

**To:** Downey Magallanes[downey\_magallanes@ios.doi.gov]  
**From:** Tanner, John (Hatch)  
**Sent:** 2017-03-29T09:45:17-04:00  
**Importance:** Normal  
**Subject:** FW: CRS Follow-Up on National Monument Request  
**Received:** 2017-03-29T09:46:50-04:00  
[AZ Gov Hull - news articles.PDF](#)  
[ATT00001.htm](#)  
[Canyons of the Ancients.pdf](#)  
[ATT00002.htm](#)  
[Upper Missouri River Breaks.pdf](#)  
[ATT00003.htm](#)  
[Grand Staircase-Escalante - 1.pdf](#)  
[ATT00004.htm](#)  
[Grand Staircase-Escalante - 2.pdf](#)  
[ATT00005.htm](#)

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**From:** Ed Cox <[Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)>  
**Date:** Tuesday, March 28, 2017 at 7:41 PM  
**To:** John Tanner <[John\\_Tanner@hatch.senate.gov](mailto:John_Tanner@hatch.senate.gov)>  
**Subject:** Fwd: CRS Follow-Up on National Monument Request

Sent from my iPhone

Begin forwarded message:

**From:** "Hanson, Laura" <[LHANSON@crs.loc.gov](mailto:LHANSON@crs.loc.gov)>  
**Date:** March 28, 2017 at 6:12:19 PM EDT  
**To:** "'ed\_cox@hatch.senate.gov'" <[ed\\_cox@hatch.senate.gov](mailto:ed_cox@hatch.senate.gov)>  
**Cc:** "Hardy-Vincent, Carol" <[CHVINCENT@crs.loc.gov](mailto:CHVINCENT@crs.loc.gov)>, "Gomez, Lena" <[LAGOMEZ@crs.loc.gov](mailto:LAGOMEZ@crs.loc.gov)>  
**Subject:** FW: CRS Follow-Up on National Monument Request

Hi Ed,

This email responds to your request for statements made by governors about national monument designations with areas over 100k acres. Please see the table below and the accompanying attachments for the statements that we were able to identify. We searched subscription news databases, including Nexis and Factiva, as well as state and general websites.

Note that we couldn't find a statement for every monument designation. For those statements that we did identify, some statements appear to support the designation, while others appear to oppose the designation. We didn't identify any statements by CA governors on designations, but did find some statements made by the CA Secretary of Natural Resources. Some of the attached PDFs include more than one monument (relevant portions have been highlighted).

				AK - Palin, Sarah (Dec 4, 2006-Jul 26, 2009) CA - Schwarzenegger, Arnold (Nov 17, 2003-Jan 3, 2011)	
Montana	Upper Missouri River Breaks	01/17/2001	377,346	Martz, Judy (Jan 1, 2001-Jan 3, 2005)	See attached PDF.
Nevada	Basin and Range	07/10/2015	704,000	Sandoval, Brian (Jan 3, 2011-)	<a href="#">Governor statement on Basin and Range</a> <a href="#">Governor</a>
	Gold Butte	12/28/2016	296,937		
New Mexico	Organ Mountains-Desert Peaks	05/21/2014	496,330	Martinez, Susana (Jan 1, 2011-)	<a href="#">News article: Governor did not respond to request for comment on OMDP; No Rio Grande del Norte statements identified.</a>
	Rio Grande del Norte	03/25/2013	242,555		
Utah	Grand Staircase-Escalante	09/18/1996	1,700,000	Leavitt, Mike (Jan 4, 1993-Nov 5, 2003)	<a href="#">Governor statement on Bears Ears</a>
	Bears Ears	12/28/2016	1,350,000	Herbert, Gary (Aug 11, 2009-)	
Washington	Hanford Reach	06/09/2000	195,000	Locke, Gary (Jan 15, 1997-Jan 12, 2005)	<a href="#">News article: Governor position on Hanford Reach.</a>

Please let us know if you have any questions or if you need further assistance.

Thanks,  
Laura

**Laura Hanson**  
Senior Research Librarian  
Congressional Research Service  
Library of Congress  
(202) 707-7072 | [lhanson@crs.loc.gov](mailto:lhanson@crs.loc.gov)

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**From:** Cox, Ed (Hatch) [[mailto:Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)]  
**Sent:** Tuesday, March 28, 2017 9:28 AM  
**To:** Hardy Vincent, Carol  
**Cc:** Mages, Lisa  
**Subject:** Re: CRS Follow Up on National Monument Request

Over 100k acres is just fine. Keep me posted! I think this is a great plan.

---

**From:** Carol Hardy-Vincent <[CHVINCENT@crs.loc.gov](mailto:CHVINCENT@crs.loc.gov)>  
**Date:** Monday, March 27, 2017 at 7:50 PM  
**To:** "Cox, Ed (Hatch)" <[Ed\\_Cox@hatch.senate.gov](mailto:Ed_Cox@hatch.senate.gov)>  
**Cc:** "Mages, Lisa" <[LMAGES@crs.loc.gov](mailto:LMAGES@crs.loc.gov)>  
**Subject:** CRS Follow-Up on National Monument Request

Hello Ed. This email is a follow-up to our phone conversation this morning on your request for information on state support of presidentially proclaimed national monuments since 1995. It conveys additional information on the CRS approach to researching this question, following consultation with CRS colleagues. First, we are researching post-1995 monuments that exceed 100,000 acres, a size larger than we discussed (10,000 acres). The larger size was chosen to reduce the number of eligible monuments in the interest of expediting this research. We have identified 20 monuments in excess of 100,000 acres, listed below by state. Second, this list excludes marine national monuments, as generally not affiliated with a particular state. Third, we are seeking expressions of support/opposition by state governors at the time of monument designation, and in a short period thereafter. We may undertake research on support/opposition by state legislatures if possible under your deadline. You had stated a preference for information by COB today, but we were not able to complete the research by this deadline. This is because the information is not aggregated in one place, thus requiring 19 separate searches. You had also stated that it would

nevertheless be helpful to receive information by COB Tuesday, and we are endeavoring to provide information by that time. In the meantime, please do not hesitate to let us know if you have questions. I am copying Lisa Mages, manager of the librarian section that is conducting the research to respond to your question.

Arizona

Grand Canyon-Parashant; 01/11/2000; 1,014,000 acres

Ironwood Forest; 06/09/2000; 128,917 acres

Sonoran Desert; 01/17/2001; 486,149 acres

Vermilion Cliffs; 11/09/2000; 293,000 acres

California

Berryessa Snow Mountain; 07/10/2015; 330,780 acres

Carrizo Plain; 01/17/2001; 204,107 acres

Giant Sequoia; 04/15,2000; 327,769 acres

Mojave Trails; 02/12/2016; 1,600,000 acres

San Gabriel Mountains; 10/10/2014; 346,177 acres

Sand to Snow; 02/12/2016; 154,000 acres

Colorado

Canyons of the Ancients; 06/09/2000; 164,000 acres

Hawaii (also Alaska and California)

World War II Valor in the Pacific; 12/05/2008; 4,038,400 acres

Montana

Upper Missouri River Breaks; 01/17/2001; 377,346 acres

Nevada

Basin and Range; 07/10/2015; 704,000 acres

Gold Butte; 12/28/2016; 296,937 acres

New Mexico

Oregon Mountains-Desert Peaks; 05/21/2014; 496,330 acres

Rio Grande del Norte; 03/25/2013; 242,555 acres

Utah

Grand Staircase-Escalante; 09/18/1996; 1,700,000 acres

Bears Ears; 12/28/2016; 1,350,000 acres

Washington

Hanford Reach; 06/09/2000; 195,000 acres

With Best Regards,

Carol Hardy Vincent

Congressional Research Service

7-8651

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5 of 6 DOCUMENTS

Congressional Quarterly Daily Monitor

January 7, 2000

## GOP TELLS CLINTON TO BUTTE OUT OF NATIONAL MONUMENTS

**BYLINE:** Mary Dalrymple, CQ Staff Writer

**LENGTH:** 639 words

Amid expectations that President Clinton will establish three new national monuments and expand one during a visit to the Grand Canyon on Tuesday, Arizona Republicans have already begun to express their irritation.

"They have not even told us what the areas are, what the boundaries are, what the limits will be. It's basically a decree," said Sen. Jon Kyl, R-Ariz.

Interior Secretary Bruce Babbitt recommended last month that Clinton establish two new monuments in Arizona -- a million-acre Grand Canyon Parashant National Monument north of Grand Canyon National Park to protect remote canyons and buttes; and a 71,000-acre Agua Fria National Monument to protect prehistoric American Indian ruins.

In addition, Babbitt proposed a new California Coastal National Monument, incorporating thousands of small islands, rocks and reefs that serve as a wildlife habitat, and expanding the Pinnacles National Monument south of San Jose by 8,000 acres. The federal government already owns the land that would be protected, but the new designation would block mining, grazing, hunting and commercial development.

Arizona Republicans objected to the creation of new national monuments, saying the Clinton administration should work with state officials and local citizens to carve out new protected lands.

"There have not been public hearings," Kyl said. "There have been a couple of meetings where there was no transcript, with an informal exchange of ideas."

The expected announcement also faces opposition from Arizona's Republican governor, Jane Dee Hull.

"The governor does not like it when Washington dictates to the state of Arizona," said spokeswoman Fancie Noyes.

In particular, the governor and lawmakers prefer using legislation to protect land north of the Grand Canyon. Sens. Kyl and John McCain, R-Ariz., have drawn up a bill (S 1560) that would set aside 380,000 acres of land in a proposed Shivwits Plateau National Conservation Area, considerably less than Babbitt's proposed million-acre park.

On Friday, the state's Republican congressional delegation and Hull sent Clinton a letter asking him to forgo the declaration.

"Once again, we are writing to ask you to refrain from this unilateral action and instead work with us to develop a solution reflecting the wishes of the people of Arizona," they wrote.

Other Republicans suggested that the declaration could be timed to boost Vice President Al Gore's presidential candidacy.

"These lands are our sacred trust and should not be used for election-year politicking or personal legacies," said Utah Republican James V. Hansen, chairman of the House Resources Subcommittee on National Parks and Public Lands.

The president has the power to designate new national monuments under the 1906 Antiquities Act. Clinton provoked Western Republicans after he used the law to create the 1.7 million-acre Grand Staircase-Escalante National Monument in southern Utah in 1996.

In response, Hansen authored legislation that would amend the 1906 law to require the federal government to consult with local officials and hold public hearings before establishing new monuments.

GOP TELLS CLINTON TO BUTTE OUT OF NATIONAL MONUMENTS Congressional Quarterly Daily  
Monitor January 7, 2000

The House passed the bill (HR 1487) in September, and the Senate Energy and Natural Resources Committee approved it in October but has not yet reported it to the Senate.

After Babbitt's December recommendations to establish more national monuments, panel chairman Frank H. Murkowski, R-Alaska, said he would revisit the issue as soon as Congress reconvened. He suggested the committee might add new provisions to the bill requiring the federal government to draft environmental impact statements for all proposed new monuments.

Source: CQ Daily Monitor

Round-the-clock coverage of news from Capitol Hill.

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**LOAD-DATE:** April 15, 2002

**LANGUAGE:** ENGLISH

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### Congressional Quarterly Daily Monitor

December 14, 1999

## WESTERN LAWMAKERS WARY OF CLINTON PLAN ON MONUMENTS

**BYLINE:** Suzanne Dougherty, CQ Staff Writer

**LENGTH:** 601 words

With President Clinton's announcement Tuesday that three new national monuments could be designated within the next year, Western Republicans are on the warpath.

Heading the charge is the congressional delegation from Arizona, which would be home to two of the new monuments. A spokeswoman for Republican Bob Stump, who represents the district where the monuments would be located, said the delegation is writing the president to urge him to hold off on the designations.

"Artificial time constraints do not make good policy. There are no urgent threats to the area that we can't take the time to go through a public comment period and spend the necessary time to work with people who have an interest in the areas," said Lisa Atkins, Stump's chief of staff.

Recommendations submitted to President Clinton by Interior Secretary Bruce Babbitt would create national monuments in Arizona and California, and expand another in California. Clinton indicated in a speech on Tuesday that he will probably act on the recommendations within a year.

Babbitt proposed designating 1 million acres along the north rim of the Grand Canyon as the Grand Canyon-Parashant National Monument; 71,100 acres of federal land north of Phoenix as the Agua Fria National Monument; thousands of small federally owned islands, reefs and rocks along the California Coast as the Coastal National Monument; and adding 8,000 acres to the Pinnacles National Monument near San Jose, Calif.

Arizona Gov. Jane Dee Hull, R, is displeased with the recommendations of Babbitt, a former Arizona governor. While some of the parcels fit the federal government's criteria for land preservation, a governor's spokesman said other areas are not threatened.

"The governor believes that the federal government is coming in and running roughshod over the process without any input from the public," said Scott Celley, the governor's assistant.

Clinton has come under fire for his use of the powers granted to him under the little-used 1906 Antiquities Act. The law allows the president to unilaterally set aside threatened federal lands as national monuments.

Critics say the monument designation has become a political tool with little accountability, citing Clinton's September 1996 designation of 1.8 million acres in southern Utah as the Grand Staircase-Escalante National Monument.

Environmental groups praised the possible designations and urged the administration to do more to protect the environment. "Bravo to the administration for making some national monuments, but that is not going to take away from the fact that they have not addressed some of the major environmental problems we are facing today," said Mark Whiteis-Helm, a spokesman for Friends of the Earth.

Legislation that would allow more public participation in monument designations has strong support from Western lawmakers. One measure (HR 1487) introduced by Utah Republican James V. Hansen was passed by the House in September and approved by the Senate Energy and Natural Resources Committee on Oct. 20.

In light of the president's announcement Tuesday, however, Senate Energy Chairman Frank H. Murkowski, R-Alaska, indicated that he would take another look at the legislation before reporting it out of the committee. "Early in the next session, the



WESTERN LAWMAKERS WARY OF CLINTON PLAN ON MONUMENTS Congressional Quarterly Daily  
Monitor December 14, 1999

committee will probably take the bill up again in an effort to strengthen the provisions," said Tina Kreisher, the committee's press secretary.

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**LOAD-DATE:** April 15, 2002

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Round-the-clock coverage of news from Capitol Hill.

**LANGUAGE:** ENGLISH

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**DOW JONES**

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# Deseret News

## GOVERNOR SAYS UTAH WON'T SUE OVER MONUMENT

By Lucinda Dillon, Staff Writer

749 words

25 October 1996

Deseret News

DN

A1

English

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Utah will not sue the federal government over President Clinton's designation of the Grand Staircase-Escalante National Monument, Gov. Mike Leavitt said Thursday at his monthly press conference.

Leavitt used the taped KUED event to reinforce his outlook for Utah's wilderness and to tell how he expects to pay for an enormous transportation project that will take place during the next several years.

State highway improvements scheduled in the next decade will cost more than \$3.5 billion, and gasoline taxes must increase by 1 cent per gallon each year during the next 10 years to help pay the bill, Leavitt said.

The state has 20 years of road and highway improvements ahead, and people are going to disagree over how to pay the costs.

"Is this going to be without pain legislatively? No. Will we get it done? Yes," he said. The \$3.5 billion price tag is much more than the roughly \$2 billion figure Leavitt has used in recent months.

Gas-tax hikes will provide \$500 million toward the project during the next 10 years. Utahns now pay a 19-cent tax on each gallon of gas they buy.

Although Leavitt said he endorses a long-term approach in which gas-tax increases are aligned with inflation, some lawmakers don't want to phase-in the gas tax over several years. There may be a move to implement it all at once when lawmakers convene in January, he said.

As he outlined sources of the \$3.5 billion, Leavitt defended accusations by Democratic gubernatorial opponent Jim Bradley and other candidates who say he's done little to plan for or deal with the insufficient infrastructure along the Wasatch Front.

A billboard purchased by the Utah Democratic Party alongside I-15 about 3900 South tells southbound drivers their traffic jam is brought to them by 20 years of Republican leadership.

But Leavitt points out that lawmakers last year set aside nearly \$100 million in general-fund cash - on top of normal highway funding. Similar amounts are built into the base of future budgets for the next 10 years.

"That money, about \$1 billion over the course of 10 years, will be added to another \$1 billion already dedicated to transportation needs over the next 10 years. Much of that money comes from the federal government.

The remainder of the money comes from the gasoline tax, \$500 million in anticipated additional federal money, \$300 million to \$500 million culled from reduced administration and waste and roughly \$500 million in bonds.

But Leavitt acknowledges that none of the \$1 billion in resources is guaranteed. "I'm probably being optimistic about the amount of new federal money," he said.

Federal funds will make up a substantially lower amount than previously believed. "It's a new world," Leavitt said. The federal funds just aren't available.

Leavitt said his "Growth Summit" last December helped lay groundwork for deliberations about transportation projects. For example, all parties were able to agree on changes that allowed a nine-year transportation plan to be streamlined to 4 1/2 years, he said.

He hopes the same kind of cooperation can be applied to the wilderness issue.

The process by which President Clinton dedicated 1.7 million acres to the monument was inadequate and political, Leavitt told reporters. ``But it's time to turn our attention away from what happened in the past and toward what happens in the future."

Instead, Leavitt wants Utah to help create a vision for the monument. ``This is not entirely negative," he told reporters.

Those who govern Utah's land - county officials, residents, environmentalists and state leaders - all must come together to decide which parts and how much of the state's land will stay wild.

Leavitt supports a mixed use for the monument: some protected wilderness, where visitors stations and roads aren't allowed; some traditional national monument areas and some land designated for multiple use.

During the news conference, he also hammered a plan by Interior Secretary Bruce Babbitt to reinventory Utah's lands. Officials say the reinventory is based on a new criteria for what constitutes wilderness, which doesn't conform to existing federal law. The criteria only applies to Utah lands.

It is ``illogical" that Babbitt is using special criteria for Utah, he said. ``There is a disturbing pattern of executive branch using unique means of distributing power in Utah," he said.

Document dn00000020011014dsap00pp3

# Deseret News

## LEAVITT HOPES GOOD WILL EMERGE FROM BAD MONUMENT DEAL

By Jerry Spangler, Staff Writer

738 words

27 September 1996

Deseret News

DN

B3

English

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In a twist on the adage, "when life gives you lemons, make lemonade," Gov. Mike Leavitt is hoping something positive will come from the truckload of political lemons dumped on the state by President Bill Clinton's designation of the 1.7 million-acre GrandStaircase-Escalante National Monument.

"My desire now is to try and asses the impact of what has occurred and then find ways to make the very best possible outcome from this," Leavitt said Thursday during his monthly KUED news conference. "We now need to take what's been dealt us and do the best we can to turn to the future."

Leavitt confirmed that Clinton specifically promised him that state and local governments would have a meaningful role in the development of management plans for the new monument. If that participation is, in fact, meaningful then the state would even be willing to contribute resources to the management plan, which is expected to take three years to complete.

The governor downplayed the possibility of a lawsuit against the federal government over the national monument designation, saying the state should "evaluate for awhile" the potential impacts of the designation.

That does not preclude the possibility of a lawsuit, he said, adding he first wants to meet with legislative leaders and school trust lands officials about the prospects.

The governor's comments came eight days after Clinton used the Grand Canyon as a backdrop for the Grand Staircase-Escalante National Monument announcement. The move was seen by Western states leaders as election-year pandering to environmental interests and a political swipe at conservative lawmakers who have attempted to stymie Secretary of the Interior Bruce Babbitt's conservation agenda.

The move was also targeted at stopping the development of a coal mine in the Kaiparowits Plateau, a region considered to hold the nation's largest untapped coal reserves.

The national monument designation does not categorically exclude coal mining. But it does impose a more rigorous standard by which that development could occur. "It is clear where the administration is headed," Leavitt said.

Leavitt flew to Washington, D.C., the day before the announcement to convince Clinton's staff that the state was also interested in protecting the region, but there were other ways to protect the Kaiparowits from unwanted development. The "sad part," he said, is that "everyone could have come out feeling a lot better" about the monument designation.

But Leavitt said it was clear within the first 10 or 15 minutes that the decision to designate the monument had already been made without comment or discussions with Utah officials.

"I've made a lot of statements and I think strong statements about how wrong I think it was for the president to proceed the way he did. He got his photo-op, but we are left with decades of policy to untangle."

The issue now is whether Clinton will fulfill his promise that school trust lands will be traded for other lands or resources. The monument designation effectively isolates approximately 200,000 acres of trust lands, which were given to the state at the time of statehood for the support of public schools. The state has another 200,000 acres of trust lands isolated inside other national parks, national forests and Indian reservations.

Leavitt acknowledged there was a lot of political symbolism in how Clinton designated the monument, including the fact the president made the announcement in Arizona, the fact that Utah officials were not invited and the fact Clinton consulted with Colorado Gov. Roy Romer but not with Leavitt. It is obvious, he added, that all of Utah's elected officials have little influence with the White House.

Leavitt used the press conference to reiterate his endorsement of Republican attorney general candidate Scott Burns, who is challenging Democratic incumbent Jan Graham. Burns has made it an issue that if he is elected he would sue the federal government over the national monument designation.

On the issue of transportation, Leavitt said Utah motorists should see a slight gasoline tax increase to help fund the renovation of I-15. That increase, which Leavitt prefers to refer to as "indexing for inflation," would amount to less than a penny per gallon to begin with.

That tax increase has been part of the governor's transportation finance package all along, he said.

Document dn00000020011014ds9r00kga

## Dow Jones Newswires

### Utah Gov. Considers Legal Challenge To National Monument

307 words

27 September 1996

07:31

Capital Markets Report

CM

English

(Copyright (c) 1996, Dow Jones & Company, Inc.)

SALT LAKE CITY (Dow Jones)--Utah Gov. Mike Leavitt isn't ruling out a legal challenge to President Clinton's creation of a new national monument in the southern part of the state.

"We now need to take what's been dealt us and do the best we can to turn to the future," Leavitt said on Thursday at his monthly KUED-TV news conference. "That doesn't preclude us from challenging parts of this action based on what I think to be the misuse of executive power."

Leavitt was referring to Clinton's use of the 90-year-old Antiquities Act to declare the monument without congressional approval. The president designated the 1.7-million-acre Grand Staircase-Escalante National Monument last week during a campaign stop at the Grand Canyon.

The election-year move effectively blocks development of part of America's largest known coal reserve by Dutch-based Andalex Resources, Inc. And it forces the state to trade out 200,000 acres of trust lands that could have earned coal royalties for public schools.

In the next few weeks, Leavitt plans to talk to legislative leaders, school trust lands officials, southern Utah communities and the U.S. Interior Department before making a decision on any legal action.

"My desire now is to try and assess the impact of what has occurred and then to find ways to make the very best possible outcome from this."

Right now, Leavitt said, it is impossible to know what effect the designation will have, including whether Andalex will be allowed to mine the area or what kind of return Utah schools will get for their lands.

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Nation-World

**MAKING OF A MONUMENT; The Present; What Led to Clinton's Grand Staircase Decision?; Monument Decision Tied To Insiders**

JIM WOOLF THE SALT LAKE TRIBUNE

973 words

22 September 1996

The Salt Lake Tribune

SLTR

A1

English

(Copyright 1996)

Utah Gov. Mike Leavitt claims national environmental groups were behind President Clinton's decision to create the 1.7 million-acre Grand Staircase-Escalante National Monument.

"This was packaged outside of government and taken to the White House. I know that to be true," says the governor. "It was confirmed to me by several people as we went through this process at the White House."

But Western environmental leaders deny any involvement in the monument deliberations, and there is strong evidence the idea came directly from the White House's Council on Environmental Quality (CEQ) -- Clinton's inner circle of environmental advisers.

Tom Jensen, CEQ's associate director for natural resources, is intimately familiar with the Escalante area and the battle over the Kaiparowits Plateau's coal. Before working for Clinton, Jensen was a well-known environmental attorney who worked as a senior Senate staffer on natural-resources issues and served as executive director of the Flagstaff, Ariz.-based Grand Canyon Trust. The trust's area of interest is the Colorado Plateau.

And CEQ Director Kathleen McGinty visited Utah about two years ago to hike the Kaiparowits and see firsthand some of the areas that wilderness advocates want included in their 5.7 million-acre proposal. She has been involved in behind-the-scenes discussions on the wilderness issue.

Jensen and McGinty "have asked us at various points about a national monument," said Mike Matz, executive director of the Southern Utah Wilderness Alliance (SUWA).

But he said SUWA has been focused on the wilderness debate and did not know the administration was giving serious consideration to the monument idea until The Washington Post ran a story Sept. 7 saying Clinton was preparing to create it.

SUWA never was consulted on the size or management of the monument, Matz said.

"They have done a stupendous job," said Matz of McGinty's and Jensen's efforts to persuade Clinton to create the monument.

All calls to McGinty and Jensen were referred to a CEQ spokesman who said the monument was a Clinton administration initiative and it would be wrong to focus on one or two individuals.

Another probable advocate for the monument within the administration was Harold Ickes, Clinton's deputy chief of staff. Ickes' father, also named Harold, was President Franklin D. Roosevelt's interior secretary in 1936 when he advocated the creation of a 4.5 million-acre Escalante National Monument.

Much of the land Ickes wanted to protect in the 1930s already has been incorporated into Canyonlands and Capitol Reef national parks and Glen Canyon National Recreation Area. But the core of Ickes' vision -- the Escalante River canyon -- had no special protection until this week.

"I'm sorry he never got a chance to see his dream become a reality, but I'm very glad that his son and namesake is my deputy chief of staff and is here today," Clinton said proudly at a Grand Canyon ceremony Wednesday before creating the monument.

An administration source, who asked not to be identified, said "it was at least a couple of months ago" when Clinton first asked for a "legal and scientific analysis of a monument option."



It was just an information request at the time, and staffers did not know whether the president would follow through on the idea.

The Interior Department prepared the requested analysis, but nothing happened while the campaign staff was preoccupied with such things as the Democratic National Convention and Clinton's train trip through the Midwest. Then, suddenly, the president showed a renewed interest in the idea, said the source.

Tom Robinson, director of conservation policy for the Grand Canyon Trust, said he heard that campaign officials included the monument idea in opinion polls and found it was "one of the most popular things the administration could do."

Robinson stressed that his group was not consulted about the monument proposal and had heard only rumors about it before the story in The Post. "It was definitely not our initiative," he said.

Sen. Bob Bennett, R-Utah, offered this analysis of the president's decision-making process during a recent news conference:

"I've had folks within the administration tell me that the primary drive behind doing this came from Dick Morris, who looked at his polls and said you need to shore up your environmental credentials. What better way to do it than to create a splashy new national monument or national park? And then they told the Interior Department to come up with something we can create. . . . I think the decision was made months ago."

Morris is the former Clinton campaign adviser who resigned when a tabloid published reports of his long-term relationship with a prostitute.

But the administration source put a different spin on Clinton's decision.

He said the president was tired of simply blocking the "anti-environmental" initiatives coming out of the Republican-dominated Congress and wanted to advance his own policy objectives. Creation of the monument allowed him to make progress toward a long-term goal of protecting more public land in southern Utah.

Greg Gibson/The Associated Press Utah Rep. Jim Hansen contends 14 trees were cut down for this photo, but Grand Canyon National Park employees deny it. See story on Page C-1. Al Hartmann/The Salt Lake Tribune Western writers fear a backlash from the creation of the Grand Staircase-Escalante National Monument, and Gov. Mike Leavitt urged miners to "turn to the future" as mining opponents celebrated in southern Utah. See stories on C-1 and C-2. Jump pg A13: Al Hartmann/The Salt Lake Tribune Clinton's contentious national monument includes southern Utah's Escalante River Canyon.

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NEWS

**Utah officials up in arms about the new monument**

547 words

21 September 1996

The Arizona Daily Star

TUCS

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English

(Copyright 1996)

Associated Press

SALT LAKE CITY (AP) - From senators and congressmen to a state attorney general candidate, foes of a 1.7 million-acre southern Utah national monument are gathering their forces.

Meantime, Conoco Inc. issued a statement late yesterday calling on the White House to work with the company to "develop a plan where prudent oil and gas development of the area can coexist with . . . environmental protection and preservation ideals."

In a statement issued from Midland, Texas, by Bob Ireland, regional manager for exploration and development, Conoco estimated up to 5 billion or more barrels of untapped oil could be in the monument area, already known for its huge coal reserves.

Conoco, in partnership with Rangeland Petroleum, is involved in exploratory leasing and drilling in and near the designated monument site, Ireland said.

At a news conference earlier yesterday, Republican Utah Attorney General candidate Scott Burns said if elected, he would go to court to fight creation of the new Grand Staircase-Escalante National Monument.

President Clinton invoked his authority under the federal Antiquities Act in making the monument declaration Wednesday, but Burns believes there's room in the statute to challenge the decision.

"It is my belief that the Antiquities Act can be interpreted to require the smallest amount of land compatible with other interests, and 1.7 million acres is the biggest land grab in the lower 48 states," he said.

Sens. Orrin Hatch and Bob Bennett, R-Utah, supported Burns' call for a lawsuit. The two lawmakers also co-chair Burns' campaign to unseat Democratic Utah Attorney General Jan Graham.

Hatch has said he feels Clinton may have violated environmental laws passed in the 1970s by not obtaining more public comment and studies before acting.

Hatch and Bennett said numerous options for legislation are also under review in the Senate to ensure, as Hatch said, "that the Antiquities Act is not abused again."

Thursday, Rep. Jim Hansen, R-Utah, introduced a bill seeking to ensure that any future monuments would be no larger than 5,000 acres. Congress is not expected to act on it before adjournment, but Hansen said he would reintroduce it next year.

Locally, political candidates were nudging Graham toward a lawsuit.

In a letter to Graham, Rep. Grant Protzman, D-North Ogden, said Clinton's designation of the monument was a "terrible manifestation of unrighteous dominion on the part of the federal government."

He wants Graham to see if the state or school officials can sue to recover lost trust lands revenue.

In a statement Thursday, Gov. Michael O. Leavitt said the president had the legal power to designate the monument but now is obligated to have meaningful talks with Utahns as he carries out the plan.

Protzman said it may be a long shot to sue, "but I think it has better potential than letting the federal government fix this out of the goodness of their hearts."

Only once, in 1944, has Congress tried to rescind a presidential proclamation, after Franklin Roosevelt declared Wyoming's Grand Teton Mountains a national monument.

Roosevelt vetoed the congressional action. In 1950, Congress authorized Grand Teton as a national park but forbade any future president to name any more national monuments in Wyoming.

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Nation-World

**Taking Swipes at Clinton, Utahns Vow to Fight Back**

LAURIE SULLIVAN MADDOX THE SALT LAKE TRIBUNE

1,246 words

19 September 1996

The Salt Lake Tribune

SLTR

A5

English

(Copyright 1996)

President Clinton's establishment of the Grand Staircase-Escalante National Monument in southern Utah was met with blistering denunciations from the state's governor and congressional representatives.

"In all my 20 years in the U.S. Senate, I have never seen a clearer example of the arrogance of federal power," GOP Sen. Orrin Hatch fumed at a delegation news conference held just after the president's announcement Wednesday.

"Indeed, this is the mother of all land grabs."

Democratic Rep. Bill Orton, walking a tightrope between comradeship with his Democratic president and the concerns of constituents, called the action a "monumental blunder -- pun intended."

Government figures from other Western states joined the Utahns in a show of support. Sen. Conrad Burns, R-Mont., described Clinton's designation as the act of a "tyrant," while Sen. Larry Craig, R-Idaho, labeled it a "phenomenal misuse of power."

The solidarity was not accidental, Hatch said, since other states with public-land issues to be settled now may find themselves affected by a unilateral decision that bypasses the public debate required by federal laws such as the National Environmental Policy Act.

"What should be made clear to everyone in a state with public land is that if they can do this to Utah, they can do it to you," Hatch warned.

As the rebukes flew, the Utah politicians also were looking for ways to undo the executive order creating the largest monument in the lower 48 states.

There was uncertainty about whether Congress has the authority to rescind Clinton's directive, which was made under the 1906 Antiquities Act.

Some congressional offices said lawmakers could not revoke the executive order, although a future president could. But Hatch said since it was Congress that established the law giving the president the power, it also could take away that power. The option will be studied further, Hatch said.

Otherwise, the delegation was discussing three more likely possibilities: a lawsuit filed by Kane and Garfield counties challenging the way the decision was made; congressional action to cut off Interior Department funding for the monument; and legislation that would narrow the sweep of the Antiquities Act.

Orton said he anticipated all three responses -- sooner than later.

Indeed, Craig intended to file legislation today that would "prevent President Clinton and {Interior Secretary} Bruce Babbitt from doing to Idaho and other states what it did to Utah. No more midnight land grabs."

The bill would require that the public and Congress be involved and give approval before such an administrative act could take effect, Craig said.

Rep. Jim Hansen, R-Utah -- who would handle companion legislation in the House as head of the House Subcommittee on National Parks, Forests and Lands -- is looking at ways to circumvent the president using the appropriations process.

In Democratic circles, Clinton's move was seen as a shrewd way to bolster his environmental standing and give the nation a warm fuzzy while taking heat from a small state that probably will not vote for him anyway.

From other vantage points, it was characterized as a blatant political ploy carried out on a beautiful stage: the sweeping panorama of the Grand Canyon with orchestra music playing in the background.

Some also saw it as ruthless.

Talk among the Utah delegation was that administration officials had acknowledged the move may cost Democrats their only House seat in the state -- Orton's -- but that they considered him expendable.

Orton acknowledged that the administration did him no favors by keeping him in the dark -- along with the rest of the state -- until just a week ago.

But he said the president phoned him at 1:45 a.m. Wednesday to consult on the matter and that seven important concerns were brainstormed by the two.

As outlined in Clinton's speech, those included:

- The president's commitment that the Bureau of Land Management, rather than the National Park Service, will manage the monument.
- Hunting, fishing, hiking, camping and grazing will continue.
- The federal government will not pre-empt or reserve water rights.
- Monument boundaries will exclude all developed areas, state-park lands and timber and forest lands.
- School-trust lands contained within the boundaries would be swapped for holdings of comparable value, or the government will compensate the difference.
- Communities in the area would not be frozen out of the decision-making. A three-year process of public hearings was announced to develop a management plan.
- Coal leases for the Kaiparowits would not be terminated and the environmental-impact statement for the Andalex Resources mine would continue -- although Clinton expressed his personal desire that Andalex trade the leases.

Given those concessions, Orton said, the president is left with a "hollow monument" motivated purely by political considerations.

Asked if he trusted the president to honor the commitments, Orton replied, "What choice do I have?"

"He's the president. He has the statutory authority to do this. I can either try to work with him and make my constituents' interests known and ensure that my constituents are involved, or I can just get mad and pick up my marbles and go home and yell at him. I don't think that resolves the problem."

For Orton and the rest of the delegation, the hardest aspects to swallow were the school-trust-lands issue and the shadowy move to terminate the coal mine.

GOP Sen. Bob Bennett griped that the designation will lock up the nation's largest reserve of clean, environmentally beneficial coal -- and potential revenues it would bring Utah schoolchildren through the 200,000 acres of trust lands located within the monument.

"The president is asking us to trust him that Utah's schoolchildren will be made whole. Is he prepared to approve \$1 billion in federal funding? . . . Of course he isn't."

Republican Rep. Enid Greene charged that the president "doesn't know or doesn't care that there aren't sufficient coal leases in other areas" to swap for the Andalex holdings.

But what Utahns object to most, she said, is the "autocratic process" by which Clinton sidestepped the Federal Land Policy and Management Act, the National Environmental Policy Act, the state's elected representatives and its people.

GOP Gov. Mike Leavitt, the only state leader from southern Utah, said he grew up one mountain over from the new monument and loves the land.

But as an outspoken advocate of a more equitable federal-state balance of power, the governor was incensed about the executive branch's imposition of its will on the state with no public debate.

"I would just say to the president of the United States, 'You chose to ignore a high public trust with the almost unilateral power that you were granted through the course of this act, power that was not intended by the founders of this nation.'

"From this point forward he has a higher standard of duty to deal in fairness with those of us in the state who have been disadvantaged by his lack of concern. The state will step forward, we'll follow the process at this point, but it is up to him and to his administration to make this right."

Al Hartmann/The Salt Lake Tribune Hikers make their way down a canyon south of Kodachrome Basin State Park. The spot is at the western end of the newly designated Grand Staircase-Escalante National Monument.

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# Deseret News

## CLINTON MAKES IT OFFICIAL: MONUMENT NOW A REALITY

By Lee Davidson and Jerry Spangler, Staff Writers

1,297 words

18 September 1996

Deseret News

DN

A1

English

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GRAND CANYON -- Despite repeated pleas - including some in the middle of the night - from Utah officials to defer it, President Clinton announced plans Wednesday for a vast new Grand Staircase-Escalante National Monument in southern Utah's Kane County.

The only surprise in the announcement was the change in name. As proposed in the past several days, the monument would have been named Canyons of the Escalante.

Clinton's action was purely political, Utah leaders say.

Clinton, who has not set foot in the state since he finished third in Utah in the 1992 presidential race, announced the creation of the new monument from south of Utah's border - at the Grand Canyon. Aides said that site was chosen because it has facilities needed to hold a press conference.

"I think it's pretty clear this is a straight political move on the part of the Clinton administration. It will be a good photo op in the middle of a presidential campaign, and they'll worry about the real impact later," said Utah GOP Sen. Bob Bennett said.

"The fact that it happens on the eve of an election cannot be ignored," said Utah Gov. Mike Leavitt.

Even Democratic Rep. Bill Orton, in whose district the monument lies, said, "This is more a political issue than a policy issue."

Actor Robert Redford, author Terry Tempest Williams and former Utah first lady Norma Matheson were the only Utahns on stage with President Clinton. Redford, who has fought for years to protect Utah lands and specifically the Kaiparowits Plateau, made a speech. Williams gave a reading.

Democrats Jim Bradley and Ross Anderson, both currently candidates for office in Utah, were in the audience at the Grand Canyon gathering, which drew thousands of people, many sporting "5.7 Wild" buttons.

The buttons refer to an environmentalist-backed proposal that 5.7 million acres of southern Utah be designated wilderness.

Redford told the Deseret News that the region belongs to all Americans, not "in the pockets of politicians." He called the 1.8 million-acre designation better than no monument at all. The designation "puts it right where it belongs," Redford said.

Is there a sense of satisfaction now that the area has protection?

"It will be when I hear the final results," Redford said before the event began.

Orton and Bennett conceded the administration promised several steps to address local concerns. That came after Orton and Leavitt had personal phone calls with Clinton in the middle of the night Wednesday.

But, Bennett said, this is essentially a "trust us" kind of offer from the administration, "and I would continue to be critical until we got everything nailed down."

And despite the concessions, Orton said, "Let me make clear that I still oppose it. I think it is a monument to political blunders and is unwise, unneeded and premature."

Among the steps Clinton promised are:

- An ongoing environmental impact statement on a proposal by Andalex Resources to mine coal on the Kaiparowits Plateau will continue, and if a way is found to environmentally mine and transport coal, it will be allowed.
- To protect Utah schools from loss of mineral revenues on 200,000 acres of school trust lands with coal that may be surrounded by the monument, he also promised to either trade them for other federal coal leases or ask Congress to find another direct funding mechanism in exchange value of the lands.

Bennett said those two proposals taken together show him ``they don't intend to let Andalex proceed." He adds that he told White House chief of staff Leon Panetta that ``no other comparable coal reserves exist anywhere in the country, and he replied, `I'm beginning to find that out.' "

- The administration will establish a three-year process of public hearings to identify and define management processes for the national monument.

Bennett complained, ``In other words, they've turned the process completely backward. . . . They declare first and look for facts afterward."

- The U.S. Bureau of Land Management will continue to manage the area, not the National Park Service.

Some local residents view the park service as heavy-handed. Orton said, ``It makes sense to use the people who already know the areas." It would be the first national monument overseen by the BLM.

- Hunting, fishing and grazing will continue under existing laws.
- Water rights will remain under state law, and the monument ``should not affect any water-rights issues at all," Orton said.
- The boundaries will specifically exclude any developed areas such as towns in the area. Orton said it will also exclude all forested lands and state parks.

However, Orton said if it is to proceed, the steps taken by the administration mean ``we've gotten about as good as we could get."

Not all Utahns were unhappy with the president's decision. Democratic candidates Jim Bradley, who's running for governor, and Ross Anderson, a candidate in the 2nd Congressional District, were expected to join Clinton in the Grand Canyon in support the new national monument.

And environmental groups that have long sought federal protection for the region, including the Southern Utah Wilderness Alliance, also praised the proposal. Even actor and Utah resident Robert Redford was expected to be by the president's side at the announcement.

Despite everything, Orton said when he looked at the proposal, it essentially amounted to the national conservation area idea he had been promoting - except that his would have had a public process to decide boundaries.

Leavitt also had pushed Clinton and Panetta in meetings and phone calls to consider his idea of managing ecosystems regardless of political boundaries and to have more local input on management plans, which was one of the concessions won.

Still, Utah officials made it clear they were unhappy with the process leading to the announcement, including making it in Arizona and not Utah.

Utah members also didn't like a quote reported in the press from White House press secretary Mike McCurry, who said that when it came to opponents of the monument, ``We've gone to great lengths to try to take their views into consideration."

Utah officials begged to differ, noting they had not been given specifics on any plans until the last second, had little input and had been misled as late as last week by the White House, which then said repeatedly it had no imminent plans for the monument.



Orton said the White House told him that Utahns had been consulted so late because "environmental counselors urged the president to take this step as part of the campaign," but that had not been communicated to the administration's land managers - and caused delays in speaking to Utahns.

"It's extremely frustrating, but that's politics," Orton said.

Rep. Jim Hansen, R-Utah, complained the administration has insisted that congressional Republicans follow lengthy study and hearing processes on public-lands issues they pursue - for example, delaying for more public input a relatively small 1,320-acre land trade for Snowbasin ski resort "even though we've been talking about it for 10 years."

But Hansen complained the administration had no public input and little consultation from Utah officials on a monument that may include a whopping 2 million acres - or almost 4 percent of all land in Utah.

And Hansen added, "No one's seen a map. I doubt there is a map" of the proposal.

Orton also said White House officials were surprised at his figures on how economically devastating the monument could be to southern Utah and said they were surprised to learn its coal reserves are "the largest untapped energy resource left in the continental United States."

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#### Search Summary

Text	"grand staircase*escalante" AND leavitt
Date	01/01/1996 to 12/31/1996
Source	All Sources
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Federal News Service

APRIL 29, 1997, TUESDAY

**PREPARED STATEMENT OF  
MICHAEL O. LEAVITT  
GOVERNOR, UTAH  
BEFORE THE HOUSE  
RESOURCES COMMITTEE  
SUBCOMMITTEE ON NATIONAL  
PARKS, FORESTS AND LANDS**

**SECTION:** IN THE NEWS

**LENGTH:** 2357 words

Thank you for allowing me the opportunity to speak to you today about the recently designated Grand Staircase - Escalante National Monument in Southern Utah.

The protection of public lands in the State of Utah is a familiar issue. The federal government administers more than 65% of the land in the State, and we are continually pursuing new and better ways to work with the federal government in the planning and administration of these lands. We have worked hard to build relationships, forge partnerships, and lay the groundwork for interagency cooperation unmatched by other public lands states. For these reasons, the chain of events surrounding the establishment of the Grand Staircase - Escalante National Monument have caused me great concern, and created a greater distrust of governmental processes by many people in the State of Utah.

On September 18, 1996, President Clinton invoked a provision of the 1906 Antiquities Act to designate 1.7 million acres in southern Utah as the Grand Staircase - Escalante National Monument. The first reports of this that I, or any other elected official in the State of Utah, had received were from a story in the Washington Post only 9 days prior to Mr. Clinton's public proclamation.

I would like to share with you a day-by-day account, from my perspective, of the events leading up to President Clinton's announcement:

Monday, September 9, 1996: Upon reading of the

new National Monument in the Washington Post, I placed a call to Secretary of the Interior Bruce Babbitt. I asked Secretary Babbitt about the article in the Post and was told that Interior was not involved and that I should call the White House.

When I called the White House, I spoke with Director of Intergovernmental Affairs, Marcia Hales. She had seen the story and told me that they weren't certain where it came from. She committed to get back to me relative to how serious the proposal was.

Wednesday, September 11, 1996: Two days later, Ms. Hales reported that a monument was being discussed but "no decision had been made." I asked, "what is the timing on this?" "That's what we are trying to decide," she replied. I asked Ms. Hales for an appointment with the President Clinton or his Chief of Staff, Leon Panetta. Later that week an appointment was confirmed with Mr. Panetta for the following Tuesday.

Friday, September 13, 1996: My office became aware through the news media that an important environmental announcement was planned by the President at the Grand Canyon the following week. Preparations were being made by environmental organizations to transport groups from Utah. When we inquired directly of the Administration about the time, place and subject of an event they were not willing to even confirm the event would occur. Local governments in Utah were becoming more and more concerned. On two other occasions during the week I had conversations with Mr. Babbitt or his office. They continued to indicate that they had no information, insisting that this matter was being handled by the White House. When we called the White House we were referred to the Interior Department.

Late Friday afternoon, Secretary Babbitt called an emergency meeting in his office for the next day, Saturday. The Congressional delegation was invited. I was not able to attend the meeting, but the fact that meetings were being called on a weekend added to the sense of inevitability. However, we were still being told that "no decision had been made."

Monday, September 16, 1996: The weekend was a

PREPARED STATEMENT OF MICHAEL O. LEAVITT GOVERNOR, UTAH BEFORE THE HOUSE  
RESOURCES COMMITTEES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND LANDS Federal  
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blur of phone calls, and meetings with local officials. Despite the fact that buses were being organized to take Utahans to Arizona for the announcement, the Governor's office could still not get confirmation of where or what the official announcement would be. I traveled to Washington for my meeting with Mr. Panetta. Tuesday, September 17, 1996: Tuesday afternoon, I met with Mr. Panetta. I was told that Mr. Panetta had the responsibility of making a recommendation to the President. Mr. Panetta said that he had set aside the afternoon to prepare that recommendation. Kathleen McGinty, Chair of the President's Council on Environmental Quality, Marcia Hale, Director of Intergovernmental Affairs and another member of the White House staff.

My presentation focused on the problems caused by this complete abandonment of public process. I explained that it was our desire to protect the spectacular lands of this region but that this was the wrong way to go about it. I detailed for them a proposal ironically called, Canyons of the Escalante: A National EcoRegion that resulted from an intergovernmental public planning process I initiated three years earlier to protect the area. This concept was developed by state, local and federal land managers working together for over a year. It would have provided flexibility and yet gave even more stringent protection for the most pristine areas. I also spent a considerable amount of time discussing our school trust lands. Mr. Panetta asked me to explain the status of those lands.

Prior to our discussion he was unaware of their existence or the importance they hold to the school children of our state.

Our meeting lasted just under an hour. Mr. Panetta told me that this was the first time he had been able to focus on this issue. He reiterated that he would make a recommendation to the President that afternoon. To Mr. Panetta's credit, he was very thoughtful in the questions he asked. He told me that he didn't like making decisions in a vacuum like this. At the conclusion of the presentation, Mr. Panetta said, "you make a very compelling case." To which I replied, "If this is compelling to you, then before the President sets aside part a piece of land equal to Rhode Island, Delaware and Washington, D.C. combined, he needs to hear the same information, directly from the Governor of the State." I was told Mr. Clinton was campaigning in Illinois and Michigan, but he would call me later in the evening.

Wednesday, September 18, 1996: At 1:58 a.m., my telephone rang, it was the President. The President told me that he was just then beginning to review this matter. I restated in short form the material I

discussed with Mr. Panetta.

The call lasted for nearly 30 minutes. At 2:30 a.m. we were both very tired. I offered to write a memo that the President could read when he woke in the morning. He asked that I write the memo. I sat at the desk in my room and prepared a handwritten two plus page memo to the President. It was faxed to him at 4:00 a.m. that morning. The memo, told the President that if a monument was going to be created he should create a commission that included state and local government officials to recommend boundaries and to solve a number of management questions. I told him that it should work toward a policy that protects the land, preserves the assets and maintains the integrity of the public process. I knew the local government leaders in this area would welcome such a process. At 7:30 a.m. I spoke with Mr. Panetta. He had reviewed the memo that was written for the President and again indicated he felt my ideas had merit. He said he would be reviewing the matter again with the President. Later in the morning Mr. Panetta called to inform me that the monument would be announced. He detailed the conditions of the action, which gratefully, incorporated some of my suggestions on water, wildlife access and a planning process with local and state participation.

At 2 p.m. Eastern time, President Clinton stood on the north rim of the Grand Canyon to announce the creation of the Grand Staircase-Escalante National Monument, a 1.7 million acre expanse in Utah's Garfield and Kane counties. No member of Congress, local official or the Governor were ever consulted, nor was the public. As the Governor, I had not seen a map, read the proclamation or for that matter even been invited. This is not about courtesy, it is about process and public trust. A major land decision, the biggest in the last two decades, was being made. Obviously, this is not the way public land decisions should, nor were ever intended to be made.

In 1976 this nation made an important public policy decision. Congress passed landmark legislation in the Federal Land Policy and Management Act (FLPMA), requiring great deliberation and careful process in determining how public lands would be used. That act, and other related legislation, contains protections for states and local communities. It is the policy of my administration to assure that our state is not denied those protections. We will defend Utah's interest against abuses of our existing protections and we will seek additional protections where they are currently

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inadequate.

The President's use of the Antiquities Act to create the monument was a clear example of inadequate protection. Our system of government was constructed to prevent one person from having that much power without checks or balances from another source. This law was originally intended to provide emergency power to protect Indian ruins and other matters of historic importance. Over the past ninety years the federal courts have allowed a gradual expansion of the powers. The President's recent proclamation was a classic demonstration of why the founders of this nation divided power. Power unchecked is power abused. Utah and other states need protection from further abuses of the 1906 Antiquities Act. My administration will join other states in support of appropriate amendments. Land preservation decisions must consider the relationship between the land and the local economy. The State of Utah intends to intensify our efforts in assisting in the promotion of new economic opportunities for the region and will challenge the national government to be responsive to the needs that its actions in Southern Utah have created. Historically, whenever the federal government has determined that a local interest is subordinate to the national interest, then some form of federal assistance is provided. We should all focus on developing real economic opportunities for rural Utah counties in order to build a more diversified and sustainable economy.

There are many issues surrounding the creation of this monument apart from the designation process. One of the most controversial and most complicated are the school trust lands located within the boundaries of the monument. Approximately 176,000 acres of school trust lands were included within the monument.

The school trust lands are managed by the Utah School and Institutional Trust Lands Administration, an independent state agency. The Trust Lands Administration is governed directly by a separate Board of Trustees, and is required to optimize the value of the lands for both the short and long term.

The Chairman of the Board of Trustees will testify later today and will give more details. However, I want to emphasize that not only did the declaration of the monument possibly affect the use and value of the trust lands in the long term, but also that several sources of revenue from the lands, including an imminent multi-million dollar deal involving coal, have been eliminated as a result of the declaration.

The Board of Trustees, the Trust Lands Administration and myself are united in protecting the value of the trust lands within the monument and

in protecting the purposes of the trust. We will work together to see that either the land can be used for their purpose as the national economy permits or that other federal assets will be available as compensation for the trust lands.

I appreciate the President's remarks concerning the trust lands at the time he signed the declaration and appreciate his decision to resolve any reasonable differences in value in favor of the school children as part of any land exchange proposal. However, I must express some healthy skepticism about the efficiency of the federal exchange or compensation process and the ability to bring such processes to conclusion at all. The problem of school trust lands within federal reservations like the monument is both an old problem and a constantly recurring one. Currently, Trust Lands and the federal government are negotiating several different exchange packages, including the statutorily authorized process mentioned by the President in his remarks (P.L. 103-93). These exchange processes are complex, heavily laden with federal rule-driven procedures and very costly to the trust. The Trust Lands Administration estimates that an exchange process for the monument lands, similar to that in P.L. 103-93, could cost 5 to 10 million dollars; a cost which, in all fairness, should be covered by the federal government.

I would hope that we can learn from past experience and begin to take advantage of new ideas or approaches which are more expeditious, yet fair to both parties. The Trust Lands Administration intends to propose solutions for the trust lands within the monument in the near future. I will ask Congress to give these proposals serious consideration and to consider appropriating funds to the Trust Lands Administration to offset any costs resulting from the declaration of the monument.

The State of Utah is committed to being a full partner in the planning process for the Grand Staircase - Escalante National Monument. Promises were made by both President Clinton and Secretary Babbitt which ensured the State a prominent role in the plan development and implementation process. The State of Utah intends to take full advantage of those commitments and has, in fact, already appointed five members of the planning team who will represent the State and its issues and concerns. We have every intention of being active participants in the process and committing the necessary resources to see that the Grand Staircase - Escalante National Monument best meets the needs of the citizens of the State of Utah. We intend to use every mechanism available to ensure that the federal government keeps its commitments to this

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