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NATIONAL MONUMENTS

Trump to slash Bears Ears, Grand Staircase — Hatch

*Jennifer Yachnin, E&E News reporter
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Bears Ears National Monument in southeastern Utah. Ellen M. Gilmer/E&E News

President Trump indicated to Utah lawmakers today that he plans to reduce the acreage of at least two national monuments and is expected to visit the Beehive State in early December.

Utah Sen. Orrin Hatch's (R) office today revealed that Trump said he will follow Interior Secretary Ryan Zinke's recommendations to significantly cut the size of both the 1.35-million-acre Bears Ears National Monument in southeast Utah and the 1.8-million-acre Grand Staircase-Escalante National Monument in southwest Utah.

"I'm approving the Bears Ears and Grand Staircase recommendation for you, Orrin," Trump said in a telephone call this morning, according to the Utah lawmaker's office.

Hatch has been a longtime critic of the Grand Staircase-Escalante monument established by President Clinton in 1996 as well as the Bears Ears monument created by President Obama in his final weeks in office.

"I was incredibly grateful the President called this morning to let us know that he is approving Secretary Zinke's recommendation on Bears Ears," Hatch said in a statement. "We believe in the importance of protecting these sacred antiquities, but Secretary Zinke and the Trump administration rolled up their sleeves to dig in, talk to locals, talk to local tribes, and find a better way to do it. We'll continue to work closely with them moving forward to ensure Utahns have a voice."

Trump, in response to urging from Hatch and other lawmakers, issued an executive order in late April mandating a review of any monument greater than 100,000 acres designated since 1996. The review included more than two dozen monuments designated by Trump's predecessors under the Antiquities Act of 1906, which allows presidents to set aside public lands with cultural, historic or scientific significance.

In a draft report leaked to the media last month, Zinke called for unspecified reductions to the two Utah sites, as well as four others: Cascade-Siskiyou National Monument in Oregon and California, Gold Butte National Monument in Nevada, Rose Atoll Marine National Monument, and Pacific Remote Islands Marine National Monument ([*Greenwire*](#), Sept. 18).

White House spokeswoman Sarah Huckabee Sanders today indicated that a final version of the report "will be coming out shortly" but declined to offer specifics about what reductions Trump will make to the Utah sites. Trump met with Zinke in a closed-door session at the White House this morning.

"The primary purpose for this meeting that has been on the schedule for several weeks was to discuss the secretary's monuments report," Sanders said. She noted that Trump also spoke with both Hatch and Utah Sen. Mike Lee (R), whose office confirmed the call but declined to provide details.

Sanders added that Trump plans to visit the Beehive State later this year, although it was not clear whether the White House would reveal its decision about specific monument changes before then.

"He will be going to Utah in the first part of early December, and we'll release more details at that point if not some before," she said.

An Interior spokeswoman characterized the meeting as "great" but did not offer further details following Sanders' remarks.

Legal battles, legislation on the horizon

If Trump opts to issue an executive order altering the size of any of the nation's existing monuments, it is expected to prompt a protracted legal battle over executive authority.

Although previous White House occupants have opted to reduce some sites — President Kennedy was the last president to do so when he modified the Bandelier National Monument in New Mexico — legal experts note that those decisions occurred before the enactment of the Federal Land Policy and Management Act of 1976 and suggest such changes are no longer allowable.

Environmental groups reiterated their vows today to challenge any attempt by Trump to rescind or reduce a monument in federal court, where a long legal battle is expected.

"Despite demands from millions of Americans, Native American tribes, elected officials across the nation, scientists and legal scholars, President Trump continues to move down a path that puts the future of America's treasured lands at risk," said Wilderness Society President Jamie Williams. "Any efforts to take away protections for America's lands and waters will be met by deep opposition and with the law on our side."

Center for Western Priorities Deputy Director Greg Zimmerman lamented that news of the reductions occurred on the 150th anniversary of conservationist icon President Teddy Roosevelt's birth, calling it "an unprecedented attack on Roosevelt's legacy."

"President Trump and his administration will stop at nothing to sell out America's parks and public lands. The president couldn't care less about the cultural history protected by Bears Ears National Monument, he simply sees more places to drill and mine," Zimmerman said. "This foolish attempt to erase protections for Bears Ears — or any other national monument — will meet immediate legal challenges, and it is destined to fail in court."

But conservative legal analysts and House Natural Resources Chairman Rob Bishop (R-Utah) argue that the Antiquities Act of 1906 gives a president the authority to create and eliminate monuments.

Bishop is currently traveling as he reviews hurricane damage with victims of recent storms in Florida, Puerto Rico and the Virginia Islands, but his office praised the news in a statement.

"Regarding the Bear Ears National Monument, the Chairman is working on legislation that will protect the antiquities in the Bears Ears region, ensure that local voices are heard, and bring some finality to this issue once and for all," said Bishop's personal spokesman, Lee Lonsberry.

Bishop has said he plans to introduce legislation that would provide for co-management of the Bears Ears site with Native American tribes. The Natural Resources panel separately approved a bill earlier this month that would overhaul the Antiques Act by implementing strict limits on the size of new monuments and require hurdles such as National Environmental Policy Act reviews for larger sites (*E&E Daily*, Oct. 12).

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