tasked with making a recommendation on the Bears Ears monument by June 10, about 2½ months before a final report about all the monuments.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments — a move that would be unprecedented.

On the way back from his hike to the ruins, Zinke stopped at the trailhead and spoke with several people on horseback and admired their horses. On Tuesday, Zinke plans to tour more of the Bears Ears area on horseback.

He said his upcoming decision is not just about how the local tribes, county officials or the governor feel about the monument, but it's also about how the entire country feels about it because it's America's public land.

"President Trump, I'm going to tell you, is a great boss. The reason why I think he felt so strongly about this is he feels like sometimes Washington makes these rules and we don't have a voice," Zinke said. "He put this in motion to make sure that local communities count. States count. America counts."

[BACK](#)

33. **Interior Secretary visits Bears Ears National Monument to decide its fate**

Fox 13 News, May 8 | Ben Winslow

BEARS EARS NATIONAL MONUMENT -- Interior Secretary Ryan Zinke hiked past the lines of protesters out into the desert landscape.

Accompanied by Governor Gary Herbert, Congressman Rob Bishop, members of the Utah State Legislature and news reporters, Zinke took in his surroundings.

"It is drop dead gorgeous country, no question about it!" he declared. "Beautiful vistas."

The Secretary of the Interior is here in Utah's most controversial national monument to help decide its fate. He's spending the next couple of days in San Juan and Kane counties as part of a review of national monuments ordered by President Trump.

Zinke is touring Bears Ears National Monument on Monday and Tuesday. He'll then stop by Grand Staircase-Escalante National Monument on Wednesday.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The president signed an executive order to review the use of the Antiquities Act, used to create national monuments. Bears Ears was basically the catalyst, having been created by President Obama at the end of his term.

At 1.35 million acres, the newly created national monument outraged Utah political leaders.

"I think there is a reverence for and a desire to be good stewards of the land and I think monuments are more restrictive," said House Speaker Greg Hughes, R-Draper. "Access becomes a lot harder."

Environmental and Native American tribal groups argue the area deserves protection. Filled with ancient petroglyphs and dwelling sites, they argue it is archaeologically rich and culturally sensitive.

"We call it holy places. We have offerings, we have prayer ceremonies done. We have places where our ancestors are buried. This is a sacred place," said Woody Lee, a Navajo Nation Council District Liaison.

San Juan County Commissioner Bruce Adams said locking up so much land in a national monument designation hurts the potential for development and hurts the local economy. He urged President Trump to rescind it.

"I want him to see what the economy and San Juan looks like. I want him to see how the monument might affect school children and see how it might affect the people who live here and work here every day of their life," Adams told FOX 13 as he waited to meet with Zinke.

Speaking to reporters on Monday, Zinke said he was not an advocate for selling public lands (some Utah lawmakers have advocated such a move). Asked by FOX 13 if Bears Ears should be preserved, Zinke replied: "Yes."

"Of course what I've seen should be preserved. The issue is whether the monument is the right vehicle," he said. "Whether it's not the right vehicle, it's public land."

Zinke insisted he is listening to all sides as he makes his recommendation to President Trump. He has 45 days to decide Bears Ears and has asked for public comment online by May 12.

If he recommends rescinding Bears Ears, tribal and environmental groups said they will sue.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"We're going to have to try to do something. I mean, we're not going to take this lying down," said Kenneth Maryboy, the Mexican Water Chapter President of the Navajo Nation.

[BACK](#)

34. **Interior Secretary visits Bears Ears National Monument to decide its fate**

KUTV 2 News, May 8 | Daniel Woodruff

Blanding, Utah — (KUTV) As the sun set over San Juan County Monday evening, Blanding, Utah, was buzzing.

"I'm really happy," Nicole Francom said as she stood with family and friends outside her home, waiting for a glimpse of Interior Secretary Ryan Zinke's motorcade to pass by.

When he did, Zinke gave them a big wave. Francom and her group yelled "thank you" and "Trump this monument!"

"I feel like everyone in Blanding just got so much hope back," Francom said.

She feel this way because Zinke is touring the 1.3-million acre Bears Ears National Monument in southeastern Utah. He is tasked with making a recommendation about what to do with the newly designated monument to President Trump by June.

Many in Blanding want the monument gone.

"Rescind it," said Wendy Black, "and then come back and do it the right way -- with the people, not against us."

Zinke said he hasn't made a decision yet.

"I'm actually optimistic at the end of the day we'll make a recommendation that I think will be best for our country," he told reporters Monday afternoon before he and a group of local and state elected officials hiked in to see some ancient Native American ruins. "We want to make sure that everyone's voice is heard."

But some feel that isn't happening.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"It seems like he's trying to lean his ear the other way," said Kenneth Maryboy, a member of the Navajo nation.

He and other native Americans say the monument protects their sacred lands. They want it left as it is.

"The intent is to leave it as a monument to where it will be for all people," said Woody Lee. "Not only natives, but for all people from now until eternity."

[BACK](#)

35. **Interior secretary tours Bears Ears, hotly contested monument in Utah**

PBS Newshour, May 8 | Michelle L. Price and Brady McCombs, AP

BLANDING, Utah — U.S. Interior Secretary Ryan Zinke took an aerial tour Monday of one of America's newest and most hotly contested monuments — one of 27 he's been ordered to review by President Donald Trump to determine if they were properly established.

Zinke's tour guide for the helicopter ride over the 1.3-million acre (5,300 square kilometers) swath of southern Utah with red rock plateaus, cliffs and canyons was Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose Bears Ears National Monument.

Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development. They also say it isn't the best way to protect the land.

"The only way to truly learn about and understand a place is with boots on the ground," Zinke posted to Twitter after landing in Blanding for the second day of his four-day trip to see Bears Ears and the Grand Staircase-Escalante.

Zinke and Herbert were expected to hold a news conference later in the day before taking a hike to one of the ancient ruins within the Bears Ears site.

The monument review is rooted in the belief of Trump and other critics that a law signed by President Theodore Roosevelt allowing presidents to declare monuments has been improperly



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Conservation groups contend that the monument review puts in limbo protections on areas that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

In Blanding, with a population of 3,400 people, two large banners read, "#RescindBearsEars," reflecting the popular sentiment among residents.

Those who want Zinke to leave Bears Ears alone to preserve lands considered sacred by tribes made their voices heard, too. Tara Benally, a member of Navajo Nation, was standing just outside the Blanding airport wearing a shirt commemorating the December declaration of Bears Ears National Monument.

"We want it left as is. We have history going through there," said Benally, who lives in the nearby town of Bluff. "That was basically my mom's playground as she was growing up."

After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears."

He held a closed-door meeting with a coalition of tribal leaders who pushed for the monument then spoke of his admiration for Roosevelt,

Zinke, a Montana Republican, said "it is undisputed the monuments have been an effective tool to save, preserve our greatest cultural treasures."

He insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition.

Zinke has been tasked with making a recommendation on the Bears Ears monument by June 10, about 2½ months before a final report about all the monuments.

"I'm coming in this thing as a Montanan, a former congressman and now the secretary of the Interior without any predispositions of outcome," Zinke said. "I want to make sure that the public has a voice, that the elected officials have a voice."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres (7,700 square kilometers), about the size of Delaware. Bears Ears is a bit smaller at 1.3 million acres.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments — a move that would be unprecedented.

On Tuesday, Zinke plans to tour the Bears Ears area on horseback.

"I think, sometimes, the best way to see things is slow and easy with a horse," Zinke said, referring to his commute ride through the streets of Washington, D.C., on his first day as Interior secretary.

[BACK](#)

36. Zinke flies over Bears Ears as critics urge him to 'Make San Juan County Great Again' and rescind monument

The Salt Lake Tribune, May 8 | Brian Maffly

Blanding • When Hank Stevens' family hunted under Bears Ears Buttes, they always honored the deer whose life they had taken and the place that nurtured it.

"We respect the animal where it dropped," said the Navajo tribal leader Monday while flying over the new Bears Ears National Monument in southeastern Utah.

"We do a little ritual where we leave the intestine, testicles and the antlers there. We only take the meat and the buck hide."

Below, sinuous canyons fell away from the juniper-topped mesas surrounding Bears Ears Buttes, the 1.35-million-acre monument's namesake and home to tens of thousands of sites left by ancestral Pueblos.

The sky view was also enjoyed Monday by Interior Secretary Ryan Zinke who is in Utah this week.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Under orders from President Donald Trump, Zinke is reviewing 27 large national monuments designated since 1996, starting with Bears Ears, which former President Barack Obama designated at the request of five tribes with ancestral ties to these public lands.

The designation has sparked an intense backlash from Utah's political leaders denouncing it as "federal overreach" and a "land grab."

Joined by an entourage composed entirely of anti-monument politicians, Zinke flew over the landscape aboard three Army Black Hawk helicopters and later hiked to Butler Wash, a popular destination overlooking cliff dwellings left by ancient American Indians.

"It's been a while since I flew in a Black Hawk without people shooting at me," said Zinke in joking reference to his stint as a Navy Seal commander.

"The trip today verified it is drop-dead gorgeous country. No question about it," Zinke told reporters gathered Monday at the Butler Wash trailhead. "We want to make sure everyone's voice is heard. A lot of the anger out there in our country is local communities and states don't feel like they had a voice. Washington has done things that seem heavy handed without coordination."

Zinke's remarks echoed criticism of the monument designation leveled by Utah's top political leaders, including Gov. Gary Herbert, who joined the hike.

"We know you are going to take a good look at this with an open mind and unbiased attitude, and I know your challenge is to get some recommendations on what to do to bring us together and resolve some of these conflicts," Herbert told Zinke.

But many pro-monument Navajo, including Stevens, complain that they are being excluded from the discussion.

President of the Navajo Mountain tribal chapter, Stevens was among several members of Utah Dine Bikeyah, the grass-roots Navajo nonprofit that has long lobbied to conserve what it considers a sacred landscape, gathered at the Blanding Airport on Monday morning, hoping for a word with Zinke.

The new secretary, who has earned a reputation for respecting tribal interests as a Montana politician, gathered inside with state and local leaders who want Trump to rescind the monument.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Bikeyah board Chairman Willie Grayeyes tried to enter but was barred by Utah Highway Patrol troopers.

"We are asking for equal time and it's not happening," said group member Woody Lee. "It happens all the time."

On Sunday in Salt Lake City, Zinke met with tribal leaders who support the monument, but his staff declined a formal meeting request submitted by Utah Dine Bikeyah. On the street outside the Bureau of Land Management headquarters, hundreds of Bears Ears supporters clamored for equal hearing and respect for tribal sovereignty.

Ute, Navajo and Puebloan tribal leaders are dismayed that the first national monument created at the request of American Indians could become the first undone by a succeeding president. But undoing or reducing the monument would not mean opening Bears Ears to extraction, Zinke said.

"Yes, of course the legacy and what I've seen should be preserved. The issue is whether the monument is the right vehicle," said Zinke, who was trained as a geologist. "What vehicle of public land is appropriate to preserve the cultural identity, to make sure the tribes have a voice and make sure you preserve the traditions of hunting and fishing and public access?"

He said he is concerned about how monument rules would restrict land uses.

"If you live in the county, making a living is a good thing, too," he said. "Having your access limited is a problem."

Zinke is scheduled to continue his tour Tuesday with a ride through Bears Ears Buttes on a towering 17-hand horse provided by San Juan County Commissioner Bruce Adams.

He will conclude his tour Wednesday in Kanab, where he will review the 1.9-million-acre Grand Staircase-Escalante National Monument, designated 20 years ago by President Bill Clinton.

At the Blanding airport Monday, Adams, a Monticello rancher, passed around white cowboy hats emblazoned with the Trumpian slogan: "Make San Juan County Great Again."

"By getting rid of this layer of this monument, we can get back to the greatness of where we were," Adams said.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

He and other monument critics fear restrictions that come with monument status on the 1.35 million acres west of Blanding will thwart economic development, impede public access and undermine local schools by disrupting possible revenue sources.

On Monday, local monument opponents, including American Indians, presented their case for erasing the monument at the Utah State University Blanding campus and later at a park, where Zinke briefly joined them.

"We are concerned by the divisiveness created in our county among the people," Adams said. "We want to see the people unified and want to see them brought together and work together to make San Juan County great."

But Lee, the Bikeyah member, had a different take on Adams' idea of greatness.

"It's great as long as Indians don't say anything," Lee said.

[BACK](#)

37. Tribal leaders demand apology from Hatch after he said they 'don't fully understand' Bears Ears implications

The Salt Lake Tribune, May 8 | Mariah Noble

After Sen. Orrin Hatch said Sunday that American Indians "don't fully understand" what they would lose if Bears Ears is "made clearly into a monument," tribal leaders have called his comments offensive, and they demand an apology.

Willie Grayeyes, chairman of the pro-monument Utah Dine Bikeyah board, said in a written statement Monday that it's "offensive" to believe "that Native Americans do not have a will of their own, or if they do take a position that their position is influenced by a non-native person."

American Indians "understand the special and sacred landscapes at Bears Ears National Monument better than anyone," Grayeyes said, and "have stewarded these landscapes for thousands of years." He said American Indians are "very pleased with the language used in the proclamation that protects the things we care about and gives us a voice in our future."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Hatch "does not understand what he is working so hard to take away," Grayeyes said. "If he would just listen to us, he would stop fighting against what we stand for because it is not a threat to him or anyone else," Grayeyes said.

The Utah League of Native American Voters called Hatch's comments "blatantly racist, misinformed and condescending [in] tone."

Hatch also said Sunday that Americans Indians are "manipulated sometimes by people" and that the "far left" has further designs on the 1.35 million acres in southeastern Utah protected by President Barack Obama on Dec. 28.

"The Indians, they don't fully understand that a lot of the things that they currently take for granted on those lands, they won't be able to do if it's made clearly into a monument or a wilderness," Hatch said.

[BACK](#)

38. **Boyd Matheson: The Navy SEAL and the Bears Ears**

The Deseret News, May 9 | Boyd Matheson

Interior Secretary Ryan Zinke, a former Navy SEAL commander, is touring Utah this week in response to President Donald Trump's executive order calling for a review of national monument designations over the past 21 years. There will be many who want to get in the secretary's ear as he visits the Bears Ears and Grand Staircase-Escalante areas. I hope he can shun and shut out the strident and vitriolic voices in order to truly listen to and hear all the parties who have something constructive to say.

Zinke will need to rely on the training and leadership lessons of the SEAL teams he once led to navigate an issue that is deep and divisive, complex and infested with confusing rhetoric and an abundance of loud voices. Of late, the national monument issue has become filled with fictional claims and fraught with false choices. SEAL team members are known for their ability to drop into hostile environments, assess the situation and then act in the best interest of the country. Those skills will be priceless for his time here in Utah.

I hope the secretary brought his Navy SEAL Trident badge with him to remind him of what to do and how to act in dangerous or high-stakes circumstances. The Trident badge is unique in the



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

military. Normally, the eagle is placed on military decorations with its head held high. On the Navy SEAL badge, however, the eagle's head is lowered to remind each SEAL team member that humility is the true measure of a warrior's strength. Zinke understands that humility is not weakness and there is real power in listening.

I remember attending a dinner meeting for new members of Congress when Zinke was a newly elected congressman from Montana. He arrived with many of the other freshmen, but it was easy to tell he was different from his new congressional colleagues. He had a quiet confidence about him. I sensed he knew exactly why he was there and what his mission was going to be as a representative. I watched him throughout the evening. Many of the other people in the room seemed obsessed with getting a word in, making a point, sounding smart, dropping names and talking about how they won their elections. Zinke didn't just listen; he listened intently and was one of only two people in the room taking notes. He said little, which actually spoke volumes about him as a leader. He asked a lot of questions instead of making statements. When he finally commented on an issue, it was clearly thought out and it concluded with a call to action.

I suspect that everyone, on all sides of the Bears Ears issue, will walk away feeling heard and understood this week.

I hope the secretary will lead the discussion this week to issues such as: 1. What do the people whose lives and livelihoods are dependent upon the Bears Ears area think about the monument designation? 2. Does the Antiquities Act's "smallest area possible" necessary to preserve and protect antiquities really require 1.3 million acres? 3. How multiple use and local input can transcend the all-or-nothing false choices of conserving land or unchecked commercialization. (There really won't be an oil rig on top of Bears Ears or under Delicate Arch.) 4. How the Native American tribes who live in San Juan County (not national tribal groups) and the other local citizens (not from the Wasatch Front or the rest of the nation) feel about the monument designation and its impact on their lives and futures. 5. Is a presidential declaration the right process for national monuments? Local and state input is critical to ensuring that national monuments preserve antiquities and empower local communities.

I believe what happens in Utah this week will lead to an important dialogue across the country and in Congress about the president, of either party, having the power to declare such vast monuments. Trump's executive order could be a rarity in that it actually reduces or limits executive branch power. That would be a welcome change. Restoring power to the people's



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

representatives and ultimately to the people is vital for the people of Utah, and especially those in San Juan County.

Zinke's visit is important to Utah and to the nation. His Navy SEALs training will come in most handy. As he hears from big business, big government and big environmental groups, I hope he also remembers his Navy SEAL ethos to "humbly serve as a guardian to my fellow Americans, always ready to defend those who are unable to defend themselves."

And then I hope he remembers that a wealthy man's playground should never come at the expense of a working man's dream.

Boyd C. Matheson is president of Sutherland Institute, a conservative think tank that advocates for a free market economy, civil society and community-driven solutions.

[BACK](#)

39. The public is invited to comment as Interior Secretary Ryan Zinke tours monuments Utah politicians want abolished or shrunk

The National Geographic, May 9 | Laura Parker

Interior Secretary Ryan Zinke is touring a pair of controversial national monuments in Utah on horseback this week at the behest of President Trump, who is reconsidering their merits. Zinke's four-day visit will take in Bears Ears and Grand Staircase-Escalante in southern Utah, the main targets in a review of 27 large monuments Trump ordered last month. The president assigned Zinke to examine whether his predecessors over-stepped their authority and made these monuments too large or ignored objections from the public.

The monuments under review are those created since 1996 by Presidents Clinton, Bush, and Obama. All but one are at least 100,000 acres in size. Bears Ears, which totals 1.35 million acres, was created by Obama in the final days of his presidency. The 1.7-million-acre Grand Staircase was designated by Clinton in 1996.

Utah lawmakers have been steamed for more than two decades about the creation of the Grand Staircase, which essentially locked up Utah's largest coal seam. They want the monument's size to be reduced so the coal can be mined. They also have been pushing to have Bear Ears revoked since Obama created it.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

A public comment period begins May 12. Information about submitting comments online or by mail can be found at the Interior Department's website [here](#).

The Antiquities Act, passed by Congress and signed into law by President Theodore Roosevelt in 1906, gives the president broad authority to set aside federal land for protection as national monuments. No president has ever revoked any monuments named by his predecessors; the question of whether a president can revoke a national monument has never been tested in court. The law does not require presidential consultation with anyone prior to creating a new monument. The Supreme Court dealt with the issue of size when it upheld Roosevelt's designation of the Grand Canyon National Monument in 1908.

Congress has the authority to abolish monuments outright, but it rarely does largely because of monuments' popularity with the public. More often, Congress has resized monuments, including Grand Staircase.

In addition to the Utah monuments, two others that have drawn fire are on Trump's list:

The creation of the 4,913-square-mile Northeast Canyons and Seamounts Marine National Monuments in the Atlantic Ocean off New England has been challenged in court by five commercial fishing organizations, in part because commercial fishing is now prohibited within the monument's boundaries. And, the 87,560-acre Katahdin Woods and Waters National Monument in Maine, also created by Obama, was added to the list after Gov. Paul LePage complained that there had not been adequate public comment before its designation. It is the only monument under review smaller than 100,000 acres.

Zinke, a Republican and fifth generation Montanan who touts his western heritage, rode horseback to the Interior Department on his first day on the job. A Republican, he served as Montana's lone congressman before Trump tapped him for Interior and says his voting record reflects a philosophy about public lands that aligns with Roosevelt's legacy as the conservation president.

Zinke resigned as a delegate to the Republican National Convention last summer because he disagreed with a party platform plank that endorsed the transfer of public lands to the states.

The Interior Department "is the steward of America's greatest treasures and the manager of one-fifth of our land," Zinke said in a statement. "Part of being a good steward is being a good neighbor and listening to the American people who we represent."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

He said the review “finally gives voice to local communities and states” and added “there is no pre-determined outcome on any monument.”

Details about the monuments under review are from presidential proclamations published in the Federal Register as well as Interior Department websites for each of the monuments.

[BACK](#)

40. **The Case for the Grand Staircase-Escalante National Monument**

The Center for American Progress, May 9 | Jenny Rowland

President Donald Trump’s national monuments executive order is an attack on American national parks, public lands, and oceans. One of its specific targets is the Grand Staircase-Escalante National Monument in Utah.

Although some Utah politicians argue that this monument has had a negative impact on the surrounding area, the reality on the ground is quite different: By a margin of better than 2 to 1, Utahns believe that the monument’s designation was good for their state. Even the Utah Office of Tourism cites the monument as one of its “most visited parks” and boasts about its vast size and “phenomenal” allure. The truth is that Grand Staircase-Escalante is valuable. It deserves its status as a national monument for a multitude of reasons and should not be targeted by Trump’s misguided attempts to sell out U.S. public lands.

This column details just some of the reasons why Grand Staircase-Escalante should remain protected as a national monument.

The local economy is thriving because of the monument

- Rural Western counties with more protected public lands, including national monuments, have faster-growing populations, employment rates, and personal incomes than those with less protected land. In fact, since Grand Staircase-Escalante’s designation in 1996, per capita incomes have risen 28 percent and employment has risen 40 percent in the communities adjacent to the national monument. While such statistics do not prove causation, they do disprove the idea that the national monument prevented economic growth.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

- The vice president of the Escalante Chamber of Commerce has attested to the region's economic success following designation, noting that the tourism industry has continued to grow and that local businesses are employing more people than ever.
- Arguments that the monument has hurt ranchers by limiting grazing are untrue. Grazing within the monument has remained virtually unchanged since the designation. In fact, it has shrunk by less than 0.5 percent.

Grand Staircase-Escalante is full of antiquities and areas of scientific and archeological interest

- The monument's scientific, natural, and cultural value, as well as its more than 20,000 archeological sites, deserved protection when the monument was designated—and still do today. The monument's Bureau of Land Management, or BLM, webpage notes that its "size, resources, and remote character provide extraordinary opportunities for geologists, paleontologists, archeologists, historians, and biologists in scientific research, education, and exploration." A BLM archeologist has also emphasized that the "wholeness" of the archeological record is what makes the area unique.
- The monument has been called a dinosaur "Shangri-La" due to its high volume of well-preserved fossils from the late Cretaceous Period. Twenty-one never-before-seen dinosaurs have been discovered in the monument since its designation.
- Grand Staircase-Escalante is in the top 4 percent of similarly sized places in the West for ecological intactness and in the top 7 percent for ecological connectivity and night sky darkness—higher than the Grand Canyon or Yellowstone national parks. These indicators are necessary for high biodiversity and landscape-level conservation.

The courts have ruled that there is no question as to the monument's legality under the Antiquities Act

- In 2004, a federal judge ruled that former President Bill Clinton was well within his legal authority in designating the monument. The judge rejected claims made by a group of Utah counties that the size of the monument exceeded what is allowed under the Antiquities Act.

Congress has confirmed and clarified the boundaries of the monument



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

- At its creation, Grand Staircase-Escalante encompassed small pockets of land that were owned by the Utah School and Institutional Trust Lands Administration. An agreement was reached with the federal government in which state officials swapped the inholdings for more resource-rich federal land elsewhere in the state. In addition to receiving a \$50 million payment upon completion of the deal, the lands that the state government acquired in the exchange have generated more than \$310 million for Utah's public schools, counties, and other institutions.
- Importantly, the land exchange passed through Congress in 1998, codifying the new boundaries into law.

The monument holds oil, gas, and coal resources, raising questions about the motivations of those who want to roll back protections

- President Trump's executive order is part of a larger effort to sell off the nation's public lands to the highest bidder. Industry groups, including the American Petroleum Institute and the Western Energy Alliance, have already expressed interest in drilling in Utah's national monuments. Including Grand Staircase-Escalante in the review is yet another nod to the power of the fossil fuel industry to influence the administration's actions.
- The discussion on coal mining in the monument was settled 18 years ago, when the coal company that had leases within the monument's boundaries was compensated with a generous sum of \$14 million. At a time when most major coal companies have been in and out of bankruptcy and the price of coal has declined to around \$40 per ton, reversing protections on Grand Staircase-Escalante to appease special interests would not make economic sense. But it would sacrifice the rural economic gains driven by protection of natural and cultural heritage.

Conclusion

The Grand Staircase-Escalante National Monument is one of many national treasures under attack by the Trump administration. Any attempt by President Trump to eliminate or alter the monument would undermine the cultural and natural resources it protects.

Jenny Rowland is the Research and Advocacy Manager for the Public Lands Project at the Center for American Progress.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

41. **NATIONAL MONUMENTS: Standing in Bears Ears, Zinke says protections may change**

E & E News, May 9 | Jennifer Yachnin,

BLANDING, Utah — Interior Secretary Ryan Zinke questioned yesterday whether a monument designation is the "right vehicle" to protect tracts in southern Utah, suggesting that other public lands categories could be more appropriate for the 1.35-million-acre Bears Ears National Monument.

Zinke made the remarks in the midst of his visit to the Beehive State this week, as he meets with local officials in the course of a review of dozens of national monuments. He also drew criticism from some monument supporters over the lack of a public forum and for allegedly refusing to meet with them.

Following an aerial tour of the Bears Ears site with Utah Gov. Gary Herbert (R), Zinke spoke with reporters at the Butler Wash, a site inside the monument several miles south of the city of Blanding.

"Of course the legacy of what I've seen should be preserved," Zinke said. "The issue is whether the monument is the right vehicle or if it's not the right vehicle. It is public land. It was public land before the monument. It'll be public land after the monument."

Zinke added that he must recommend the "appropriate" type of public land to preserve the area's "cultural identity," as well as access for hunting and fishing.

"How best do we look at the future of what it should be?" Zinke asked. He pointed to the current mix of lands in the monument, which is managed by both the Bureau of Land Management and the Forest Service.

Under President Trump's executive order mandating the review, Zinke has until June 10 to issue an interim report on Bears Ears and until late August to issue his recommendations for all monuments under review.

But he suggested the interim report could be simply that, and specific changes to Bears Ears may not be determined by next month.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"Now, my recommendation doesn't have to be so detailed that it's the final solution," Zinke said, adding that he wanted to speak to additional archaeologists, state officials and others. "Let's get the information."

Trump's order charged Zinke with making recommendations on whether to reduce or eliminate some monuments created since 1996 that include more than 100,000 acres, or suggesting changes to management plans for those sites.

The Interior Department announced Friday it will examine 27 monuments, including two in Utah, the Bears Ears site created by President Obama and the Grand Staircase-Escalante National Monument designated by President Clinton.

Protesters

Zinke has faced criticism during his visit from members of the Bears Ears Inter-Tribal Coalition — which represents the Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute and Zuni — who complained he did not spend sufficient time with the group, as well as from individuals who assert he has focused his time with opponents of the monument, including House Natural Resources Chairman Rob Bishop (R-Utah) and San Juan County commissioners.

In addition to those officials, Zinke was joined yesterday by Herbert, Utah House Speaker Greg Hughes (R) and other local officials who did not speak publicly.

Zinke brushed back questions over a lack of public forums during his visit to the state, arguing that Interior's decision to create a public comment forum for the monuments review on the agency's website will allow more individual voices to be heard.

But proponents of the monument, including the nonprofit Utah Diné Bikéyah and members of the Escalante & Boulder Utah Chamber of Commerce, said Zinke had rejected their requests for meetings.

"We are concerned and worried that he's not listening to the tribes," said Cassandra Begay, who serves as the tribal liaison on the board of the Salt Lake City-based Peaceful Advocates for Native Dialogue & Organizing Support.

Begay, who grew up in White Mesa in San Juan County, recalled gathering willow in what is now the Bears Ears monument to make Navajo baskets with her grandmother.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

"This is land we see as having a pulse: a living being," said Begay, one of a few dozen protesters who gathered at Butler Wash to encourage Zinke to retain the monument.

Begay later faced off with Zinke as she shouted questions at the secretary about whether he planned to meet again with the Bears Ears Inter-Tribal Coalition.

"Sir, is there a reason why you're not listening to them more?" Begay shouted in a video she provided to reporters of the exchange. When the former Montana House lawmaker did not respond, she continued: "Zinke, are you going to visit with the tribes more?"

Zinke then turned and wagged a finger at the 31-year-old Begay and forcefully said: "Be nice."

She responded: "I'm so nice." Zinke continued: "Be nice. Don't be rude."

Legal fight

Bishop, who accompanied Zinke to the monument yesterday, praised the secretary's visit to his state.

"They're doing this the right way," said Bishop, who backed a legislative alternative to the Bears Ears designation known as the Utah Public Lands Initiative.

Bishop criticized former Obama administration Interior Secretary Sally Jewell for what he saw as shifting responsibility for the monument designation to the White House.

"This time, the White House told the secretary of Interior to be involved with it. That's exactly what should be done," Bishop said.

But whether the Trump administration can rescind the Bears Ears monument without congressional action remains to be seen.

While the conservative Pacific Legal Foundation and the American Enterprise Institute have asserted the president has inherent powers to alter decisions made under the Antiquities Act of 1906, legal scholars elsewhere suggest commanders in chief are limited to designating monuments (E&E News PM, March 29).



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Although past presidents have reduced the size of monuments — notably the then-Mount Olympus National Monument and Grand Canyon II National Monument — those decisions were never challenged in court.

While Zinke is scheduled to spend another day focusing on Bears Ears before moving on to the Grand Staircase-Escalante monument near Kanab tomorrow, he acknowledged yesterday that he will not be visiting every monument facing a review.

"I've got 27 monuments, and not all the monuments, quite frankly, are controversial," he said.

'Holding pattern'

In the meantime, key decisions on management of the monument remain in limbo.

Bureau of Land Management Utah State Director Ed Roberson, who accompanied Zinke and other officials on a short hike to historic cliff dwellings near Butler Wash, said the agency has yet to recruit a Monument Advisory Committee needed to proceed with planning.

"We're in that holding pattern," he said.

Under the proclamation establishing the Bears Ears monument, both a Bears Ears Commission representing tribal leaders and a 12-member MAC will collaborate on the management plan.

While the Bears Ears Commission announced its members in March, membership of the MAC remains undecided. Moreover, the Interior Department issued a temporary freeze on its more than 200 advisory panels through at least September (Greenwire, May 5).

In the meantime, Roberson said BLM is proceeding with some decisions on the site, such as debating artwork to be featured on expected signage. Images could include the House on Fire ruin located in the monument.

[BACK](#)



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

42. **The Latest: Utah Rancher Tells Zinke Monument Unnecessary**

US News, May 9 | The Associated Press

MONTICELLO, UTAH - Fifth-generation Utah rancher Bruce Adams has enjoyed a prime seat next to U.S. Interior Secretary Ryan Zinke this week as he reviews a national monument created on lands that Adams' ancestors helped settle in 1879.

Adams, a county commissioner who opposes the monument, sat next to Zinke on a helicopter ride Monday and narrated the landscape of the Bears Ears National Monument. On Tuesday morning, Adams was scheduled to saddle up horses for Zinke's ride in the monument, one of 27 that President Donald Trump ordered Zinke to review to determine if they were properly established.

Adams gave Zinke a cowboy hat bearing the phrase "Make San Juan County Great Again" and delivered a clear message: The national monument designation is unnecessary and could hurt our ability to make a living off grazing and agriculture while taking away trust fund revenue for public schools.

"A monument is an overlay of protections that are already there. And so it becomes about control," Adams said. "Not only control of the land, but control of the people that are living there and trying to make a living on the land."

Echoing a common refrain from many locals in this southeastern corner of Utah, Adams said he and the locals cherish and take care of the vast expanse of tribal lands, canyons and plateaus where people hunt, fish and go camping. In Blanding, with a population of 3,400 people, banners are up around town that say "#RescindBearsEars."

"Let us just live our lives here in San Juan County," Adams said. "We're respectful people."

Zinke is getting an earful from locals and Utah's top Republican leaders who think President Barack Obama went too far in designating Bears Ears National Monument. They hope to persuade the administration to reverse the decision or at least downsize the 1.3 million acre (5,300 square kilometers) monument.

Supporters of the monument are making their voices heard, too, to let Zinke know that they worked behind the scenes for years to get protections from sacred tribal lands home to an



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

estimated 100,000 archaeological sites, including ancient cliff dwellings. Tribal members visit the area to perform ceremonies, collect herbs and wood for medicinal and spiritual purposes and do healing rituals.

They offer a counterpoint to Adams, suggesting the monument will help the economy by bringing more visitors who will spend money at hotels and restaurants. They point out that the monument designation still allows grazing, hiking, hunting and fishing.

Bears Ears supporters have greeted Zinke throughout his trip. After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears."

In Bears Ears on Monday, supporters stood with signs as he arrived to take a hike to an ancient ruin. One woman asked why he only met with tribal leaders for an hour. Zinke, who was shaking another supporter's hand, turned around to face the woman and said: "Be nice." The woman responded that she always is.

Zinke has insisted there is no predetermined outcome of his review, rooted in the belief of Trump and other critics that a law signed by President Theodore Roosevelt allowing presidents to declare monuments has been improperly used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Zinke said Monday that it's clear that sacred tribal lands in Bears Ears should be preserved, but openly questioned if a monument is the right way. He is due to make a recommendation about Bears Ears by June 10 and issue a final report on all monuments about 2½ months later.

Conservation groups contend that the monument review puts in limbo protections on areas across the country that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments — a move that would be unprecedented.

On Wednesday, Zinke is set to head west and visit the Grand Staircase-Escalante National Monument, created in 1996. It is the oldest monument on the list of those to be reviewed.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Zinke has said multiple times that he wants to hear from locals and from different points of view — including from Native Americans who may not be in lockstep with a coalition of five tribes that pushed for the monument.

"A lot of the anger that is out there in our country is that local communities and states just don't feel like they've had a voice," Zinke, a Montana Republican, said.

[BACK](#)

43. **Executive Order gives ranchers hope**

Livestock News, May 9 | Karin Schiley

The signing of a recent executive order by the president is giving ranchers hope that the administration is taking steps to reverse what some consider governmental land-grabs throughout history.

The Executive Order for a Review of Designation under the Antiquities Act of the Department of the Interior signed by President Trump on April 26 calls for the Department of Interior Secretary Ryan Zinke to review the monument designations made under the Antiquities Act by previous presidents.

"The Antiquities Act does not give the federal government unlimited power to lock up millions of acres of land and water, and it's time we ended this abusive practice," said President Trump at the signing.

"That's why today I am signing this order and directing Secretary Zinke to end the abuses and return control to the people—the people of Utah, the people of all of the states, the people of the United States," Trump further declared.

The Antiquities Act of 1906 grants the President of the United States the authority, through a presidential proclamation, to create national monuments on public lands. The executive order asks the Department of Interior to review monument designations made under the Antiquities Act since 1996 that include 100,000 acres or more. To date, more than 80 natural areas have been set aside as park or preservation lands, including nearly 137 million acres of public lands.

"The Antiquities Act was meant to preserve objects of antiquity—sites, objects, not thousands of acres of sagebrush grassland," said Dr. Angus McIntosh, the executive director of the Range



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Allotment Owner's Association. The association represents the 22,000 ranchers who graze on public land allotments, many of whom have been impacted when a monument designation restricted or cut off their grazing rights completely.

"The attempt to propose designations by these federal bureaucrats has excluded cattle from grazing allotments, closed roads and launched a full-out assault on private landowner rights," said McIntosh.

The National Cattlemen's Beef Association believes that this a good first step but that more legislation is needed for states to gain control over monument designations in the future.

In a press release, NCBA President Craig Uden said, "The Executive Order is an important first step to reining in past designations that were pushed through without local input. However, in order to bring the Act back to its original intent, Congress must act. Senator Murkowski's bill S. 33 Improved National Monument Designation Process Act would require Congressional approval of new designation, taking power away from the Administration and placing back into the hands of those most impacted."

Ethan Lane, Executive Director of the Public Lands Council agrees that the order is a measured first step in a political process that has been needed all along. "One of the most important aspects of this is that the president has asked Secretary Zinke to come back to him with congressional recommendations. What President Trump has said is 'Give me some ideas on how to fix it.'—that is incredibly refreshing."

While many of those impacted by previous monument designations may be hoping that the executive order means that those monument designations will be quickly rescinded, Lane says that the review process will take some time and patience along the way. Staffing issues, such as a new director of the BLM, must be addressed before the review process can begin.

Then, after each monument designation has been reviewed and reported back to the president, there is the legality regarding the complete rescinding of any monument designations is still under question.

"We believe that the monuments can be rescinded but there is some legal debate about that," said Lane. "Changing the boundaries of the monument designations may be simpler. You can still protect Bear's Ears with out taking a million acres around it."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

McIntosh believes the review needs to be taken a step further to include all prior landowner rights. "Most of these national monument designations have included up to almost 2 million acres of land without any consideration that there is private land included inside the boundaries of these designations," said McIntosh.

"There needs to be a review and report to congress on the prior rights that exist on these lands on why these designations should not be allowed to stand."

The news that rights are being put back into the hands of the states and the people residing in them gives western ranchers, who feel like they have been fighting a losing battle, hope that things can turn around in the future.

David Johnson, an Arizona rancher who has had his share of struggles dealing with the federal land management system, believes things may be finally turning in private landowners favor.

"We don't know what's going to happen but it does give us a little bit of hope," said Johnson. "The last years, we felt like we were doomed. They just kept designating more land and it felt like it was never going to change. This does give us a little hope."

Several years ago, Johnson lost his job when a federal park expansion cancelled the 200 head grazing permit of his employer. In more recent years, Johnson has watched federal land expansion swallow more and more land where he ranches in an area called the "Arizona strip."

While they do have hope for the future, the relationship between federal land employees and local private landowners has been strained for so long it will take a change in the attitude of the entire system to improve the existing climate.

"There is a difference between policing the land and managing the land. Federal employees have stopped people here and held them at gunpoint until they can get a law enforcement officer to write a ticket," said Johnson. It's left many with bitter taste that they have a hard time forgetting.

Still, the recent executive order is giving Johnson and other ranchers a reason to believe that their voices may finally be heard.

"The ones making the decisions are not from this area. None of us has had any say in what happens. Maybe things can start going in the other direction now."



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

[BACK](#)

44. **NATIONAL MONUMENTS: Bears Ears won't become a national park — Zinke**

E & E News, May 9 | Jennifer Yachnin

MONTICELLO, Utah — Interior Secretary Ryan Zinke today ruled out the possibility that he will recommend converting Bears Ears National Monument into a national park but said he remained open to all other options for the 1.35 million acres of public lands.

In a press conference at the Nature Conservancy's Dugout Ranch — which sits inside the monument's boundaries — Zinke said he would not endorse changing any or all of the Bears Ears site to a national park, something that would require congressional action.

"A national park has some distractors on it," Zinke said, although he did not offer specific details. "I don't think a national park is on the table."

According to the Congressional Research Service, about half of the existing national parks began as national monuments before being converted by Congress.

He added that he remains open to designations including a national conservation and recreation area.

"The rest of it is on the table. Right now, I'm still in the listening mode on it," Zinke said.

The former Montana House lawmaker is visiting southern Utah this week as he undertakes a review of dozens of national monuments, including a specific focus on Bears Ears, which was created by President Obama in his final weeks in office.

Zinke suggested yesterday that a national monument status might not be the "right vehicle" to protect the Bears Ears area and said he could recommend alternative statutes when he is due to submit an interim report to President Trump on June 10 (Greenwire, May 9).

Trump signed an executive order last month requiring the Interior Department to review all monuments created since 1996 that contain more than 100,000 acres of land, and to issue recommendations on whether those sites should be eliminated or reduced, or if there should be changes to their respective management plans.



BUREAU OF LAND MANAGEMENT

DAILY NEWS REPORT - UTAH

Utah Gov. Gary Herbert (R) and state legislators, as well as Utah's all-GOP congressional delegation, have been vocal opponents of the Bears Ears monument and have likewise targeted the Grand Staircase-Escalante National Monument, created by President Clinton, for revisions.

Zinke is set to tour Grand Staircase-Escalante tomorrow on the final day of his trip.

[BACK](#)