

To: Hunt Foster Rebecca[rhuntfoster@blm.gov]
From: Foss, Scott
Sent: 2017-02-16T08:44:31-05:00
Importance: Normal
Subject: Fwd: FW: Request to Rescind Bears Ears National Monument Designation
Received: 2017-02-16T08:44:59-05:00
[trump_bears_ears_letter.pdf](#)
[State Concurrent Resolution on Bears Ears.pdf](#)

: P

----- Forwarded message -----

From: **Capron, Patricia (Ranel)** <rcapron@blm.gov>
Date: Thu, Feb 16, 2017 at 8:15 AM
Subject: Fwd: FW: Request to Rescind Bears Ears National Monument Designation
To: BLM WO 240 <blm_wo_240@blm.gov>

FYI

Ranel Stephenson Capron
Federal Preservation Officer
Bureau of Land Management
Washington Office - 240
20 M Street SE, Room 2134LM
Washington, DC 20003
202-912-7241 (o) 202-573-2062 (c)

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From: **Nancy Brown** <nbrown@achp.gov>
Date: Wed, Feb 15, 2017 at 4:13 PM
Subject: FW: Request to Rescind Bears Ears National Monument Designation
To: Ranel Capron <rcapron@blm.gov>, Nate Thomas <nthomas@blm.gov>

I trust you have seen this, but FYI in case you haven't -

Nancy J. Brown, ASLA

Advisory Council on Historic Preservation

ACHP Liaison to the BLM

202-517-0209

From: Dru Null

Sent: Wednesday, February 15, 2017 3:59 PM

To: John Fowler; Javier Marques; Reid Nelson; Valerie Hauser; Charlene Vaughn; Tom McCulloch; Nancy Brown; Chris Daniel; Ron Anzalone; Susan Glimcher

Subject: Request to Rescind Bears Ears National Monument Designation

FYI, if you haven't already seen –

Attached is a letter from the Utah Congressional delegation to President Trump requesting that he rescind the Bears Ears National Monument delegation. The letter references an attachment, a concurrent resolution of the Utah State Legislature that was signed by the Governor of Utah. That also is attached to this email.

~ Dru

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H.C.R. 11

**CONCURRENT RESOLUTION URGING THE PRESIDENT TO
RESCIND THE BEARS EARS NATIONAL MONUMENT
DESIGNATION**

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory H. Hughes

Senate Sponsor: Wayne L. Niederhauser

LONG TITLE**General Description:**

This concurrent resolution urges the President of the United States to rescind the Bears Ears National Monument designation.

Highlighted Provisions:

This resolution:

- ▶ expresses strong opposition to the Bears Ears National Monument designation; and
- ▶ urges the President of the United States to rescind the Bears Ears National Monument.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the state of Utah is a public lands state, committed to conservation and continued recreational access for hunters, anglers, campers, and other recreationists, as well as allowing for productive uses, including agriculture, timber production, and energy and natural resource development;

WHEREAS, the Legislature and the Governor are committed to the health, protection, preservation, and productivity of, and access to, the public lands within our state;

WHEREAS, roughly 66% of the land within the sovereign state of Utah is presently controlled by the federal government;

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WHEREAS, 38 non-western states in the Union govern and exercise their constitutional jurisdiction over virtually all the land within their borders, and the legislatures and the governors of those states tend to the health, safety, and welfare of their citizens;

WHEREAS, on December 28, 2016, President Barack Obama designated the Bears Ears National Monument, limiting public access to 1.35 million acres in San Juan County, Utah;

WHEREAS, every member of Utah's congressional delegation publically opposed the designation of the Bears Ears National Monument;

WHEREAS, the designation of the Bears Ears National Monument sets a dangerous precedent of allowing special interest groups to unduly influence the monument designation process and silence local voices;

WHEREAS, local Native American groups with historical ties to the area have passed resolutions opposing the designation of the Bears Ears National Monument;

WHEREAS, San Juan County Commissioner Rebecca Bennally, whose constituency includes members of the Navajo Nation who live in San Juan County, and the entire San Juan County Commission, opposed the monument designation and unanimously passed a resolution expressing their opposition;

WHEREAS, every city council in San Juan County has passed a resolution opposing the designation of the Bears Ears National Monument;

WHEREAS, counties across the state have passed resolutions standing unitedly with San Juan County in opposition to the Bears Ears National Monument;

WHEREAS, every member of the Utah State Legislature representing San Juan County opposed the designation of the Bears Ears National Monument;

WHEREAS, the Legislature passed a resolution last summer expressly opposing the creation of the Bears Ears National Monument, with the Governor concurring therein;

WHEREAS, Governor Gary R. Herbert wrote to the President of the United States in August 2015 and in February 2016 urging him not to use the Antiquities Act to designate another national monument in Utah;

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58 WHEREAS, Governor Gary R. Herbert noted that another monument designation
59 would "inflare passion, spur divisiveness, and ensure perpetual opposition";

60 WHEREAS, the Antiquities Act limits a presidential monument designation to the
61 "smallest area compatible with proper care and management of the objects to be protected";

62 WHEREAS, the Bears Ears National Monument is almost twice the size of the state of
63 Rhode Island;

64 WHEREAS, once-thriving rural Utah communities and their citizens are suffering
65 economic deprivation at the hand of their own federal government, which a national monument
66 tourism economy fails to alleviate;

67 WHEREAS, the power granted to the President to designate national monuments under
68 the Antiquities Act has been exploited and abused by presidents of both parties for over a
69 century;

70 WHEREAS, newly designated monuments averaged 15,573 acres in 1906 when the
71 Antiquities Act was signed into law but, in the year 2016, have averaged 739,305 acres, which
72 is more than 47 times the size of those created 110 years ago;

73 WHEREAS, because only western states have large areas of federal land within their
74 borders, use of the Antiquities Act by presidents to designate millions of acres of land as
75 national monuments disparately impacts western states;

76 WHEREAS, Utah is 50th in the nation in per pupil spending due to the large portion of
77 the state that is held as federal land and not subject to property tax;

78 WHEREAS, considerable funding for the Utah public education system comes from the
79 responsible development of our abundant natural resources and other economic uses of our
80 public lands;

81 WHEREAS, continued opportunity for multiple uses of our public lands is vital to the
82 economies of San Juan County and the state of Utah, providing tax revenue that supports
83 students' education statewide;

84 WHEREAS, within the sweep of President Obama's Bears Ears National Monument
85 designation is 109,000 acres of school and institutional trust land designated to produce

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86 funding for our school children;

87 WHEREAS, Utah is already home to five national parks and seven national
88 monuments;

89 WHEREAS, all or part of four national monuments, one national park, and one national
90 recreation area are located in San Juan County;

91 WHEREAS, San Juan County, despite the presence of these national monuments,
92 parks, and recreation areas, is the poorest county in the state and among the most economically
93 depressed in the nation;

94 WHEREAS, Navajos in San Juan County experience some of the highest rates of
95 unemployment in the state;

96 WHEREAS, rural economies depend on multiple uses of our public lands for
97 sustenance and growth;

98 WHEREAS, the Bears Ears National Monument designation will forever remove the
99 possibility of economic development and decimate the economy of the region with impacts felt
100 around the state;

101 WHEREAS, citizens in rural Utah deserve the equal opportunity to pursue happiness
102 through the protection of their life, liberty, property, and right to determine their own destiny
103 unimpeded by their own federal government;

104 WHEREAS, San Juan County residents, including local Native American tribes, fear
105 that woodcutting, pinion gathering, traditional religious and cultural practices, and a host of
106 other historical uses of the area will be restricted or entirely prohibited;

107 WHEREAS, San Juan County's Natural Bridges National Monument prohibits
108 woodcutting, and grazing has declined by almost a third in Grand Staircase-Escalante National
109 Monument despite a presidential promise that grazing would "remain at historical levels";

110 WHEREAS, the United States Forest Service and Bureau of Land Management, which
111 are charged with managing the Bears Ears National Monument, have a combined deferred
112 maintenance backlog of almost \$6 billion;

113 WHEREAS, these federal land management agencies clearly do not have the funding to

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114 maintain the lands for which they are currently responsible; and

115 WHEREAS, Utahns are best positioned to care for and manage our public lands:

116 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
117 Governor concurring therein, strongly urges the President of the United States to rescind the
118 Bears Ears National Monument designation.

119 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
120 the United States, Utah's congressional delegation, the Secretary of the Department of the
121 Interior, and the Secretary of the United States Department of Agriculture.

Congress of the United States
Washington, DC 20515

February 7, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20510

Dear President Trump,

We, Utah's entire federal delegation, write to ask you to revoke President Obama's December 28, 2016 presidential proclamation creating the 1.35 million-acre Bears Ears National Monument in San Juan County, Utah. The Bears Ears National Monument was created over our protest and without the consent of the local population.

We recognize that while many presidents have reduced national monuments, sometimes by as much as 89 percent, no president has rescinded a monument designation. Although the action we are requesting is unique, we believe it is well within the president's authority. What can be done by presidential action can be undone by presidential action, much like the revocation of an executive order or the president's implied power to remove officials he appoints.

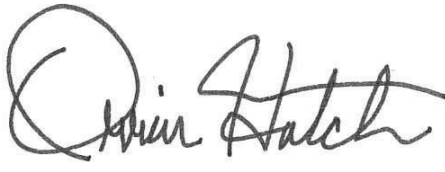
The Bears Ears National Monument is uniquely offensive and warrants use of this heretofore-dormant authority. No elected official representing San Juan County supported the creation of Bears Ears: Utah's Governor Gary Herbert, Utah's State Representatives, and San Juan County's three commissioners also opposed President Obama's unilateral designation of a monument and support its rescission.

Uncertainty over future land management has led to fear over how the Departments of Interior and Agriculture will administer the newly created Bears Ears National Monument. Local native populations worry they will be unable to gather wood to heat their homes or visit sacred sites to perform religious ceremonies; ranchers and resource developers fear they will no longer be able to provide for their families; recreationists and sportsmen fear their access to beautiful land will be curtailed.

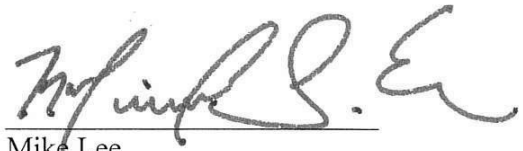
Regrettably, as long as the Bears Ears National Monument exists, we can provide little certainty to our constituents. Based on past monument designations, it is reasonable to expect subsequent administrations to dramatically limit access to the land at Bears Ears. As long as the monument exists, the people of San Juan County will remain anxious.

We, along with state and local officials, and the residents of San Juan County, are committed to ensuring that the Bears Ears region is protected and productive. We firmly believe that these decisions are best made locally, not by lame duck presidents. Thank you for considering using the implied authority granted to you under the Antiquities Act to revoke the Bears Ears National Monument.

Sincerely,

A handwritten signature in dark ink, appearing to read "Orrin Hatch", written over a horizontal line.

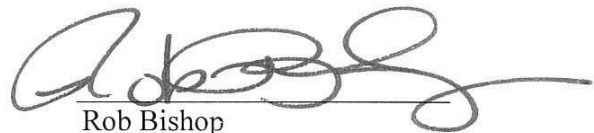
Orrin G. Hatch
United States Senator

A handwritten signature in dark ink, appearing to read "Mike Lee", written over a horizontal line.

Mike Lee
United States Senator

A handwritten signature in dark ink, appearing to read "Jason Chaffetz", written over a horizontal line.

Jason Chaffetz
Member of Congress

A handwritten signature in dark ink, appearing to read "Rob Bishop", written over a horizontal line.

Rob Bishop
Member of Congress

A handwritten signature in dark ink, appearing to read "Chris Stewart", written over a horizontal line.

Chris Stewart
Member of Congress

A handwritten signature in dark ink, appearing to read "Mia Love", written over a horizontal line.

Mia Love
Member of Congress

Enclosure: Concurrent Resolution Urging the President to Rescind the Bears Ears National Monument Designation

Draft Bears Ears Boundary Modification

September 12, 2017

(b)(5) DPP



Draft Bears Ears Boundary Modification

November 30, 2017

(b)(5) DPP

