

**From:** Rigas, Laura  
**To:** [Swift, Heather](#)  
**Cc:** [Wynn, Todd](#); [Magallanes, Downey](#); [Newell, Russell](#); [John Tanner](#); [John Bockmier](#); [Daniel Jorjani](#); [Todd Willens](#); [Williams, Timothy](#); [Chambers, Micah](#)  
**Subject:** Re: DRAFT -- Monuments Talking Points and Myth vs. Fact  
**Date:** Thursday, November 30, 2017 3:17:33 PM  
**Attachments:** [TALKING POINTS FOR MONUMENT REVIEW UPDATED.docx](#)  
[FACT VS FICTION -- Antiquities Act and Monument Review 2017.docx](#)

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Sorry, all. I was using the wrong version for the talkers...  
Attached is the one Heather and Russ have cleared. Any edits from others?  
We will send a final tomorrow am in PDF for you to send around to stakeholders.  
Thanks,  
L

*Laura Keehner Rigas*  
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On Thu, Nov 30, 2017 at 2:50 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:  
My edits in track changes.

-  
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On Thu, Nov 30, 2017 at 2:45 PM, Wynn, Todd <[todd\\_wynn@ios.doi.gov](mailto:todd_wynn@ios.doi.gov)> wrote:  
This is looking great and will be incredibly helpful for our allies. Nothing to add. Please let me know when it is finished and I can share.

On Thu, Nov 30, 2017 at 2:26 PM, Swift, Heather <[heather\\_swift@ios.doi.gov](mailto:heather_swift@ios.doi.gov)> wrote:  
I'm sending my version in a few if you want to work off mine.

-  
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On Thu, Nov 30, 2017 at 2:11 PM, Rigas, Laura <[laura\\_rigas@ios.doi.gov](mailto:laura_rigas@ios.doi.gov)> wrote:  
Hi all --

Attached please find the talking points and myth vs. fact sheet for the Monument Review. Please note that they are at their max word length (to keep them on 2 and 1 pages, respectively), so let me know what should come out if you are adding.

Also, they do not include the Utah-specific information, which will be announced on Monday. This is a great backgrounder for the groups who will be part of the stakeholder call tomorrow as well as any other friends you deem appropriate.

Let me know by COB tonight if you have any edits as we need to start sending them around tomorrow. Please do NOT share this version yet.

Thank you,  
L

*Laura Keehner Rigas*  
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--

**Todd M. Wynn**  
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NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

## TALKING POINTS FOR ANTIQUITIES ACT/MONUMENT REVIEW

**\*Correcting Past Overreach\***

**\*Increasing Public Access\***

**\*Giving Local Communities a Voice by Restoring Traditional Uses\***

**\*Continuing Protection Where Warranted\***

### **Topline Message:**

- These monument modifications will continue to protect objects and prioritize public access, infrastructure upgrades, repair, and maintenance, traditional use, tribal cultural use, and hunting and fishing rights.

### **Five Key Points:**

- *Corrects Past Overreach*
  - The President is righting past overreach. The Act requires that only objects of significance are designated, within the smallest area compatible, and we are going to follow the law.
- *Prioritizes Infrastructure Upgrades*
  - The Trump Administration will remove restrictions that impede needed infrastructure improvements, such as upgrading restrooms, visitor centers, and trails, all of which serve to protect the objects in question.
- *Increases Public Access*
  - The Trump Administration is increasing the public access that has been restricted by monument designations. Monument designations should be used to protect, not prevent.
- *Restores Trust and Gives Local Communities a Voice by Restoring Traditional Uses*
  - The Trump Administration is making sure local communities have a voice by restoring traditional “multiple use” activities on these lands.
  - This will increase economic competitiveness, especially in rural communities, by allowing grazing, commercial fishing, logging, and in some cases, mineral development.
- *Continues Protection Where Warranted*
  - The Trump Administration is continuing to protect public land, including keeping parts of monuments to protect objects of significance within the smallest areas compatible.
    - The Trump Administration is *not* going to drill in public parks
    - The Trump Administration is *not* going to sell public lands
    - The Trump Administration *will* protect objects in the “smallest area compatible” with the proper care of the objects to be protected.

## **Additional Messaging:**

### ***Righting Past Overreach, since past Presidents have not followed the law***

- The Antiquities Act requires that objects be of significance, the area reserved to protect the objects is the smallest area compatible, and that monuments be designated on federal land only.
- “Objects of significance” have been misinterpreted to include:
  - Landscape areas, biodiversity (Cascade Siskiyou), “viewsheds” (Katahdin Woods and Waters), World War II desert bombing craters (Organ Mountains Desert Peaks) and “remoteness” (Basin and Range National Monument); and
  - Have been selected only to fill in pre-identified boundaries that mirror failed Congressional attempts to designate areas.
- Smallest area compatible:
  - The first monument designated under the act was Devils Tower at almost 1,200. Several monuments designated since 1996 have been millions of acres.
  - President Obama established or expanded monuments on more than 550 million acres of land and water, more than any other President.
- On federal land:
  - Monument boundaries often encompass or are adjacent to private land, and in the case of the Cascade Siskiyou National Monument, the expansion contained 38% private land within the external boundary.

### ***Prioritize Infrastructure Improvements***

- It is common for monument designations to prevent construction of future roads and other facilities, making the land inaccessible for use.
- Infrastructure enhancements enrich the people’s experience on our public lands far more than a designation written and signed in Washington, D.C.

### ***Increasing public access that has been restricted by monument designations***

- Advocates often aim for a monument’s eventual designation as a National Park by Congress, and National Parks do not allow hunting and can restrict motorized access.
  - Many National Parks were first designated as National Monuments. Examples are Black Canyon of the Gunnison, Bryce Canyon, Capitol Reef, Glacier Bay, Grand Canyon, Great Sand Dunes, Joshua Tree, Petrified Forest, Saguaro, and Zion.
- Roads closures
  - Restrictions on vegetative management and maintenance activities have led to poorly maintained roads and even closures, for example in Cascade Siskiyou and Rio Grande Del Norte. Roads have also been intentionally been closed as part of management plans in order to protect objects.

***Restoring the local voice by allowing the traditional uses conducted on the land prior to designation to occur.***

- Monument designations have put land “off limits” for traditional multiple-uses like ranching, timber harvest, fishing, resource development, infrastructure upgrades, and motorized recreation.
- Designating too much land for a national monument is harmful to the local tax base via the elimination of grazing, timber and mineral leases, as well as the elimination of hunting and fishing access.
- Monuments should not be designated to prevent rather than protect.
  - For example, subpoenaed emails and a Congressional investigation showed that Grand Staircase Escalante National Monument (GSENM) was designated to stop a Coal project.

***Continuing to protect public land***

- These lands are already federal which therefore carry protection or have protective land designations.
- GSENM has over 800,000 of Wilderness Study Areas and Bears Ears National Monument (BENM) has almost 450,000 of Wilderness Study Areas or Wilderness.
- The National Environmental Protection Act and the Archeological Protection Act are just two of the many environmental laws passed after 1906 Antiquities Act that offer increased land protections.

**Background on the Antiquities Act:**

- The Antiquities Act calls for the President to designate objects such as “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.
- The Act mandates that the limits of the parcels of land reserved as National Monuments “shall be confined to the smallest area compatible with the proper care and management of the objects to be protected”, and be designated on federal land.
- Despite this clear directive, objects have been extended to include landscape areas, biodiversity, view sheds, and 'smallest area' has become the exception and not the rule.
- Objects have oftentimes been selected only to fill in pre-identified boundaries that mirror failed Congressional attempts to designate areas under protective designations.
- Monument boundaries often encompass or are adjacent to private land, and in one case a monument expansion contained 38% private land within the external boundary.
- The most controversial monuments were designated or expanded in the waning days of a presidency after partisan efforts to designate the land stalled in Congress. This is a clear violation of the will of the People and overuse of executive power.
- Presidents have reduced the size of monuments around 19 times in the past. The most significant reduction was in 1915 under President Woodrow Wilson, when he halved Mount Olympus National Monument (it has since become a National Park).
- On April 26, 2017, President Donald J. Trump signed Executive Order 13792, entitled “Review of Designations under the Antiquities Act.”

- President Trump's executive order limited the review to monuments designated after January 1, 1996 and over 100,000 acres in size, or monuments that the Secretary deems to have been created without adequate public input.
- The order directed the Secretary to submit an interim report on Bears Ears National Monument within 45 days, which was delivered to the White House on June 10, 2017.
- The order directed the Secretary to submit a report on all other monuments under review within 120 days, August 24, 2017.

#### **Background on the Monument Review Process:**

- The Secretary opened up of a formal comment period for the review. This is the first time EVER that a formal comment period was open on regulations.gov for national monuments designated under the Antiquities Act.
- Secretary Zinke has visited eight national monument sites in six states (Bears Ears, Grand Staircase, Northeast Canyons and Seamounts Marine Monument, Katahdin Woods and Waters, Cascade Siskiyou, Organ Mountains Desert Peaks, Gold Butte, and Basin and Range). He's held dozens of meetings with Tribal, local and state government officials, local stakeholders, and advocates from conservation, agriculture, tourism, and historic preservation organizations. The Secretary met with people and organizations who represent all sides of the issue. (PS - He traveled to Giant Sequoia and Upper Missouri River Breaks National Monuments before the review)
- Interior also established a formal public comment period for the monument review. This is the first time ever a formal comment period occurred for Antiquities Act-designated National Monuments.

## FACT VS FICTION: Antiquities Act and Monument Review

**Myth:** *No president has shrunk a monument.*

**False:** Monuments have been shrunk at least ten times under presidents on both sides of the aisle. Some examples include Pres. John F. Kennedy removing 2882 acres from Bandelier, Presidents Taft, Wilson, Coolidge reducing Mount Olympus National Monument, and President Eisenhower reducing Great Sand Dunes National Monument in Colorado.

**Myth:** *The monument review will sell/transfer public lands to states.*

**False:** This is not true. The Secretary adamantly opposes the sale or transfer of public lands. Under the Antiquities Act, the monuments are designated on already federal land. Therefore, if any monument is rescinded or shrunk, the land would remain federally owned and be managed by one of the land management agencies such as the Bureau of Land Management, U.S. Forest Service, U.S. Fish and Wildlife Service, or the Park Service.

**Myth:** *Removing the monument designation from land will leave Native American artifacts and paleontological objects at risk.*

**False:** This is not true. Whether these objects are found on land designated as a monument, national forest, traditional BLM land, or other federal land, it is illegal to remove or disrupt the objects without a permit issued by the federal government.

**Myth:** *The monument review will close/sell/transfer national parks.*

**False:** No national parks are under review. Of the 27 national monuments that are under review, only 2 are managed by the National Park Service and neither of them were recommended for rescission or boundary adjustments. The Secretary has continually committed he is against the sale/transfer/privatization of public lands, especially national parks. While two of the monuments are managed by the NPS - much like historic sites, national recreation areas, and national seashores - none of them are National Parks.

**Myth:** *The review was done without meeting advocates for national monuments.*

**False:** The Secretary visited eight monuments in six states and personally had more than 60 meetings with hundreds of local stakeholders. Individuals and organizations represented all sides of the debate ranging from environmental organizations like the Wilderness Society and Nature Conservancy to county commissioners and, residents, and ranchers who prefer multiple use of the land.

**Myth:** *Tribal Nations were not consulted.*

**False:** This is patently false. Before traveling to Utah, the Secretary met with Tribal representatives in his office. On his first day in Utah in May, the Secretary met with the Bears Ears Inter-Tribal Coalition in Salt Lake City, for just under two hours. Throughout the four-day survey of the Utah monuments, the Secretary also met with local Tribal representatives who represent different sides of the debate. The Secretary also met with Tribal representatives for their input on several other monuments from Maine to New Mexico to Oregon and everywhere in between. Additionally, the Department hosted several Tribal listening sessions at the Department and across the country, including a four hour session with the Acting Deputy Secretary on May 30th.