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Attached is the daily news report for May 10, as well as a more detailed listing with articles related to the Secretary of the Interiors visit to Utah. For archiving purposes, I am adding on to the monuments report. I have added links to the start of each day for navigation purposes.

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TOP STORIES – MAY 5, 2017

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

NPR, May 5 | Kirk Siegler

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

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

KSL News, May 5 | Dave Cawley

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

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

EcoWatch, May 5 | Yvon Chouinard and Rose Marcario

Dear Secretary Zinke,

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



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

E & E News, May 5 | Scott Streater

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

5. 27 national monuments under Interior Dept. review

David DeMille, May 5 | David DeMille

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

TOP STORIES – MAY 6, 2017

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6. Native American advocates size up Trump administration

KPAX News, May 6 | Eleanor Mueller

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

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

The Salt Lake Tribune, May 6 | Ron Gibson

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



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

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

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

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

The Salt Lake Tribune, May 6 | Peggy Fletcher Stack

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

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

The Deseret News, May 6 | Deseret News editorial board

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

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

The New York Times, May 6 | Terry Tempest Williams

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

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

The Washington Times, May 6 | Ben Wolfgang

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



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

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

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

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

The Salt Lake Tribune, May 6 | Amy Roberts

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

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

KSL News, May 7 | Jasen Lee and Marjorie Cortez

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

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

The Deseret News, May 7 | McKenzie Romero

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



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

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

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

18. The new range war

The Christian Science Monitor, May 7 | Amanda Paulson

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

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

NewsOK, May 7 | The Associated Press

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

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

The Salt Lake Tribune, May 7 | Matthew Piper

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

21. Zinke Begins Utah Listening Tour

KUER News, May 7 | Judy Fahys

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



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22. Zinke in southern Utah to tour Bears Ears

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

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

23. Zinke kicks off Utah tour in national monuments review

The Hill, May 8 | Timothy Cama

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

24. Mr. Zinke, Keep Channeling Teddy Roosevelt

The New York Times, May 8 | The Editorial Board

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

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

The Las Vegas Sun, May 8 | Daniel Rothberg

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



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

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

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

27. US Interior secretary tours hotly contested Utah monument

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

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

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

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

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

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

The Spectrum, May 8 | David DeMille

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



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30. San Juan County residents welcome visit from Secretary Zinke

ABC 4 Utah, May 8 | Glen Mills

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

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

The Morning Consult, May 8 | Jack Fitzpatrick

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

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

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

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

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

Fox 13 News, May 8 | Ben Winslow

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

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

KUTV 2 News, May 8 | Daniel Woodruff

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



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

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

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

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

The Salt Lake Tribune, May 8 | Brian Maffly

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

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

The Salt Lake Tribune, May 8 | Mariah Noble

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

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

The Deseret News, May 9 | Boyd Matheson

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



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

The National Geographic, May 9 | Laura Parker

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

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

The Center for American Progress, May 9 | Jenny Rowland

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

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

E & E News, May 9 | Jennifer Yachnin,

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

42. The Latest: Utah Rancher Tells Zinke Monument Unnecessary

US News, May 9 | The Associated Press

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



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43. Executive Order gives ranchers hope

Livestock News, May 9 | Karin Schiley

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

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

E & E News, May 9 | Jennifer Yachnin

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

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45. Tribune Editorial: Hatch continues to belittle Native Americans in Bears Ears dispute

The Salt Lake Tribune, May 10 | Tribune Editorial

No, Sen. Hatch, we won't just take your word for it.

Utah's senior senator put his foot very firmly into his mouth Monday by attacking the intelligence and the integrity of the five Native American nations whose elected leaders joined together to work for and, in the final days of the Obama administration, win national monument status for 1.35 million acres in southeast Utah known as Bears Ears.

46. Will National Monuments Get a “Fair Hearing” on Zinke’s Listening Tour?

Sierra, May 10 | Stacey Bare

On Sunday, Secretary of the Interior Ryan Zinke stood in front of a small, windowless conference room in Salt Lake City next to one of the long-standing generals of the Sagebrush Rebellion, Senator Orrin Hatch.



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47. Trump's national monument plan could easily fail — but he'll still declare victory

The Los Angeles Times, May 10 | Evan Halper

Interior Secretary Ryan Zinke tangled with protesters, weaved through media hives and trotted on horseback across a Utah moonscape this week in pursuit of President Trump's executive order targeting national monuments.

48. Gehrke: What Zinke isn't hearing, seeing during his trip to Utah

The Salt Lake Tribune, May 10 | Robert Gehrke

Blake Spalding and Jen Castle opened the doors of Hell's Backbone Grill in 1999, drawn to the remote town of Boulder by their love of wilderness and the nearby Grand Staircase-Escalante National Monument.

49. Trump Takes Aim at Western Monuments That May Hold Oil Riches

Bloomberg News, May 10 | Jennifer A Dlouhy

Bears Ears National Monument in Utah boasts stretches of red-and-yellow sandstone so brilliant they appear to be ablaze and rock structures so precarious they appear to defy gravity.

50. Interior Secretary Zinke admires national monuments he'll likely recommend removing

The Washington Times, May 10 | Ben Wolfgang

Based on the beautiful pictures and effusive praise he has posted to Twitter this week from one of the nation's newest national monuments, you might never guess that Interior Secretary Ryan Zinke could set into motion the process to erase it from the map.



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51. Interior Secretary Orders Protester To 'Be Nice' During Visit To Bears Ears

The Huffington Post, May 10 | Chris D'Angelo

WASHINGTON — Interior Secretary Ryan Zinke lost his manners during a visit to Bears Ears National Monument on Monday after being repeatedly questioned about why he hasn't spent more time talking with tribal leaders as part of his national monuments review.

52. Bears Ears National Monument: Zinke gets mixed reactions during visit

Fox News, May 10 | Andrew O'Reilly

Interior Secretary Ryan Zinke spent the first day of his listening tour of the country's national monuments visiting the famed Anasazi ruins in Utah's Butler Wash and trying to assuage concerns of Utahns that undoing or shrinking the designation of the controversial 1.3-million acre Bears Ears National Monument would not automatically result in lots of oil rigs or mining equipment.

53. Op-ed: Attempts to undo national monuments will rally formidable opposition

The Hill, May 10 | Glenn Nelson

The Trump administration is well advised to gauge the political blowback as it contemplates an assault — disguised as a review — on the Antiquities Act, as well as two decades of amplifying diverse and inclusive stories in this country. During its final months, the Obama administration shrewdly protected a string of cultural landmarks that should form a formidable firewall around those designations, as well as earlier sacred sites, such as the Martin Luther King Jr. Memorial in D.C. and the César E. Chávez National Monument in California.

54. Hunting, fishing businesses unite support of National Monuments

Ammoland, May 10 | Joe Evans

WASHINGTON -(Ammoland.com)- More than 100 hunting and fishing business owners and sporting organizations sent a letter today to Congress to show their support for national monuments and the responsible use of the Antiquities Act.



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55. **The best way to save sacred land? 'The issue is whether the monument is the right vehicle'**

The Journal, May 10 | Michelle L. Price and Brady Mccombs, AP

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

56. **NATIONAL MONUMENTS: Zinke: 'All of the above' possible for Bears Ears**

E & E News, May 10 | Jennifer Yachnin

MONTICELLO, Utah — Make the mistake of asking Heidi Redd how many animals her Indian Creek Cattle Co. owns, and she'll only laugh good-naturedly and ask if you want to know her annual income, too.

57. **Zinke rides with cattle ranchers working on Bears Ears**

The Deseret News, May 10 | Amy Joi O'Donoghue

BEARS EARS, San Juan County — Interior Secretary Ryan Zinke said Tuesday that in the context of Bears Ears National Monument, "cattle ranchers matter, too."

58. **NATIONAL MONUMENTS: Zinke review could open 2.7M acres to development — report**

E & E News, May 10 | Jennifer Yachnin

BLANDING, Utah — Boundary changes to a half-dozen national monuments could open up 2.7 million acres of land to fossil fuel extraction, according to a new analysis released by Greenpeace this morning.



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

NPR, May 5 | Kirk Siegler

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

KSL News, May 5 | Dave Cawley

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



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

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

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

The simmering dispute

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

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

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

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

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



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The maligned monument

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

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

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

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

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

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

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

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



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

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

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

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

The popularity explosion

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

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

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

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

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



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

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

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

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

Challenges of the tourism economy

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

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

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

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

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



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

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

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

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

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

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

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

Kanab on the cusp

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

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



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

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

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

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

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

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

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

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

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



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

The tale of two Utahs

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

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

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

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

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

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

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

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



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

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

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

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

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

EcoWatch, May 5 | Yvon Chouinard and Rose Marcario

Dear Secretary Zinke,

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

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



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

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

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

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



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

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

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

E & E News, May 5 | Scott Streater

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

David DeMille, May 5 | David DeMille

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

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

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

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

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

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

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



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

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

KPAX News, May 6 | Eleanor Mueller

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

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

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

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

Zinke takes over

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

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



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

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

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

Tribal sovereignty

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

Education

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

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



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

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

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

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

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

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

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

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

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

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



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Health care

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

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

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

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

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

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

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

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

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

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

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

The Salt Lake Tribune, May 6 | Ron Gibson

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

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

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

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

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

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



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

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

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

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

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

Ron Gibson is president of the Utah Farm Bureau Federation.

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

The Salt Lake Tribune, May 6 | Peggy Fletcher Stack

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

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

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



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

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

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

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

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

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

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

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

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



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

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

That was followed by wild applause.

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

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

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

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

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

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

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

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



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

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

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

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

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

The Deseret News, May 6 | Deseret News editorial board

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

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

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

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

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



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

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

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

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

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

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

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

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



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

Political leaders, however, have couched the most recent designation as a “betrayal” by the Obama Administration of good-faith efforts by the state to cobble together a consensus on how best to protect the land. Supporters of the monument argue, with some justification, that the state’s efforts in that direction were doomed to succumb to political pressures as they stumbled through the legislative process in Washington. Others counter by pointing out that the prospect of a presidential monument designation caused negotiations to go nowhere since conservationists were confident they would get their monument anyway.

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

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

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

The New York Times, May 6 | Terry Tempest Williams

“Rising from the center of the southeastern Utah landscape and visible from every direction are twin buttes so distinctive that in each of the native languages of the region their name is the same: Hoon’Naqvut, Shash Jáa, Kwiyaagatu Nukavachi, Ansh An Lashokdiwe, or ‘Bears Ears.’ For hundreds of generations, native peoples lived in the surrounding deep sandstone canyons, desert mesas ... one of the densest and most significant cultural landscapes in the United States.”

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

The Washington Times, May 6 | Ben Wolfgang

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

Contests over land use

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



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

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

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

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

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

What the law says

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

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



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

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

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

The value of preservation

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

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

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

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

The Salt Lake Tribune, May 6 | Amy Roberts

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

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

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

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

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

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



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

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

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

Amy Roberts is executive director of the Outdoor Industry Association.

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

KSL News, May 7 | Jasen Lee and Marjorie Cortez

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

The Deseret News, May 7 | McKenzie Romero

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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18. **The new range war**

The Christian Science Monitor, May 7 | Amanda Paulson

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

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



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

You'd be wrong.

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

Perhaps the best hope for ending the standoffs over public lands is a more collaborative approach in the canyons and valley floors of the West itself – far from the politics of Washington and statehouses. One such effort is under way in Salmon, where ranchers, federal agencies, and conservation groups are finding common ground.

"What doesn't get attention is the really good, responsible, productive work taking place on the Western landscape," says Beyeler, the Lemhi County rancher.

At the same time that the Malheur standoff was occurring, he notes, the Forest Service and BLM were working with a local rancher to help him get seven miles of pipeline approved in an area that includes an important salmon spawning tributary. Endangered sockeye salmon travel more than 900 miles, up 6,500 feet of elevation, to spawn in rivers and lakes here.

"It was a collaborative process," says Beyeler. "I worry that this tension on whether the state or federal government should own [public lands] distracts from the collaborative work."

Tom Page, another Salmon Valley rancher, got into ranching in part because he wanted to see if he could do it in a conservation-minded way – and make money. He is surprised by how hard it has been to navigate all the environmental rules and by how difficult lawsuits filed by activists make it for local landowners.

When he recently sought to get approval for 200 feet of fence on his grazing allotment, to keep cows from straying into restricted forest land, federal officials told him not to apply for the permit. Because it would disturb fish and sage grouse habitat, the US Forest Service "knows they



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have to write a thick document for those 200 feet of fence,” says Mr. Page, and that they’re likely to be sued by environmentalists – which was not worth it, in their view, for such a small project.

The Upper Salmon area, Page agrees, has become a model for conservation and collaboration – but only because it has nonprofits and both federal and private money helping to support that work. In rural counties with less federal attention, there tends to be a lot less trust, he says.

Bob Cope has seen both cooperation and conflict. A large man with a deep voice and earthy sense of humor, he is a veterinarian for all the local ranchers as well as a Lemhi County commissioner. He has served on numerous state and federal committees representing Western interests.

With face-to-face collaboration and local involvement, he says public-lands disputes are solvable. But he understands people’s frustrations, especially when they see onerous rules being made by people back East.

“We can work with our federal officials, but [local people] get handcuffed,” he says. “We’ve had management by legislation and litigation. There’s still a lot of mistrust on both sides.... People feel like they have no voice.”

Over on the 25,000-acre ranch he’s managed for 20 years, Shane Rosenkrance epitomizes the attitude of many people in this part of Idaho. He harbors a deep love for the lands he manages and the public holdings that surround them. Mr. Rosenkrance points to the imposing peaks rising out of the desert floor – the Lost River Range, the Pioneer Mountains, Mt. Borah. He wants them to remain in federal hands and not be sold to individuals who might turn them into their own private preserves.

“You can go anywhere you want,” says Rosenkrance, whose family has lived in the valley for seven generations. “Residents appreciate that more than anyone. But we don’t want some guy in New York telling us how to manage these lands, or to lock them up.”

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

NewsOK, May 7 | The Associated Press

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

6:40 p.m.

U.S. Interior Secretary Ryan Zinke says he may not necessarily recommend that President Donald Trump rescind or shrink two Utah national monuments, and it's possible that once he views the red rock areas, he could decide the monuments need to be larger.

Zinke told reporters Sunday in Salt Lake City that his visit is a listening tour and he wants to ensure that the Antiquities Act was used as intended when Bears Ears and Grand Staircase-Escalante monuments were declared.

The Interior secretary spoke to reporters after a closed-door meeting with leaders of a tribal coalition that campaigned for the monument.

His visit comes after an executive order signed last month by President Donald Trump called for a review of 27 national monuments established by several former presidents.

5:05 p.m.

More than 500 protesters urging the protection of Utah's Bears Ears National Monument are demonstrating outside a Salt Lake City building where U.S. Interior Secretary Ryan Zinke is meeting with tribal leaders.

Protesters carried signs Sunday and shouted "Save our monuments, stand with Bears Ears!" as Zinke started a four-day Utah trip.

He's assessing whether 3.2 million acres of the state's red rock region should remain national monuments or have borders scaled down.



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Zinke's meeting with the Bears Ears Inter-Tribal Coalition, which pushed for the monument, was not open to the public or media.

His visit comes after an executive order signed last month by President Donald Trump called for a review of 27 national monuments established by several former presidents.

4:15 p.m.

U.S. Interior Secretary Ryan Zinke is meeting with a coalition of five tribes that pushed for President Barack Obama to designate Bears Ears National Monument.

Zinke's hour-long meeting Sunday with the Bears Ears Inter-Tribal Coalition came as the Interior secretary kicked off a four-day tour in Utah.

The meeting was not open to the public or media, but Zinke is expected to speak to reporters later in the day.

While in Utah, he's expected to assess whether the designation of 3.2 million acres of national monuments in the state's southern red rock region should be scaled back or rescinded.

His visit comes after an executive order signed last month by President Donald Trump called for a review of 27 national monuments established by several former presidents.

9:20 a.m.

U.S. Interior Secretary Ryan Zinke is set to start a four-day Utah trip to assess whether the designation of 3.2 million acres of national monuments in the state's southern red rock region should be scaled back or rescinded.

Zinke arrives in Salt Lake City Sunday to launch the re-evaluation of the new Bears Ears National Monument and the Grand Staircase-Escalante National Monument.

His visit comes after an executive order signed last month by President Donald Trump's called for a review of 27 national monuments established by several former presidents.



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

Zinke must make a recommendation on that monument by June 10 ahead of a final report about all the monuments.

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

The Salt Lake Tribune, May 7 | Matthew Piper

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

"I think they're smart, capable, passionate, and have a deep sense of tie to their culture and want to preserve it," the secretary of the Interior said after a meeting with the Bears Ears Inter-Tribal Coalition, which requested the monument on behalf of five tribes, at Salt Lake City's Bureau of Land Management office on Sunday.

Minutes later, however, Sen. Orrin Hatch said Native Americans are "manipulated sometimes by people" and that the "far left" has further designs on the 1.35 million acres in southeastern Utah protected by President Barack Obama on Dec. 28.

"The Indians, they don't fully understand that a lot of the things that they currently take for granted on those lands, they won't be able to do if it's made clearly into a monument or a wilderness," Hatch said.

Asked to describe which activities Obama's designation would prevent Native Americans from doing, Hatch said, "That'd take too much time right now."

Pressed further for one example, Hatch said: "Once you put a monument there, you do restrict a lot of things that could be done, and that includes use of the land. ... Just take my word for it."

Navajo nation delegate Davis Filfred, who serves as member of both the tribal coalition and a tribal commission created to provide input on management of the monument, said Sunday night that the meeting with Zinke was overdue.



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"I told him today that you met with the Utah delegation more than a couple of times thus far and this is the first time that we are meeting," Filfred said. "I'm requesting equal time."

While Filfred and others fight to defend it, Hatch and other state leaders have four days to convince Zinke that the Bears Ears National Monument designation constituted federal overreach and defied the will of most of the region's inhabitants.

Zinke then has until June 10 to recommend to President Donald Trump a fate for the newborn monument.

He also will stop within the boundaries of Grand Staircase-Escalante — whose 1996 designation by President Bill Clinton is the starting point for a review of 27 large monuments that was ordered by Trump. Utah leaders hope Trump will drastically reduce the boundaries of the 1.9 million-acre monument.

Zinke said he arrives in Utah "without any predisposition of outcome."

"Over the course of our history, I think it's undisputed that the monuments have been an effective tool to save [and] preserve some of our greatest cultural treasures," Zinke said, though he later added that "very few monuments are to the scale of the recent actions."

"Some of the monuments are, I don't want to say universally but certainly widely, supported and accepted," Zinke said. "The Bears Ears is not widely supported or accepted in the state of Utah."

His tour is reminiscent of one conducted last July by his predecessor, Sally Jewell, to inform Obama's decision.

Jewell witnessed striking vistas and delicate archaeological treasures as she weighed varied opinions about who should oversee them, and she concluded her visit by soliciting public comment for three hours inside a cramped Bluff Community Center.

The eventual designation hewed closely to boundaries in the Public Lands Initiative proposed by Utah's delegation, but if Obama's monument was intended as a compromise, it wasn't viewed that way by Utah leaders.

Hatch said Sunday that Obama made the declaration "without talking to any members of the delegation."



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"It was pretty pathetic," he said.

Zinke's entourage drove past about two dozen protesters lining the 200 South border of The Gateway shopping mall as he accessed BLM offices Sunday for his first meeting with a full complement of the Bears Ears Inter-Tribal Coalition. Zinke met earlier with Sens. Hatch and Mike Lee, Gov. Gary Herbert, Utah Attorney General Sean Reyes and state legislative leaders.

Proponents of the two disputed national monument designations worry that their voices will be absent from the Interior secretary's upcoming agenda.

Zinke's office rejected repeated requests to meet with members of the roundly pro-monument Boulder-Escalante Chamber of Commerce, writing "his current schedule is quite full and it's unlikely that he'll be able to accommodate any additional engagements." Chamber members were invited to comment on a forthcoming feedback website.

Members of Utah Dine Bikeyah, a grassroots nonprofit that supports the monument, also have called publicly for a meeting and sent Zinke's office a letter Sunday describing two previous letters and "several email and verbal requests" to meet.

Executive Director Gavin Noyes said Sunday that the Bears Ears boundaries were drawn based on the group's conversations with 75 Native American elders.

"We want to make sure that he doesn't trim any boundaries without talking to people who know the Bears Ears area the best," Noyes said. "The biggest risk at this point is that he believes that [largely anti-monument] Blanding and Monticello residents are the only people that he needs to meet with."

The Center for Western Priorities' Greg Zimmerman declared in a Sunday statement that Zinke's itinerary "[makes] it clear he intends for his visit to Utah to be a one-sided affair, ignoring input from local stakeholders who support national monuments at Bears Ears and Grand Staircase-Escalante."

Tribal leaders who pushed for the monument have said they will sue to preserve the protections, if necessary.

Filfred said Zinke agreed to meet with members of the intertribal coalition only last Wednesday, after multiple requests went unanswered.



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Sunday's hourlong meeting was insufficient for them to state their case for the monument, he said. He was unimpressed by Zinke's posture and took a cellphone photo of the secretary reclining in his chair.

"You're asking this question as if we're supposed to answer it in one sentence, one phrase, one paragraph," Filfred said.

Zinke said Sunday that it's clear involved Native Americans "have roots in that area. They recognize that this is the first time that they're at the table, and there is some distrust of previous efforts that the tribe and tribes, in this case, aren't heard. Remarkably, that's the same argument I hear from many counties and many elected officials: that the federal government by and large has not heard the local voice."

As a freshman representative from Montana, Zinke opposed a GOP effort to transfer federal lands to states.

"The federal government needs to do a much better job of managing our resources, but the sale or transfer of our land is an extreme proposal, and I won't tolerate it," he said last June after voting against a bill that would have given states the option to buy 2 million federal acres for logging.

He also took sides against Rob Bishop when the Utah representative, who serves as Natural Resources Committee chairman, tried to block funding to the Land and Water Conservation Fund that the government uses to buy and conserve potentially threatened lands.

In January, however, Zinke said there was "no doubt the president has the power to amend a monument" and "[i]t will be interesting to see if a president can nullify a monument."

Utah's Legislature resolved during this year's session to ask Trump to rescind Bears Ears despite legal scholars' doubts that he has such authority.

Rep. Mike Noel, R-Kanab, who has been supported by Utah leaders as a candidate to lead the Bureau of Land Management, has said that "a whole lot of just plain old sagebrush" that could be ranched or mined lies within the boundaries of the two monuments.



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A recent poll conducted by Dan Jones & Associates and commissioned by UtahPolicy.com found that a small majority of Utahns support reducing the acreage in Bears Ears or eliminating it altogether, while a similarly slim majority say Trump should leave the Grand Staircase as is.

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21. **Zinke Begins Utah Listening Tour**

KUER News, May 7 | Judy Fahys

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

Around two hundred protestors gathered outside the federal Bureau of Land Management's state office as Zinke met inside with leaders of the five tribes that will help manage the new Bears Ears National Monument.

"There's a lot of anger out there," he said afterward, speaking with reporters. "There's a lot of mistrust out there."

Zinke's visit coincides with an open public comment period on 27 national monuments that have been created in the past two decades. He invited all Utahns and all Americans to voice their concerns. Zinke insists his mind is NOT made up.

"I'm talking to all parties," he said, "and getting a perspective of making sure that Utah and all the stakeholders have a voice."

He's scheduled to tour the new Bears Ears National Monument on foot, in a plane and on horseback over the next two days. Then he visits the Grand Staircase Escalante Monument.

The Interior Secretary also met Sunday with Utah Republican leaders. They've organized the tour to make a case that Bears Ears should be rescinded and the Grand Staircase should be shrunk.

"We're going to make sure Utah functions the way it should function and that it's protected and that it's not just shoved around by radical people from elsewhere," said Sen. Orrin Hatch, a Utah Republican who joined Zinke Sunday at the BLM.



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Native Americans and conservationists throughout the state are among the monument supporters who complain they're being excluded from the Zinke meetings.

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22. **Zinke in southern Utah to tour Bears Ears**

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

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

At an event hosted by Utah Dine Bikeyah, reporters and photographers in town for Interior Secretary Ryan Zinke's visit were given aerial tours of the San Juan County monument.

The 30-minute flights come in advance of Zinke's scheduled hike to the House on Fire ruins near Mule Canyon, inside the monument footprint.

Utah Gov. Gary Herbert is expected at the hike, as well as several staffers from Utah's congressional delegation.

Willie Grayeyes, chairman of the board of Utah Dine Bikeyah, said he hopes Zinke realizes that as Interior secretary he has a "trust responsibility" to Native Americans.

That responsibility, he added, should be part of Zinke's decision on whether the monument stands as Grayeyes hopes.

Members of Utah's congressional delegation have been united in opposition to Bears Ears' designation by former President Barack Obama late last year. Sen. Orrin Hatch, R-Utah led out on the effort that led to President Donald Trump signing an executive order on April 26 to review monument designations going back to 1996.

San Juan County commissioners were also at the airport for Zinke's arrival, which has stirred up residents. This is the second time in less than a year that a secretary of the Interior has visited the region. Last summer, then-Secretary Sally Jewell was here.



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"The windup has been pretty intense," said San Juan County Commissioner Phil Lyman, who said it was clear Zinke intended to listen to the variety of viewpoints about the December 2016 designation.

"He's gone above and beyond in that respect," he said. Lyman said the county leaders remain adamantly opposed to the monument.

"In this country we value consent, and this was done without our consent," he said.

This story will be updated throughout the day.

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23. **Zinke kicks off Utah tour in national monuments review**

The Hill, May 8 | Timothy Cama

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

Zinke arrived Sunday for meetings with stakeholders, including elected officials and a group of American Indian tribes that pushed for the creation of the Bears Ears National Monument.

At a news conference with Sen. Orrin Hatch (R-Utah) late Sunday, Zinke said that, unlike many other national monuments, Bears Ears doesn't enjoy local support, according to the Salt Lake Tribune.

"Over the course of our history, I think it's undisputed that the monuments have been an effective tool to save [and] preserve some of our greatest cultural treasures," Zinke said, adding later that "very few monuments are to the scale of the recent actions."

"Some of the monuments are, I don't want to say universally, but certainly widely, supported and accepted," he continued said. "The Bears Ears is not widely supported or accepted in the state of Utah."

Zinke pushed back on the narrative that the five nearby tribes that supported former President Barack Obama's decision to protect the land were misled by environmentalists.



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“I think they’re smart, capable, passionate, and have a deep sense of tie to their culture and want to preserve it,” Zinke said, according to the Tribune.

Zinke had met earlier with the Bears Ears Inter-Tribal Coalition.

Hatch, however, said he thinks the tribes were tricked.

“The Indians, they don’t fully understand that a lot of the things that they currently take for granted on those lands, they won’t be able to do if it’s made clearly into a monument or a wilderness,” said Hatch, who declined to name specific activities that aren’t allowed within the monument area.

Dozens of protesters supporting the monuments faced Zinke outside the Salt Lake City offices of the Bureau of Land Management when he arrived, the Deseret News reported.

Zinke, Rep. Rob Bishop (R-Utah) and others are taking a plane trip Tuesday to see Bears Ears from the air. Later in the week, he’ll tour parts of Bears Ears and the Grand Staircase-Escalante national monument on horseback.

Interior will also take formal comments soon via mail and online as they consider a revision of those monuments and two dozen others.

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24. **Mr. Zinke, Keep Channeling Teddy Roosevelt**

The New York Times, May 8 | The Editorial Board

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

By all accounts, Mr. Zinke, a former Navy SEALs member and congressman from Montana, is not a dope. He therefore knows that he cannot possibly match Mr. Roosevelt if he embraces the dismaying anti-environmental agenda Mr. Trump has saddled him with.



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As David Roberts of Vox has pointed out, that agenda is both plutocratic and lazy. It seeks to confer new benefits on oil and gas interests that are already richly favored. Yet it requires nothing of Mr. Trump himself. All he has done is issue executive orders that tell someone else to do the work. He cannot scrap the clean power rule or President Barack Obama's aggressive fuel efficiency standards; the relevant federal agencies will have to face the laborious and uncertain process of writing new rules and whatever court challenges those rules bring.

In similar fashion, in two separate orders, Mr. Trump has instructed Mr. Zinke to review Obama policies designed to protect important landscapes for the enjoyment of future generations and the oceans from catastrophic oil spills. The wording in both orders makes it clear that Mr. Trump wants the policies revised or jettisoned altogether, and in the end, great damage could be inflicted on the environment. It's up to Mr. Zinke to make sure that does not happen.

One order instructs Mr. Zinke to review all national monument designations made under the Antiquities Act after Jan. 1, 1996, that encompass 100,000 or more acres. Since Mr. Roosevelt signed the law in 1906, eight Republican (including T.R.) and eight Democratic presidents have used it to unilaterally protect threatened landscapes from commercial intrusion. Mr. Trump complains that such designations prohibit new mining and drilling projects that could create jobs, but a close look at his order shows that it makes no economic sense and is little more than cynical genuflection to the Utah congressional delegation.

The order's bookends are the 1.9 million-acre Grand Staircase-Escalante National Monument, established by President Bill Clinton in 1996, and the 1.35 million-acre Bears Ears National Monument established just last year by Mr. Obama. The designations have stuck in the craw of two Republican warhorses, Senator Orrin Hatch and Representative Rob Bishop.

Both monuments contain magnificent landscapes and priceless artifacts. Neither contains significant oil and gas reserves, and the Grand Staircase designation has led to a big growth in tourism. Bears Ears is likely to do the same. Both have popular support, and both are best left alone.

The second order deals with oil and gas exploration. The United States is producing robust supplies, from both federal and private lands, but the oil industry wants more, and so does Mr. Trump. He has therefore ordered Mr. Zinke to draw up a new five-year exploration plan, roll back an Obama rule from last December withdrawing America's Arctic waters from drilling, and "reconsider" several safety regulations implemented after the disastrous BP oil spill.



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Five-year plans come and go; every nearly every administration draws up a new one. Mr. Trump's plan calls for drilling in the Atlantic, an idea Mr. Obama rejected after protests from coastal states. The instructions on Alaska and safety precautions are simply irresponsible. Mr. Obama withdrew Alaskan waters using existing legal authority and for a very good reason: An oil spill in the inhospitable waters of the Arctic would be a disaster. Further, after Shell's bumbling and ultimately fruitless \$7 billion attempt to find oil, companies have been abandoning old leases right and left, and, whatever their ambitions elsewhere, do not seem to be seeking new ones in the Arctic.

As for revising and presumably weakening the safety regulations — common-sense efforts to strengthen specific pieces of offshore drilling equipment, like blowout preventers, that failed in the 2010 gulf disaster — it's hard to believe that even industry wants something that stupid.

Back to Mr. Zinke's first day on the job. The day after he got off his horse, he addressed his employees and promised to defend them against brutal budget cuts that Mr. Trump had already threatened. That's all well and good, but the real measure of his leadership is whether he will also defend the crucially important work his employees are involved in, and, like Mr. Roosevelt, decide to protect and add to the public lands and waters instead of diminishing them.

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

The Las Vegas Sun, May 8 | Daniel Rothberg

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

"He caught right on," Dahl said.

This is how Dahl sees Nevada's position relative to the federal government, which owns more than 85 percent of the state. "So many of the rules and regulations we have to live by are made



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so far away in Washington by people who are not really familiar with our problems out here,” he said.

In late April, Dahl flew to Washington, D.C., to discuss the future of public lands with President Trump’s staff, after the administration invited him to a signing ceremony for an executive order on education. The political landscape around the land issue had changed since August. Trump’s administration had veered away from the pro-transfer position included in the Republican Party’s platform.

“I’m adamantly opposed to the sale or transfer of public lands,” Secretary of the Interior Ryan Zinke said at an Outdoor Industry Association event that same week in April. “So is my boss.”

That position, which has hardened in recent weeks, has forced land-transfer advocates in the West to look at more modest proposals for giving states more control over federal lands. At the meeting in April, for instance, Dahl suggested transferring more management responsibilities to the states.

When asked about such proposals, a spokesperson for the Interior Department said in an email that Zinke “believes the federal government needs to be a better manager and a better neighbor and that bureaus need to work more closely with one another and local and state governments on local land management policy.” She added: “What works for Seattle doesn’t exactly work for Henderson.”

State legislators across the West introduced bills this year encouraging Congress to revisit the idea of wholesale land transfers — ceding large parcels of land to the states, which could then sell the land for development and extraction, or manage it for the public. Those bills face an uphill battle.

The federal government, which owns the majority of land in Nevada, Oregon and Utah, sits on nearly 47 percent of all Western land. It’s a reality that has existed since statehood, when the federal government ceded land to newly formed states looking to raise revenue for public services. Nonetheless, it’s a development that remains a thorn in the side of land-transfer advocates, who argue that local jurisdictions should make choices about how their land is managed.

Politicians supporting the land-transfer movement, though, have had difficulty making gains, facing headwinds from both sides of the partisan spectrum.



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Conservationists and sporting groups believe that transferring federal land could constrict space for hunting, fishing and outdoor recreation. It's likely that these groups would oppose Dahl's suggestion — to transfer management, not the land, to the states.

"That gets to be a very slippery slope," said Alex Boian, vice president of governmental relations for the Outdoor Industry Association. "It's not a real compromise."

A spokesperson for Montana-based Backcountry Hunters and Anglers echoed Boian's concern. She too called such proposals a slippery slope and likened the protection of public lands to a "second Second Amendment."

The groups flexed their political muscle this year with a successful social media campaign that urged Rep. Jason Chaffetz, R-Utah, to withdraw a bill to sell 3.3 million acres of federal land. "It's the first shot across the bow," Land Tawney, executive director for Backcountry Hunters and Anglers, told Outside Magazine in February. "We don't have the money, but we have the people."

At a recent lunch meeting with members of the Congressional Western Caucus, Zinke reiterated his opposition to divesting federal land, U.S. Rep. Mark Amodei, R-Nev., said in an interview with The Sunday.

Zinke declined to discuss whether there would be any exceptions, said Amodei, who introduced legislation in 2014 that would have transferred about 7.5 million acres of federal land to Nevada.

"That's not in the cards at this time," Amodei said.

Amodei instead plans to prioritize smaller gains for the land-transfer movement. He stressed the importance of monitoring land use around Yucca Mountain, funding for the Southern Nevada Public Land Management Act and proposed expansions of Air Force facilities at Nellis and Fallon. He said he expected the administration to be open to land bills that address county-by-county issues.

While Dahl was in D.C., Trump signed a directive ordering Zinke to review national monument designations dating back to the Clinton administration. The request asked the Interior Department to look at downsizing or eliminating any recent monuments declared through presidential powers. .



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The American Lands Council, a group that Dahl co-founded, applauded the order. But the group said on its website: “reforms need to go much further.”

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

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

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

While the order is written in such a way that all recent national monuments—including the Stonewall, César E. Chávez, Belmont-Paul Women’s Equality, and Pacific Remote Islands Marine national monuments—are subject to the 120-day review, Secretary Zinke publicly called out two monuments: The “bookends” of his review will be the Grand Staircase-Escalante and Bears Ears national monuments, both located in Utah. These two monuments later made the list of monuments Secretary Zinke is initially reviewing.

It has been widely reported that the Utah congressional delegation was the driving force behind President Trump’s executive order. Sen. Orrin Hatch (R-UT) and Rep. Rob Bishop (R-UT) have been particularly outspoken in their opposition to the Antiquities Act writ large and to Utah’s national monuments specifically. Indeed, both were at the signing ceremony for the executive order; Utah Gov. Gary Herbert (R) and Sen. Mike Lee (R-UT) were also in attendance. President Trump gave Sen. Hatch the pen he used to sign the order after recognizing Hatch as “tough” for repeatedly calling Trump to say “you got to do this.”

The national monument review will be a legal, moral, and political minefield. President Trump’s embrace of the Utah delegation and its pet cause is especially interesting given that most of the delegation’s members were vocal in their opposition to him during the presidential primary. For a president known to keep a list of those who speak ill of him, it is a curious alliance. The Center for American Progress’ analysis suggests that a closer look at the oil, gas, and coal underneath



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Utah's national monuments—and the fossil fuel industry's influence on Trump and the Utah delegation—might help explain this newly formed partnership.

The Trump administration and the Utah delegation's history of disagreement

President Trump struggled to find support in Utah during his campaign, with the majority of the state's voters supporting someone else in both the Republican caucuses and the general election. Rep. Bishop reluctantly voted for Trump, saying, "Unless he resigns, I must support the Republican nominee as my only option." Sen. Hatch eventually supported Trump, but only after endorsing two other Republican candidates first. And Utah's junior senator, Mike Lee, another critic of the Bears Ears National Monument, told constituents that Trump "scares [him] to death." Similarly, Utah Rep. Chris Stewart (R) said last year that "Donald trump does not represent republican ideals, he is our Mussolini."

In addition, the Trump administration's early policy statements on land management differ from those of the Utah delegation. During the campaign, Trump indicated in an interview with Field & Stream magazine that his administration would be "great stewards" of public lands and that he did not "like the idea" of transferring federal lands to the states. His pick of Secretary Zinke, who resigned his delegate post at the Republican National Convention over the party's platform on this issue, underscored that commitment. By contrast, Rep. Bishop, Rep. Jason Chaffetz (R-UT), and Sen. Lee (R-UT) have all introduced legislation that would make it easier to sell off public lands.

It is noteworthy, then, that President Trump is pushing an executive order that is a thinly veiled land seizure. He even parroted a land seizure activist talking point—embraced by Rep. Bishop and other proponents of diminishing federal land management—just before signing the order, saying he would "give that power back to the states and to the people, where it belongs."

Curious, perhaps, until one remembers that this rhetoric traces its roots to industry-backed front groups with vested interests in selling off public lands for private gain.

Extractive industries threaten national monuments in Utah

Both President Trump and members of the Utah delegation, particularly Rep. Bishop, have benefited from oil, gas, and coal industry contributions. Trump's presidential campaign received more than \$1.1 million from the fossil fuel industry. And coal, oil, and gas interests contributed \$1 out of every \$10 raised—a total of at least \$10 million—for Trump's inaugural celebrations.



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These events were not subject to the same campaign finance restrictions as donations made during the election.

Rep. Bishop, meanwhile, received the highest percentage of out-of-state campaign contributions of anyone in the House, and the oil and gas industries—including the American Petroleum Institute, a trade association that represents hundreds of oil and gas companies—contributed more to his campaigns than any other industry. Although Bishop has repeatedly claimed that his issues with the Grand Staircase-Escalante and Bears Ears national monuments have nothing to do with the fossil fuel interests located below them, both monuments appear to be in the sights of this heavily invested industry.

The American Petroleum Institute was quick to send a letter to House Natural Resources Committee Chairman Bishop and his counterpart in the Senate shortly after the 115th Congress convened, imploring them to “re-examine the role and purpose of the Antiquities Act.” The organization argued that the law threatens the extraction of fossil fuels from public lands and waters. In addition, the oil and gas industry group Western Energy Alliance, or WEA, has indicated interest in drilling in Bears Ears. WEA President Kathleen Sgamma has said about the monument, “There certainly is industry appetite for development there, or else companies wouldn’t have leases in the area.” And geologists have known for years that the Grand Staircase-Escalante area has coal, oil, and mineral deposits.

The following maps reveal why special interests would want access to mine and drill within the boundaries of both Grand Staircase-Escalante and Bears Ears national monuments. A new analysis by CAP and Conservation Science Partners, or CSP, finds that Grand Staircase-Escalante scored in the 72nd percentile for oil and gas and the 37th percentile for mineral resources among similarly sized Western landscapes. The boundary of Grand Staircase-Escalante also encompasses the extensive coal beds found in the Kaiparowits Plateau. As CAP and CSP previously reported, when compared with similarly sized landscapes in the West, Bears Ears scored above the 50th percentile for both mineral resources and oil and gas. Without protection, Grand Staircase-Escalante and Bears Ears would be at great risk of destructive mining and oil and gas development.

These national monuments are also two of the wildest and most ecologically valuable places in the West. The new analysis indicates that Grand Staircase-Escalante is in the top 4 percent for ecological intactness and the top 6 percent for connectivity, which are essential to biodiversity



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and landscape-level conservation. As CAP and CSP previously showed, Bears Ears is in the top 10 percent of similarly sized places in the West for these two important factors.

Even though national monuments are public lands that, by definition, belong to the people, President Trump said he was signing the executive order to “return control to the people—the people of Utah, the people of all the states, the people of the United States.” However, it appears the people he has in mind may be those with close industry ties.

Methodology

To determine the ecological importance of Bears Ears National Monument and Grand Staircase-Escalante National Monument, CAP and CSP mapped and summarized 10 landscape-level indicators of resilience to climate change; ecological connectivity; and intactness, biodiversity, and remoteness. Publicly available spatial data and published methods of analysis were used to create indicator maps across 11 Western states to compare Bears Ears National Monument and Grand Staircase-Escalante National Monument with equivalently sized areas throughout the West. The same was done with each of seven national parks. A mixture of iconic Western national parks known for their ecological importance and Utah national parks were selected for comparison. CAP and CSP also assessed Bears Ears for two threat indicators: mineral resource potential and oil and gas resource potential. No coal resources were found within Bears Ears National Monument. Similarly, CAP and CSP assessed Grand Staircase-Escalante for three threat indicators: mineral resource potential, oil and gas resource potential, and coal resource potential.

CAP and CSP determined the values of each of the indicators relative to the larger landscape using a simple scoring system based on percentile ranks. Specifically, the mean value of each indicator within Bears Ears National Monument and Grand Staircase-Escalante National Monument was compared with the distribution of means of a large random sample of 1,000 areas across the 11 Western states, including all jurisdictions. The size of the random samples was equivalent to the size of the monument. CAP and CSP did the same for the seven national parks. Scores on indicators ranged from 0 to 100. For example, a score of 98 for a given indicator signified that the mean value of that indicator in the monument was greater than or equal to 98 percent of the equivalently sized random samples. Scores of 50 or higher suggested a relatively important indicator.

A more detailed description of methods and data [can be found](#) here.



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Mary Ellen Kustin is the Director of Policy for Public Lands at the Center for American Progress.

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27. **US Interior secretary tours hotly contested Utah monument**

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

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

His tour guide aboard the helicopter will be Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose the Bears Ears National Monument. Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP Congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development and isn't the best way to protect the lands.

During the first day of a four-day trip to Utah to see two monuments, Zinke was serenaded in Salt Lake City by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears." They represented tribal leaders and conservationists on the other side of the debate who are imploring Zinke to leave Bears Ears alone to preserve lands considered sacred to the tribes.

After holding a closed-door meeting with a coalition of tribal leaders who pushed for the monument, Zinke spoke on Sunday of his admiration for President Theodore Roosevelt, who created the law that gives presidents the power to create monuments.

Zinke, a Montana Republican, said that "it is undisputed the monuments have been an effective tool to save, preserve our greatest cultural treasures."

He insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition. Zinke has been tasked with making a recommendation on the monument by June 10, about 2½ months before a final report about on all the monuments.



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"I'm coming in this thing as a Montanan, a former congressman and now the secretary of the Interior without any predispositions of outcome," Zinke said at a news conference Sunday evening in Salt Lake City. "I want to make sure that the public has a voice, that the elected officials have a voice."

The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres (7,700 square kilometers), about the size of Delaware. Bears Ears is a bit smaller at 1.3 million acres (5,300 square kilometers).

Hatch, who appeared with Zinke at the Sunday news conference, said he is grateful the Interior secretary was making the visit.

"He understands that there are two sides. Maybe more than two sides," Hatch said.

Hatch led the campaign by Utah Republican to get President Donald Trump to take a second look a monument designated by President Barack Obama near the end of his term.

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

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

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

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

Zinke and Herbert are scheduled to hold a news conference Monday afternoon before hiking up to the House on Fire, one of dozens of intact ancient ruins within the monument.



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On Tuesday, he plans to tour the area by while riding a horse, mentioning his horseback commute through the streets of Washington, D.C., on his first day on the job in March.

"I think, sometimes, the best way to see things is slow and easy with a horse," Zinke said.

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

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

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

Zinke's midmorning arrival created much fanfare at the tiny airport on the southern edge of Blanding, where Native American monument supporters pressed their case to the media.

Zinke is expected to stay in Utah through Wednesday, and he is being accompanied on this trip by Rep. Rob Bishop, R-Utah.

Earlier Monday, Native American supporters talked about the sacred nature of the rugged landscape and why it's so important to protect. At an event hosted by Utah Diné Bikéyah, reporters and photographers in town for Zinke's visit were given aerial tours of the monument.

Zinke took his own aerial tour of the Bears Ears region in one of three Blackhawk helicopters before a scheduled hike later Monday to the House on Fire ruins near Mule Canyon, inside the monument footprint.

Utah Gov. Gary Herbert is expected at the hike, as well as several staffers from Utah's congressional delegation.

Ecoflight pilot Bruce Gordon, who has been flying 30 years, said he thinks having the "bird's eye" view of a landscape helps to further the conservation discussion.

"We give the land a voice and we try to be objective," he said. "The aerial perspective gives people a better view."



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Willie Grayeyes, chairman of the board of Utah Diné Bikéyah, said he hopes Zinke realizes that as Interior secretary he has a "trust responsibility" to Native Americans.

That responsibility, he added, should be part of Zinke's decision on whether the monument stands as Grayeyes hopes.

Diné Bikéyah describes itself on its website as a nonprofit organization that "works toward healing of people and the Earth by supporting indigenous communities in protecting their culturally significant, ancestral lands."

Woody Lee, the legislative district assistant for the Navajo Nation Council, said he hopes Zinke makes time to meet with members of the nation. He said the Bears Ears region "is something we all hold sacred. It's like the U.S. Capitol building that all Americans hold sacred."

Members of Utah's congressional delegation have been united in opposition to Bears Ears' designation by former President Barack Obama late last year. Sen. Orrin Hatch, R-Utah led out on the effort that led to President Donald Trump signing an executive order on April 26 to review monument designations going back to 1996.

San Juan County commissioners were also at the airport for Zinke's arrival, which has stirred up residents. This is the second time in less than a year that a secretary of the Interior has visited the region. Last summer, then-Secretary Sally Jewell was here.

"The windup has been pretty intense," said San Juan County Commissioner Phil Lyman, who said it was clear Zinke intended to listen to the variety of viewpoints about the December 2016 designation.

"He's gone above and beyond in that respect," he said. Lyman said the county leaders remain adamantly opposed to the monument.

"In this country we value consent, and this was done without our consent," he said.

The morning brought together a pair of men who were engaged in an amiable discussion over the monument, despite holding polar opposite views.

Mathew Gross, with the Southern Utah Wilderness Alliance, and Matthew Anderson, with the conservative Sutherland Institute, even posed for photos together.



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"We may be opposites, but everybody cares about this land," Anderson said.

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

The Spectrum, May 8 | David DeMille

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

"Believe me, he's tough," Trump said, nodding to Hatch during the April 26 signing ceremony. "He would call me and say, 'You gotta do this.' Is that right, Orrin?"

Two weeks later, Hatch and the rest of Utah's all-Republican congressional delegation were meeting with newly-appointed Interior Secretary Ryan Zinke ahead of his on-site visit to the Bears Ears and Grand Staircase-Escalante national monuments, Utah's two largest and the two that Hatch calls examples of Washington-ordered "land grabs" that lock out local communities.

The 83-year-old was already a 20-year veteran of the Senate when then-President Bill Clinton signed the Grand Staircase into monument status in 1996, and when he saw Bears Ears leaning the same direction two decades later he said the similarities were obvious.

"Nearly 20 years ago, the Clinton administration blindsided Utah with a massive 1.9-million-acre monument designation in Southern Utah," Hatch said, saying that in both cases a monument designation would go against the will of Utah's elected representatives and local residents.

The debate over those two monuments has made Utah ground zero in what is likely to become a wide-ranging political battle over monument designations, one that most observers expect to end up being fought in the courtroom.

On one side is the contention that Bears Ears, like other western monuments, is among the places most in need of protection, an undulating collection of mountainous terrain rich in cultural significance to native tribes, thousands of archaeological sites, paleontological resources, scenic landscapes and some of the nation's darkest night skies.

A large coalition of tribal leaders, environmentalist groups, archaeologists and others fought for the monument designation.



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The monument proposal had the support of six of the seven Navajo chapters in the state, along with representatives from some two dozen other tribes and the National Congress of American Indians, as well as organizations like the Friends of Cedar Mesa and the Utah Diné Bikéyah, a conservation organization led by Native Americans.

"National monuments are designated so they may be preserved for all the people of the United States," said Madison Hayes, content manager for the advocacy group Alliance for a Better Utah. "These are national treasures. Once they are lost and sold off for development and extraction, there is no way to return these beautiful lands to their original state."

But Bears Ears, like the nearby Grand Staircase, is also rich with natural resources that area leaders contend could help prop up poor economies.

When Clinton signed the Grand Staircase into law, it closed ideas of mining coal out of potentially rich beds beneath the Kaiparowits Plateau, where the U.S. Geological Survey had suggested there were some 30 billion tons of minable coal.

Both monuments house what researchers suggest could be rich deposits of gas, oil, uranium and other resources.

Utah officials have long argued that environmental protections could be maintained while allowing for some resource extraction, and most have argued that both monuments ignored the wishes of local leadership.

"Utahns deserve a collaborative land management process that ensures local residents have a seat at the table," said U.S. Rep. Chris Stewart, whose district includes the Grand Staircase monument.

Legal experts suggest Trump would have difficulty unilaterally rescinding a national monument designated by a previous president, since that ability is not spelled out in the Antiquities Act.

But there are arguments that he could amend or shrink the borders of monuments.

Congress has acted in the past to remove monument status and to make changes to existing monuments, and Utah's lawmakers have been among those proposing legislative changes to the 1906 law.



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Last year, Hatch and Sen. Mike Lee proposed one measure that would have allowed monument designations to expire if states didn't sign off on them, and then a second bill that proposed exempting Utah from any new monuments. Neither made it to a vote.

Similarly, the Public Lands Initiative, legislation developed by Utah Reps. Rob Bishop and Jason Chaffetz as an alternative to the Bears Ears monument designation, never saw a vote.

But Trump's win on Election Day has raised the hopes of state officials that a Republican administration might take a different look at the monuments.

Utah's back-and-forth with federal agencies over control of federally-controlled lands within its borders goes back decades, reaching a fevered pitch in recent years as state lawmakers propose suing over control of about 31 million acres.

County commissioners, along with county and municipal leadership across the region, Utah Gov. Gary Herbert and other state leaders have pushed for changes to the monument designation.

The Legislature passed a resolution this year demanding the federal government revisit the issue.

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30. **San Juan County residents welcome visit from Secretary Zinke**

ABC 4 Utah, May 8 | Glen Mills

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

This is the latest step in a bitter battle over public lands in Utah. Both sides say their way of life is at risk, and they are doing all they can to protect it.

On Main Street in Blanding, Utah sits the JC Hunt Company. Carl and DeeAnn Hunt are the owners. They distribute petroleum to farmers and ranchers in the Four Corners area.

All around their business you will find a strong statement on public lands. They want the Bears Ears National Monument rescinded.



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"We are afraid we will lose those rights to go on the land, and to enjoy the land the way that we have," said DeeAnn Hunt.

The Hunts say the process under the Obama Administration was hijacked, and local voices weren't heard.

"Everybody was against the designation of the monument, and yet that was never taken into consideration. We feel like the monument was a foregone conclusion," said Carl Hunt.

Now opponents are getting a second chance under President Trump's Executive Order calling for a review of the Antiquities Act.

Over the next few days Secretary Zinke will get an up close look at the Bears Ears and Grand Staircase- Escalante monuments, which combine for about 3.2 million acres.

He's also meeting with local stakeholders to get their input on the impact. Even monument supporters are welcoming the visit.

"I'm glad he's coming to educate himself, and also walk the lay of the land, to have a better understanding," said Mark Maryboy, with Utah Dine Bikeyah, and former San Juan County Commissioner.

But, Maryboy says they are ready to file a lawsuit with the 10th Circuit Court of Appeals if President Trump decides to rescind the monument or alter the size.

They say it's about protecting sacred traditions.

"Go baby, go baby drill. That's their philosophy, and we are all about conservation, Mother Earth, protect the land. We believe in climate change," said Maryboy.

The Hunts say they too want to preserve the land. They say it's in their blood, but they say the monument consumes way too much land.

"We've lived here, we love the land, we take care of it. We've been taught as young people to be stewards over the land and to take care of it," said DeeAnn Hunt.

Secretary Zinke is viewing the Bears Ears National Monument by helicopter and horseback on Monday. No decisions will be made during this trip.



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

The Morning Consult, May 8 | Jack Fitzpatrick

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

Interior Secretary Ryan Zinke is in Utah through Wednesday to meet with stakeholders about a review of potential changes to two national monuments in the state. But Interior has not announced any public meetings in the area, though the department is taking written comments online and Zinke has met with some major stakeholders.

Bears Ears National Monument and Grand Staircase-Escalante National Monument are among 27 national monuments the administration is considering altering or revoking under an executive action signed by President Donald Trump in April. Designation as a monument limits the number of activities that can take place on the land, such as energy production.

Opponents of the monuments criticized former Presidents Bill Clinton and Barack Obama for creating them without enough public input, using the 1906 Antiquities Act to unilaterally designate the monuments without approval from Congress.

But as Zinke starts a 45-day review of Bears Ears and a 120-day review of the others, monument supporters say he has not engaged enough with the local community.

Interior turned down requests for meetings with Utah Diné Bikéyah, a nonprofit that supports Bears Ears and coordinates with five nearby tribes, Executive Director Gavin Noyes said. The department also declined to meet with some members of the Escalante & Boulder Utah Chamber of Commerce, Vice President Kris Waggoner said.

"We feel like our board members and the elders in the local community have critical knowledge that he [Zinke] needs to understand before he recommends any changes to the monument," Noyes said in a phone interview Monday. "So we don't quite understand why he hasn't felt it necessary to engage us, but we'll certainly continue trying to get that critical information to him. We had hoped to walk the land with him."



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Zinke met with the Utah congressional delegation Monday morning, Sen. Orrin Hatch (R-Utah) said in a statement. Interior also planned several stops to talk to local press Sunday through Wednesday, but Waggoner said she is not aware of any public meetings at which she could voice her support for the monuments.

Interior did not respond to requests on Monday for details on whom Zinke would meet during his tour.

The Salt Lake Tribune reported that Zinke on Sunday met with the Bears Ears Inter-Tribal Coalition, which supports the Bears Ears monument designation.

Noyes said he is concerned Zinke will not spend enough time in the southern half of San Juan County, Utah, an area with a more predominantly Native American population. That southern half of the county is where the most people hope to preserve the land for cultural reasons, he said.

“The people who use Bears Ears daily for cultural purposes, those are all south of where it seems he is going to visit,” Noyes said. “It seems like he’s spending his time primarily in the Anglo [northern] half.”

Bears Ears has also attracted criticism from some local tribal organizations, such as the Utah-based Aneth Chapter of Navajo and the Blue Mountain Diné, an organization that represents Navajos living in San Juan County.

In lieu of meeting in person with Zinke, Noyes said his group still hopes to hold a conference call with him before Zinke finishes his Bears Ears review. Waggoner said she will organize a “party” May 12-14 at a business she owns, where she will set up computers for guests to submit online comments on the monuments review.

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

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

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



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Zinke's aerial and ground tour of the Bears Ears National Monument was part of a review ordered by President Donald Trump to determine if 27 monuments were properly established.

Zinke spent the day getting familiar with the 1.3-million acre (5,300 square kilometers) swath of southern Utah with red rock plateaus, cliffs and canyons on land considered sacred to tribes.

His tour guide was Utah Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose Bears Ears National Monument.

Zinke, a Montana Republican, said he wants to make sure Native American culture is preserved but cautioned that not all tribal members share the same opinion about the monument designated by former President Barack Obama near the end of his term.

He spoke before taking a short, winding hike in the afternoon sun with Herbert and other state and local officials to a lookout post above ancient ruins.

"Of course, the legacy and what I've seen should be preserved," Zinke said, "The issue is whether the monument is the right vehicle."

Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development. They also say it isn't the best way to protect the land.

In Blanding, with a population of 3,400 people, two large banners read, "#RescindBearsEars," reflecting the popular sentiment among residents.

Bears Ears supporters made their voices heard too. They believe the monument adds vital protections to tribal lands where members perform ceremonies, collect herbs and wood for medicinal and spiritual purposes, and do healing rituals.

Tara Benally, a member of Navajo Nation, was standing just outside the Blanding airport wearing a shirt commemorating the December declaration of Bears Ears National Monument.

"We want it left as is. We have history going through there," said Benally, who lives south of the nearby town of Bluff. "That was basically my mom's playground as she was growing up."



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A group of Bears Ears supporters greeted Zinke when he arrived to the trailhead. One woman asked why he only met with tribal leaders for an hour.

Zinke, who was shaking another supporter's hand, turned around to face the woman and said: "Be nice." The woman responded that she always is.

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

Conservation groups contend that the monument review puts in limbo protections on areas across the country that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears."

He held a closed-door meeting with a coalition of tribal leaders who pushed for the monument then spoke of his admiration for Roosevelt.

Davis Filfred of the Navajo Nation said Monday that the one-hour meeting Sunday wasn't enough time for the Bears Ears Inter-Tribal Coalition to make their points to Zinke. Filfred, who was in the meeting, said it seems Zinke is listening more to opponents of the monument than people who want it preserved.

Zinke insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition.

The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres (7,700 square kilometers), about the size of Delaware. Bears Ears is smaller at 1.3 million acres.

Zinke has been tasked with making a recommendation on the Bears Ears monument by June 10, about 2½ months before a final report about all the monuments.



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Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments — a move that would be unprecedented.

On the way back from his hike to the ruins, Zinke stopped at the trailhead and spoke with several people on horseback and admired their horses. On Tuesday, Zinke plans to tour more of the Bears Ears area on horseback.

He said his upcoming decision is not just about how the local tribes, county officials or the governor feel about the monument, but it's also about how the entire country feels about it because it's America's public land.

"President Trump, I'm going to tell you, is a great boss. The reason why I think he felt so strongly about this is he feels like sometimes Washington makes these rules and we don't have a voice," Zinke said. "He put this in motion to make sure that local communities count. States count. America counts."

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

Fox 13 News, May 8 | Ben Winslow

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

Accompanied by Governor Gary Herbert, Congressman Rob Bishop, members of the Utah State Legislature and news reporters, Zinke took in his surroundings.

"It is drop dead gorgeous country, no question about it!" he declared. "Beautiful vistas."

The Secretary of the Interior is here in Utah's most controversial national monument to help decide its fate. He's spending the next couple of days in San Juan and Kane counties as part of a review of national monuments ordered by President Trump.

Zinke is touring Bears Ears National Monument on Monday and Tuesday. He'll then stop by Grand Staircase-Escalante National Monument on Wednesday.



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The president signed an executive order to review the use of the Antiquities Act, used to create national monuments. Bears Ears was basically the catalyst, having been created by President Obama at the end of his term.

At 1.35 million acres, the newly created national monument outraged Utah political leaders.

"I think there is a reverence for and a desire to be good stewards of the land and I think monuments are more restrictive," said House Speaker Greg Hughes, R-Draper. "Access becomes a lot harder."

Environmental and Native American tribal groups argue the area deserves protection. Filled with ancient petroglyphs and dwelling sites, they argue it is archaeologically rich and culturally sensitive.

"We call it holy places. We have offerings, we have prayer ceremonies done. We have places where our ancestors are buried. This is a sacred place," said Woody Lee, a Navajo Nation Council District Liaison.

San Juan County Commissioner Bruce Adams said locking up so much land in a national monument designation hurts the potential for development and hurts the local economy. He urged President Trump to rescind it.

"I want him to see what the economy and San Juan looks like. I want him to see how the monument might affect school children and see how it might affect the people who live here and work here every day of their life," Adams told FOX 13 as he waited to meet with Zinke.

Speaking to reporters on Monday, Zinke said he was not an advocate for selling public lands (some Utah lawmakers have advocated such a move). Asked by FOX 13 if Bears Ears should be preserved, Zinke replied: "Yes."

"Of course what I've seen should be preserved. The issue is whether the monument is the right vehicle," he said. "Whether it's not the right vehicle, it's public land."

Zinke insisted he is listening to all sides as he makes his recommendation to President Trump. He has 45 days to decide Bears Ears and has asked for public comment online by May 12.

If he recommends rescinding Bears Ears, tribal and environmental groups said they will sue.



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"We're going to have to try to do something. I mean, we're not going to take this lying down," said Kenneth Maryboy, the Mexican Water Chapter President of the Navajo Nation.

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

KUTV 2 News, May 8 | Daniel Woodruff

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

"I'm really happy," Nicole Francom said as she stood with family and friends outside her home, waiting for a glimpse of Interior Secretary Ryan Zinke's motorcade to pass by.

When he did, Zinke gave them a big wave. Francom and her group yelled "thank you" and "Trump this monument!"

"I feel like everyone in Blanding just got so much hope back," Francom said.

She feel this way because Zinke is touring the 1.3-million acre Bears Ears National Monument in southeastern Utah. He is tasked with making a recommendation about what to do with the newly designated monument to President Trump by June.

Many in Blanding want the monument gone.

"Rescind it," said Wendy Black, "and then come back and do it the right way -- with the people, not against us."

Zinke said he hasn't made a decision yet.

"I'm actually optimistic at the end of the day we'll make a recommendation that I think will be best for our country," he told reporters Monday afternoon before he and a group of local and state elected officials hiked in to see some ancient Native American ruins. "We want to make sure that everyone's voice is heard."

But some feel that isn't happening.



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"It seems like he's trying to lean his ear the other way," said Kenneth Maryboy, a member of the Navajo nation.

He and other native Americans say the monument protects their sacred lands. They want it left as it is.

"The intent is to leave it as a monument to where it will be for all people," said Woody Lee. "Not only natives, but for all people from now until eternity."

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

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

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

Zinke's tour guide for the helicopter ride over the 1.3-million acre (5,300 square kilometers) swath of southern Utah with red rock plateaus, cliffs and canyons was Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose Bears Ears National Monument.

Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development. They also say it isn't the best way to protect the land.

"The only way to truly learn about and understand a place is with boots on the ground," Zinke posted to Twitter after landing in Blanding for the second day of his four-day trip to see Bears Ears and the Grand Staircase-Escalante.

Zinke and Herbert were expected to hold a news conference later in the day before taking a hike to one of the ancient ruins within the Bears Ears site.

The monument review is rooted in the belief of Trump and other critics that a law signed by President Theodore Roosevelt allowing presidents to declare monuments has been improperly



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used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Conservation groups contend that the monument review puts in limbo protections on areas that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

In Blanding, with a population of 3,400 people, two large banners read, “#RescindBearsEars,” reflecting the popular sentiment among residents.

Those who want Zinke to leave Bears Ears alone to preserve lands considered sacred by tribes made their voices heard, too. Tara Benally, a member of Navajo Nation, was standing just outside the Blanding airport wearing a shirt commemorating the December declaration of Bears Ears National Monument.

“We want it left as is. We have history going through there,” said Benally, who lives in the nearby town of Bluff. “That was basically my mom’s playground as she was growing up.”

After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, “Save our monuments, stand with Bears Ears.”

He held a closed-door meeting with a coalition of tribal leaders who pushed for the monument then spoke of his admiration for Roosevelt,

Zinke, a Montana Republican, said “it is undisputed the monuments have been an effective tool to save, preserve our greatest cultural treasures.”

He insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition.

Zinke has been tasked with making a recommendation on the Bears Ears monument by June 10, about 2½ months before a final report about all the monuments.

“I’m coming in this thing as a Montanan, a former congressman and now the secretary of the Interior without any predispositions of outcome,” Zinke said. “I want to make sure that the public has a voice, that the elected officials have a voice.”



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The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres (7,700 square kilometers), about the size of Delaware. Bears Ears is a bit smaller at 1.3 million acres.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments — a move that would be unprecedented.

On Tuesday, Zinke plans to tour the Bears Ears area on horseback.

"I think, sometimes, the best way to see things is slow and easy with a horse," Zinke said, referring to his commute ride through the streets of Washington, D.C., on his first day as Interior secretary.

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

The Salt Lake Tribune, May 8 | Brian Maffly

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

"We respect the animal where it dropped," said the Navajo tribal leader Monday while flying over the new Bears Ears National Monument in southeastern Utah.

"We do a little ritual where we leave the intestine, testicles and the antlers there. We only take the meat and the buck hide."

Below, sinuous canyons fell away from the juniper-topped mesas surrounding Bears Ears Buttes, the 1.35-million-acre monument's namesake and home to tens of thousands of sites left by ancestral Pueblos.

The sky view was also enjoyed Monday by Interior Secretary Ryan Zinke who is in Utah this week.



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Under orders from President Donald Trump, Zinke is reviewing 27 large national monuments designated since 1996, starting with Bears Ears, which former President Barack Obama designated at the request of five tribes with ancestral ties to these public lands.

The designation has sparked an intense backlash from Utah's political leaders denouncing it as "federal overreach" and a "land grab."

Joined by an entourage composed entirely of anti-monument politicians, Zinke flew over the landscape aboard three Army Black Hawk helicopters and later hiked to Butler Wash, a popular destination overlooking cliff dwellings left by ancient American Indians.

"It's been a while since I flew in a Black Hawk without people shooting at me," said Zinke in joking reference to his stint as a Navy Seal commander.

"The trip today verified it is drop-dead gorgeous country. No question about it," Zinke told reporters gathered Monday at the Butler Wash trailhead. "We want to make sure everyone's voice is heard. A lot of the anger out there in our country is local communities and states don't feel like they had a voice. Washington has done things that seem heavy handed without coordination."

Zinke's remarks echoed criticism of the monument designation leveled by Utah's top political leaders, including Gov. Gary Herbert, who joined the hike.

"We know you are going to take a good look at this with an open mind and unbiased attitude, and I know your challenge is to get some recommendations on what to do to bring us together and resolve some of these conflicts," Herbert told Zinke.

But many pro-monument Navajo, including Stevens, complain that they are being excluded from the discussion.

President of the Navajo Mountain tribal chapter, Stevens was among several members of Utah Dine Bikeyah, the grass-roots Navajo nonprofit that has long lobbied to conserve what it considers a sacred landscape, gathered at the Blanding Airport on Monday morning, hoping for a word with Zinke.

The new secretary, who has earned a reputation for respecting tribal interests as a Montana politician, gathered inside with state and local leaders who want Trump to rescind the monument.



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Bikeyah board Chairman Willie Grayeyes tried to enter but was barred by Utah Highway Patrol troopers.

"We are asking for equal time and it's not happening," said group member Woody Lee. "It happens all the time."

On Sunday in Salt Lake City, Zinke met with tribal leaders who support the monument, but his staff declined a formal meeting request submitted by Utah Dine Bikeyah. On the street outside the Bureau of Land Management headquarters, hundreds of Bears Ears supporters clamored for equal hearing and respect for tribal sovereignty.

Ute, Navajo and Puebloan tribal leaders are dismayed that the first national monument created at the request of American Indians could become the first undone by a succeeding president. But undoing or reducing the monument would not mean opening Bears Ears to extraction, Zinke said.

"Yes, of course the legacy and what I've seen should be preserved. The issue is whether the monument is the right vehicle," said Zinke, who was trained as a geologist. "What vehicle of public land is appropriate to preserve the cultural identity, to make sure the tribes have a voice and make sure you preserve the traditions of hunting and fishing and public access?"

He said he is concerned about how monument rules would restrict land uses.

"If you live in the county, making a living is a good thing, too," he said. "Having your access limited is a problem."

Zinke is scheduled to continue his tour Tuesday with a ride through Bears Ears Buttes on a towering 17-hand horse provided by San Juan County Commissioner Bruce Adams.

He will conclude his tour Wednesday in Kanab, where he will review the 1.9-million-acre Grand Staircase-Escalante National Monument, designated 20 years ago by President Bill Clinton.

At the Blanding airport Monday, Adams, a Monticello rancher, passed around white cowboy hats emblazoned with the Trumpian slogan: "Make San Juan County Great Again."

"By getting rid of this layer of this monument, we can get back to the greatness of where we were," Adams said.



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He and other monument critics fear restrictions that come with monument status on the 1.35 million acres west of Blanding will thwart economic development, impede public access and undermine local schools by disrupting possible revenue sources.

On Monday, local monument opponents, including American Indians, presented their case for erasing the monument at the Utah State University Blanding campus and later at a park, where Zinke briefly joined them.

"We are concerned by the divisiveness created in our county among the people," Adams said. "We want to see the people unified and want to see them brought together and work together to make San Juan County great."

But Lee, the Bikeyah member, had a different take on Adams' idea of greatness.

"It's great as long as Indians don't say anything," Lee said.

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

The Salt Lake Tribune, May 8 | Mariah Noble

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

Willie Grayeyes, chairman of the pro-monument Utah Dine Bikeyah board, said in a written statement Monday that it's "offensive" to believe "that Native Americans do not have a will of their own, or if they do take a position that their position is influenced by a non-native person."

American Indians "understand the special and sacred landscapes at Bears Ears National Monument better than anyone," Grayeyes said, and "have stewarded these landscapes for thousands of years." He said American Indians are "very pleased with the language used in the proclamation that protects the things we care about and gives us a voice in our future."



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Hatch "does not understand what he is working so hard to take away," Grayeyes said. "If he would just listen to us, he would stop fighting against what we stand for because it is not a threat to him or anyone else," Grayeyes said.

The Utah League of Native American Voters called Hatch's comments "blatantly racist, misinformed and condescending [in] tone."

Hatch also said Sunday that Americans Indians are "manipulated sometimes by people" and that the "far left" has further designs on the 1.35 million acres in southeastern Utah protected by President Barack Obama on Dec. 28.

"The Indians, they don't fully understand that a lot of the things that they currently take for granted on those lands, they won't be able to do if it's made clearly into a monument or a wilderness," Hatch said.

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

The Deseret News, May 9 | Boyd Matheson

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

Zinke will need to rely on the training and leadership lessons of the SEAL teams he once led to navigate an issue that is deep and divisive, complex and infested with confusing rhetoric and an abundance of loud voices. Of late, the national monument issue has become filled with fictional claims and fraught with false choices. SEAL team members are known for their ability to drop into hostile environments, assess the situation and then act in the best interest of the country. Those skills will be priceless for his time here in Utah.

I hope the secretary brought his Navy SEAL Trident badge with him to remind him of what to do and how to act in dangerous or high-stakes circumstances. The Trident badge is unique in the



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military. Normally, the eagle is placed on military decorations with its head held high. On the Navy SEAL badge, however, the eagle's head is lowered to remind each SEAL team member that humility is the true measure of a warrior's strength. Zinke understands that humility is not weakness and there is real power in listening.

I remember attending a dinner meeting for new members of Congress when Zinke was a newly elected congressman from Montana. He arrived with many of the other freshmen, but it was easy to tell he was different from his new congressional colleagues. He had a quiet confidence about him. I sensed he knew exactly why he was there and what his mission was going to be as a representative. I watched him throughout the evening. Many of the other people in the room seemed obsessed with getting a word in, making a point, sounding smart, dropping names and talking about how they won their elections. Zinke didn't just listen; he listened intently and was one of only two people in the room taking notes. He said little, which actually spoke volumes about him as a leader. He asked a lot of questions instead of making statements. When he finally commented on an issue, it was clearly thought out and it concluded with a call to action.

I suspect that everyone, on all sides of the Bears Ears issue, will walk away feeling heard and understood this week.

I hope the secretary will lead the discussion this week to issues such as: 1. What do the people whose lives and livelihoods are dependent upon the Bears Ears area think about the monument designation? 2. Does the Antiquities Act's "smallest area possible" necessary to preserve and protect antiquities really require 1.3 million acres? 3. How multiple use and local input can transcend the all-or-nothing false choices of conserving land or unchecked commercialization. (There really won't be an oil rig on top of Bears Ears or under Delicate Arch.) 4. How the Native American tribes who live in San Juan County (not national tribal groups) and the other local citizens (not from the Wasatch Front or the rest of the nation) feel about the monument designation and its impact on their lives and futures. 5. Is a presidential declaration the right process for national monuments? Local and state input is critical to ensuring that national monuments preserve antiquities and empower local communities.

I believe what happens in Utah this week will lead to an important dialogue across the country and in Congress about the president, of either party, having the power to declare such vast monuments. Trump's executive order could be a rarity in that it actually reduces or limits executive branch power. That would be a welcome change. Restoring power to the people's



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representatives and ultimately to the people is vital for the people of Utah, and especially those in San Juan County.

Zinke's visit is important to Utah and to the nation. His Navy SEALs training will come in most handy. As he hears from big business, big government and big environmental groups, I hope he also remembers his Navy SEAL ethos to "humbly serve as a guardian to my fellow Americans, always ready to defend those who are unable to defend themselves."

And then I hope he remembers that a wealthy man's playground should never come at the expense of a working man's dream.

Boyd C. Matheson is president of Sutherland Institute, a conservative think tank that advocates for a free market economy, civil society and community-driven solutions.

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

The National Geographic, May 9 | Laura Parker

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

The monuments under review are those created since 1996 by Presidents Clinton, Bush, and Obama. All but one are at least 100,000 acres in size. Bears Ears, which totals 1.35 million acres, was created by Obama in the final days of his presidency. The 1.7-million-acre Grand Staircase was designated by Clinton in 1996.

Utah lawmakers have been steamed for more than two decades about the creation of the Grand Staircase, which essentially locked up Utah's largest coal seam. They want the monument's size to be reduced so the coal can be mined. They also have been pushing to have Bear Ears revoked since Obama created it.



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A public comment period begins May 12. Information about submitting comments online or by mail can be found at the Interior Department's website [here](#).

The Antiquities Act, passed by Congress and signed into law by President Theodore Roosevelt in 1906, gives the president broad authority to set aside federal land for protection as national monuments. No president has ever revoked any monuments named by his predecessors; the question of whether a president can revoke a national monument has never been tested in court. The law does not require presidential consultation with anyone prior to creating a new monument. The Supreme Court dealt with the issue of size when it upheld Roosevelt's designation of the Grand Canyon National Monument in 1908.

Congress has the authority to abolish monuments outright, but it rarely does largely because of monuments' popularity with the public. More often, Congress has resized monuments, including Grand Staircase.

In addition to the Utah monuments, two others that have drawn fire are on Trump's list:

The creation of the 4,913-square-mile Northeast Canyons and Seamounts Marine National Monuments in the Atlantic Ocean off New England has been challenged in court by five commercial fishing organizations, in part because commercial fishing is now prohibited within the monument's boundaries. And, the 87,560-acre Katahdin Woods and Waters National Monument in Maine, also created by Obama, was added to the list after Gov. Paul LePage complained that there had not been adequate public comment before its designation. It is the only monument under review smaller than 100,000 acres.

Zinke, a Republican and fifth generation Montanan who touts his western heritage, rode horseback to the Interior Department on his first day on the job. A Republican, he served as Montana's lone congressman before Trump tapped him for Interior and says his voting record reflects a philosophy about public lands that aligns with Roosevelt's legacy as the conservation president.

Zinke resigned as a delegate to the Republican National Convention last summer because he disagreed with a party platform plank that endorsed the transfer of public lands to the states.

The Interior Department "is the steward of America's greatest treasures and the manager of one-fifth of our land," Zinke said in a statement. "Part of being a good steward is being a good neighbor and listening to the American people who we represent."



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He said the review “finally gives voice to local communities and states” and added “there is no pre-determined outcome on any monument.”

Details about the monuments under review are from presidential proclamations published in the Federal Register as well as Interior Department websites for each of the monuments.

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

The Center for American Progress, May 9 | Jenny Rowland

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

Although some Utah politicians argue that this monument has had a negative impact on the surrounding area, the reality on the ground is quite different: By a margin of better than 2 to 1, Utahns believe that the monument’s designation was good for their state. Even the Utah Office of Tourism cites the monument as one of its “most visited parks” and boasts about its vast size and “phenomenal” allure. The truth is that Grand Staircase-Escalante is valuable. It deserves its status as a national monument for a multitude of reasons and should not be targeted by Trump’s misguided attempts to sell out U.S. public lands.

This column details just some of the reasons why Grand Staircase-Escalante should remain protected as a national monument.

The local economy is thriving because of the monument

- Rural Western counties with more protected public lands, including national monuments, have faster-growing populations, employment rates, and personal incomes than those with less protected land. In fact, since Grand Staircase-Escalante’s designation in 1996, per capita incomes have risen 28 percent and employment has risen 40 percent in the communities adjacent to the national monument. While such statistics do not prove causation, they do disprove the idea that the national monument prevented economic growth.



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- The vice president of the Escalante Chamber of Commerce has attested to the region's economic success following designation, noting that the tourism industry has continued to grow and that local businesses are employing more people than ever.
- Arguments that the monument has hurt ranchers by limiting grazing are untrue. Grazing within the monument has remained virtually unchanged since the designation. In fact, it has shrunk by less than 0.5 percent.

Grand Staircase-Escalante is full of antiquities and areas of scientific and archeological interest

- The monument's scientific, natural, and cultural value, as well as its more than 20,000 archeological sites, deserved protection when the monument was designated—and still do today. The monument's Bureau of Land Management, or BLM, webpage notes that its "size, resources, and remote character provide extraordinary opportunities for geologists, paleontologists, archeologists, historians, and biologists in scientific research, education, and exploration." A BLM archeologist has also emphasized that the "wholeness" of the archeological record is what makes the area unique.
- The monument has been called a dinosaur "Shangri-La" due to its high volume of well-preserved fossils from the late Cretaceous Period. Twenty-one never-before-seen dinosaurs have been discovered in the monument since its designation.
- Grand Staircase-Escalante is in the top 4 percent of similarly sized places in the West for ecological intactness and in the top 7 percent for ecological connectivity and night sky darkness—higher than the Grand Canyon or Yellowstone national parks. These indicators are necessary for high biodiversity and landscape-level conservation.

The courts have ruled that there is no question as to the monument's legality under the Antiquities Act

- In 2004, a federal judge ruled that former President Bill Clinton was well within his legal authority in designating the monument. The judge rejected claims made by a group of Utah counties that the size of the monument exceeded what is allowed under the Antiquities Act.

Congress has confirmed and clarified the boundaries of the monument



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- At its creation, Grand Staircase-Escalante encompassed small pockets of land that were owned by the Utah School and Institutional Trust Lands Administration. An agreement was reached with the federal government in which state officials swapped the inholdings for more resource-rich federal land elsewhere in the state. In addition to receiving a \$50 million payment upon completion of the deal, the lands that the state government acquired in the exchange have generated more than \$310 million for Utah's public schools, counties, and other institutions.
- Importantly, the land exchange passed through Congress in 1998, codifying the new boundaries into law.

The monument holds oil, gas, and coal resources, raising questions about the motivations of those who want to roll back protections

- President Trump's executive order is part of a larger effort to sell off the nation's public lands to the highest bidder. Industry groups, including the American Petroleum Institute and the Western Energy Alliance, have already expressed interest in drilling in Utah's national monuments. Including Grand Staircase-Escalante in the review is yet another nod to the power of the fossil fuel industry to influence the administration's actions.
- The discussion on coal mining in the monument was settled 18 years ago, when the coal company that had leases within the monument's boundaries was compensated with a generous sum of \$14 million. At a time when most major coal companies have been in and out of bankruptcy and the price of coal has declined to around \$40 per ton, reversing protections on Grand Staircase-Escalante to appease special interests would not make economic sense. But it would sacrifice the rural economic gains driven by protection of natural and cultural heritage.

Conclusion

The Grand Staircase-Escalante National Monument is one of many national treasures under attack by the Trump administration. Any attempt by President Trump to eliminate or alter the monument would undermine the cultural and natural resources it protects.

Jenny Rowland is the Research and Advocacy Manager for the Public Lands Project at the Center for American Progress.

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

E & E News, May 9 | Jennifer Yachnin,

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

Zinke made the remarks in the midst of his visit to the Beehive State this week, as he meets with local officials in the course of a review of dozens of national monuments. He also drew criticism from some monument supporters over the lack of a public forum and for allegedly refusing to meet with them.

Following an aerial tour of the Bears Ears site with Utah Gov. Gary Herbert (R), Zinke spoke with reporters at the Butler Wash, a site inside the monument several miles south of the city of Blanding.

"Of course the legacy of what I've seen should be preserved," Zinke said. "The issue is whether the monument is the right vehicle or if it's not the right vehicle. It is public land. It was public land before the monument. It'll be public land after the monument."

Zinke added that he must recommend the "appropriate" type of public land to preserve the area's "cultural identity," as well as access for hunting and fishing.

"How best do we look at the future of what it should be?" Zinke asked. He pointed to the current mix of lands in the monument, which is managed by both the Bureau of Land Management and the Forest Service.

Under President Trump's executive order mandating the review, Zinke has until June 10 to issue an interim report on Bears Ears and until late August to issue his recommendations for all monuments under review.

But he suggested the interim report could be simply that, and specific changes to Bears Ears may not be determined by next month.



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"Now, my recommendation doesn't have to be so detailed that it's the final solution," Zinke said, adding that he wanted to speak to additional archaeologists, state officials and others. "Let's get the information."

Trump's order charged Zinke with making recommendations on whether to reduce or eliminate some monuments created since 1996 that include more than 100,000 acres, or suggesting changes to management plans for those sites.

The Interior Department announced Friday it will examine 27 monuments, including two in Utah, the Bears Ears site created by President Obama and the Grand Staircase-Escalante National Monument designated by President Clinton.

Protesters

Zinke has faced criticism during his visit from members of the Bears Ears Inter-Tribal Coalition — which represents the Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute and Zuni — who complained he did not spend sufficient time with the group, as well as from individuals who assert he has focused his time with opponents of the monument, including House Natural Resources Chairman Rob Bishop (R-Utah) and San Juan County commissioners.

In addition to those officials, Zinke was joined yesterday by Herbert, Utah House Speaker Greg Hughes (R) and other local officials who did not speak publicly.

Zinke brushed back questions over a lack of public forums during his visit to the state, arguing that Interior's decision to create a public comment forum for the monuments review on the agency's website will allow more individual voices to be heard.

But proponents of the monument, including the nonprofit Utah Diné Bikéyah and members of the Escalante & Boulder Utah Chamber of Commerce, said Zinke had rejected their requests for meetings.

"We are concerned and worried that he's not listening to the tribes," said Cassandra Begay, who serves as the tribal liaison on the board of the Salt Lake City-based Peaceful Advocates for Native Dialogue & Organizing Support.

Begay, who grew up in White Mesa in San Juan County, recalled gathering willow in what is now the Bears Ears monument to make Navajo baskets with her grandmother.



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"This is land we see as having a pulse: a living being," said Begay, one of a few dozen protesters who gathered at Butler Wash to encourage Zinke to retain the monument.

Begay later faced off with Zinke as she shouted questions at the secretary about whether he planned to meet again with the Bears Ears Inter-Tribal Coalition.

"Sir, is there a reason why you're not listening to them more?" Begay shouted in a video she provided to reporters of the exchange. When the former Montana House lawmaker did not respond, she continued: "Zinke, are you going to visit with the tribes more?"

Zinke then turned and wagged a finger at the 31-year-old Begay and forcefully said: "Be nice."

She responded: "I'm so nice." Zinke continued: "Be nice. Don't be rude."

Legal fight

Bishop, who accompanied Zinke to the monument yesterday, praised the secretary's visit to his state.

"They're doing this the right way," said Bishop, who backed a legislative alternative to the Bears Ears designation known as the Utah Public Lands Initiative.

Bishop criticized former Obama administration Interior Secretary Sally Jewell for what he saw as shifting responsibility for the monument designation to the White House.

"This time, the White House told the secretary of Interior to be involved with it. That's exactly what should be done," Bishop said.

But whether the Trump administration can rescind the Bears Ears monument without congressional action remains to be seen.

While the conservative Pacific Legal Foundation and the American Enterprise Institute have asserted the president has inherent powers to alter decisions made under the Antiquities Act of 1906, legal scholars elsewhere suggest commanders in chief are limited to designating monuments (E&E News PM, March 29).



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Although past presidents have reduced the size of monuments — notably the then-Mount Olympus National Monument and Grand Canyon II National Monument — those decisions were never challenged in court.

While Zinke is scheduled to spend another day focusing on Bears Ears before moving on to the Grand Staircase-Escalante monument near Kanab tomorrow, he acknowledged yesterday that he will not be visiting every monument facing a review.

"I've got 27 monuments, and not all the monuments, quite frankly, are controversial," he said.

'Holding pattern'

In the meantime, key decisions on management of the monument remain in limbo.

Bureau of Land Management Utah State Director Ed Roberson, who accompanied Zinke and other officials on a short hike to historic cliff dwellings near Butler Wash, said the agency has yet to recruit a Monument Advisory Committee needed to proceed with planning.

"We're in that holding pattern," he said.

Under the proclamation establishing the Bears Ears monument, both a Bears Ears Commission representing tribal leaders and a 12-member MAC will collaborate on the management plan.

While the Bears Ears Commission announced its members in March, membership of the MAC remains undecided. Moreover, the Interior Department issued a temporary freeze on its more than 200 advisory panels through at least September (Greenwire, May 5).

In the meantime, Roberson said BLM is proceeding with some decisions on the site, such as debating artwork to be featured on expected signage. Images could include the House on Fire ruin located in the monument.

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42. **The Latest: Utah Rancher Tells Zinke Monument Unnecessary**

US News, May 9 | The Associated Press

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

Adams, a county commissioner who opposes the monument, sat next to Zinke on a helicopter ride Monday and narrated the landscape of the Bears Ears National Monument. On Tuesday morning, Adams was scheduled to saddle up horses for Zinke's ride in the monument, one of 27 that President Donald Trump ordered Zinke to review to determine if they were properly established.

Adams gave Zinke a cowboy hat bearing the phrase "Make San Juan County Great Again" and delivered a clear message: The national monument designation is unnecessary and could hurt our ability to make a living off grazing and agriculture while taking away trust fund revenue for public schools.

"A monument is an overlay of protections that are already there. And so it becomes about control," Adams said. "Not only control of the land, but control of the people that are living there and trying to make a living on the land."

Echoing a common refrain from many locals in this southeastern corner of Utah, Adams said he and the locals cherish and take care of the vast expanse of tribal lands, canyons and plateaus where people hunt, fish and go camping. In Blanding, with a population of 3,400 people, banners are up around town that say "#RescindBearsEars."

"Let us just live our lives here in San Juan County," Adams said. "We're respectful people."

Zinke is getting an earful from locals and Utah's top Republican leaders who think President Barack Obama went too far in designating Bears Ears National Monument. They hope to persuade the administration to reverse the decision or at least downsize the 1.3 million acre (5,300 square kilometers) monument.

Supporters of the monument are making their voices heard, too, to let Zinke know that they worked behind the scenes for years to get protections from sacred tribal lands home to an



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estimated 100,000 archaeological sites, including ancient cliff dwellings. Tribal members visit the area to perform ceremonies, collect herbs and wood for medicinal and spiritual purposes and do healing rituals.

They offer a counterpoint to Adams, suggesting the monument will help the economy by bringing more visitors who will spend money at hotels and restaurants. They point out that the monument designation still allows grazing, hiking, hunting and fishing.

Bears Ears supporters have greeted Zinke throughout his trip. After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, "Save our monuments, stand with Bears Ears."

In Bears Ears on Monday, supporters stood with signs as he arrived to take a hike to an ancient ruin. One woman asked why he only met with tribal leaders for an hour. Zinke, who was shaking another supporter's hand, turned around to face the woman and said: "Be nice." The woman responded that she always is.

Zinke has insisted there is no predetermined outcome of his review, rooted in the belief of Trump and other critics that a law signed by President Theodore Roosevelt allowing presidents to declare monuments has been improperly used to protect wide expanses of lands instead of places with particular historical or archaeological value.

Zinke said Monday that it's clear that sacred tribal lands in Bears Ears should be preserved, but openly questioned if a monument is the right way. He is due to make a recommendation about Bears Ears by June 10 and issue a final report on all monuments about 2½ months later.

Conservation groups contend that the monument review puts in limbo protections on areas across the country that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments — a move that would be unprecedented.

On Wednesday, Zinke is set to head west and visit the Grand Staircase-Escalante National Monument, created in 1996. It is the oldest monument on the list of those to be reviewed.



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Zinke has said multiple times that he wants to hear from locals and from different points of view — including from Native Americans who may not be in lockstep with a coalition of five tribes that pushed for the monument.

"A lot of the anger that is out there in our country is that local communities and states just don't feel like they've had a voice," Zinke, a Montana Republican, said.

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43. **Executive Order gives ranchers hope**

Livestock News, May 9 | Karin Schiley

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

The Executive Order for a Review of Designation under the Antiquities Act of the Department of the Interior signed by President Trump on April 26 calls for the Department of Interior Secretary Ryan Zinke to review the monument designations made under the Antiquities Act by previous presidents.

"The Antiquities Act does not give the federal government unlimited power to lock up millions of acres of land and water, and it's time we ended this abusive practice," said President Trump at the signing.

"That's why today I am signing this order and directing Secretary Zinke to end the abuses and return control to the people—the people of Utah, the people of all of the states, the people of the United States," Trump further declared.

The Antiquities Act of 1906 grants the President of the United States the authority, through a presidential proclamation, to create national monuments on public lands. The executive order asks the Department of Interior to review monument designations made under the Antiquities Act since 1996 that include 100,000 acres or more. To date, more than 80 natural areas have been set aside as park or preservation lands, including nearly 137 million acres of public lands.

"The Antiquities Act was meant to preserve objects of antiquity—sites, objects, not thousands of acres of sagebrush grassland," said Dr. Angus McIntosh, the executive director of the Range



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Allotment Owner's Association. The association represents the 22,000 ranchers who graze on public land allotments, many of whom have been impacted when a monument designation restricted or cut off their grazing rights completely.

"The attempt to propose designations by these federal bureaucrats has excluded cattle from grazing allotments, closed roads and launched a full-out assault on private landowner rights," said McIntosh.

The National Cattlemen's Beef Association believes that this a good first step but that more legislation is needed for states to gain control over monument designations in the future.

In a press release, NCBA President Craig Uden said, "The Executive Order is an important first step to reining in past designations that were pushed through without local input. However, in order to bring the Act back to its original intent, Congress must act. Senator Murkowski's bill S. 33 Improved National Monument Designation Process Act would require Congressional approval of new designation, taking power away from the Administration and placing back into the hands of those most impacted."

Ethan Lane, Executive Director of the Public Lands Council agrees that the order is a measured first step in a political process that has been needed all along. "One of the most important aspects of this is that the president has asked Secretary Zinke to come back to him with congressional recommendations. What President Trump has said is 'Give me some ideas on how to fix it.'—that is incredibly refreshing."

While many of those impacted by previous monument designations may be hoping that the executive order means that those monument designations will be quickly rescinded, Lane says that the review process will take some time and patience along the way. Staffing issues, such as a new director of the BLM, must be addressed before the review process can begin.

Then, after each monument designation has been reviewed and reported back to the president, there is the legality regarding the complete rescinding of any monument designations is still under question.

"We believe that the monuments can be rescinded but there is some legal debate about that," said Lane. "Changing the boundaries of the monument designations may be simpler. You can still protect Bear's Ears with out taking a million acres around it."



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McIntosh believes the review needs to be taken a step further to include all prior landowner rights. "Most of these national monument designations have included up to almost 2 million acres of land without any consideration that there is private land included inside the boundaries of these designations," said McIntosh.

"There needs to be a review and report to congress on the prior rights that exist on these lands on why these designations should not be allowed to stand."

The news that rights are being put back into the hands of the states and the people residing in them gives western ranchers, who feel like they have been fighting a losing battle, hope that things can turn around in the future.

David Johnson, an Arizona rancher who has had his share of struggles dealing with the federal land management system, believes things may be finally turning in private landowners favor.

"We don't know what's going to happen but it does give us a little bit of hope," said Johnson. "The last years, we felt like we were doomed. They just kept designating more land and it felt like it was never going to change. This does give us a little hope."

Several years ago, Johnson lost his job when a federal park expansion cancelled the 200 head grazing permit of his employer. In more recent years, Johnson has watched federal land expansion swallow more and more land where he ranches in an area called the "Arizona strip."

While they do have hope for the future, the relationship between federal land employees and local private landowners has been strained for so long it will take a change in the attitude of the entire system to improve the existing climate.

"There is a difference between policing the land and managing the land. Federal employees have stopped people here and held them at gunpoint until they can get a law enforcement officer to write a ticket," said Johnson. It's left many with bitter taste that they have a hard time forgetting.

Still, the recent executive order is giving Johnson and other ranchers a reason to believe that their voices may finally be heard.

"The ones making the decisions are not from this area. None of us has had any say in what happens. Maybe things can start going in the other direction now."



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

E & E News, May 9 | Jennifer Yachnin

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

In a press conference at the Nature Conservancy's Dugout Ranch — which sits inside the monument's boundaries — Zinke said he would not endorse changing any or all of the Bears Ears site to a national park, something that would require congressional action.

"A national park has some distractors on it," Zinke said, although he did not offer specific details. "I don't think a national park is on the table."

According to the Congressional Research Service, about half of the existing national parks began as national monuments before being converted by Congress.

He added that he remains open to designations including a national conservation and recreation area.

"The rest of it is on the table. Right now, I'm still in the listening mode on it," Zinke said.

The former Montana House lawmaker is visiting southern Utah this week as he undertakes a review of dozens of national monuments, including a specific focus on Bears Ears, which was created by President Obama in his final weeks in office.

Zinke suggested yesterday that a national monument status might not be the "right vehicle" to protect the Bears Ears area and said he could recommend alternative statutes when he is due to submit an interim report to President Trump on June 10 (Greenwire, May 9).

Trump signed an executive order last month requiring the Interior Department to review all monuments created since 1996 that contain more than 100,000 acres of land, and to issue recommendations on whether those sites should be eliminated or reduced, or if there should be changes to their respective management plans.



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Utah Gov. Gary Herbert (R) and state legislators, as well as Utah's all-GOP congressional delegation, have been vocal opponents of the Bears Ears monument and have likewise targeted the Grand Staircase-Escalante National Monument, created by President Clinton, for revisions.

Zinke is set to tour Grand Staircase-Escalante tomorrow on the final day of his trip.

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45. **Tribune Editorial: Hatch continues to belittle Native Americans in Bears Ears dispute**

The Salt Lake Tribune, May 10 | Tribune Editorial

No, Sen. Hatch, we won't just take your word for it.

Utah's senior senator put his foot very firmly into his mouth Monday by attacking the intelligence and the integrity of the five Native American nations whose elected leaders joined together to work for and, in the final days of the Obama administration, win national monument status for 1.35 million acres in southeast Utah known as Bears Ears.

This patronizing, condescending — if not downright racist — theme has been a constant throughout the debate over the monument plan. The five nations, and their supporters from many other tribes, are cruelly dismissed as dupes, pawns, unwitting tools of far-away radical environmentalists who must be fooling the tribes, paying them off, or both.

"The Indians, they don't fully understand that a lot of the things that they currently take for granted on those lands, they won't be able to do if it's made clearly into a monument or a wilderness," Hatch said.

It's already a monument. Nobody is proposing that the land receive the much more restrictive designation of "wilderness" — something that only Congress can do.

And, when pressed, Hatch couldn't name anything that the Indians can do now, or could do last year, that they won't be able to do under monument management. Management that, as specifically laid out in President Obama's proclamation, will include a formal voice for the affected nations.

"Just take my word for it," Hatch said.



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The tribes know better than to do that. They know exactly what they are doing, what they wanted, what they got and how to make the most of it going forward.

Leaders of Utah Dine Bikeyah called Hatch out for his patronizing words and demanded an apology.

Well. The Hollywood stereotype of the Native American includes a large dose of studied stoicism. Which is likely what they will need if they wait for Hatch to recant.

All this was part of a tour in which Hatch and other anti-monument Utah Republicans ushered Interior Secretary Ryan Zinke around the area as part of Zinke's mission to reassess national monuments in Utah and elsewhere.

Zinke made some hopeful noises about meeting with people on both sides of the issue, including the tribes whose leaders sought the designation. But the focus of his attention has been on the anti-monument side, state and local officials who drone on about federal overreach while disrespecting the Indians and clinging to pie-in-the-sky dreams about some fossil fuel or mining bonanza that will fall from the skies if the monument goes away.

So would it be condescending to say that it's Hatch who don't fully understand? Because he clearly doesn't.

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46. **Will National Monuments Get a “Fair Hearing” on Zinke’s Listening Tour?**

Sierra, May 10 | Stacey Bare

On Sunday, Secretary of the Interior Ryan Zinke stood in front of a small, windowless conference room in Salt Lake City next to one of the long-standing generals of the Sagebrush Rebellion, Senator Orrin Hatch.

He was there to kick off a listening tour in response to President Trump’s recently signed executive order, which calls on the secretary to make sure any national monument in the United States larger than 100,000 acres created since 1996 gets a "fair hearing," as Zinke put it. The Utah monuments that bookend the timeframe of Trump’s EO review, Grand Staircase–Escalante and Bears Ears, are located just a few hours to the south of where Zinke stood: millions of acres of land sacred to Native Americans that contain treasured archaeological sites, redrock,



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sagebrush, dark night skies, breathtaking ecological diversity, and miles of open vistas. They also happen to be objects of contempt for Utah's Republican leadership.

Zinke began his remarks by reminding the assembled group of media that the executive order does not strip any existing national monument of their designation. He reiterated that neither he nor President Trump supported the transfer or sale of public lands, and that there was no predetermined outcome for the process triggered by Trump's executive order. He affirmed that he was a "firm believer in NEPA [the National Environmental Policy Act, a critical environmental permitting process]" and saw the NEPA process as an important tool to protect clean air and water (his remarks happened to fall on the same day the Trump administration removed five scientists from a prominent EPA advisory board).

Zinke then turned to the importance of the monument-designation process as an effective tool to save and preserve our nation's shared cultural and natural treasures. He referenced the first national monument, Wyoming's Devils Tower—a Native American holy site like Bears Ears. Zinke argued that, even at just 1,200 acres, Devils Tower was controversial for its size at the time, no doubt drawing a stiff contrast to the vast, 1.35 million acres now under protection at Bears Ears.

The beauty of Bears Ears did not escape him, he made clear. Zinke spoke about the importance of considering tribal sovereignty in any decision-making, and how excited he was to again be riding a horse through Bears Ears to experience it firsthand—something he hadn't done since his first day as the secretary when, D.C. traffic be damned, he rode a horse to work.

Federal lands belong to all of America, he said—not just the purview of those who happen to neighbor their borders; each voice, whether local or far away, should weigh equally in the final judgement (though he did acknowledge that the Department of Interior needed to rebuild its relationship with some local communities that have lost trust in the agency, specifically because they feel their voices had not been heard).

In one response about the importance of access to public lands, Zinke talked about the benefits of time outdoors. He even spent time discussing his vision of an interconnected system of public lands to increase access and opportunities for people to get outside.

It all sounded great. Zinke is a good public speaker. He comes off as warm, understanding, compassionate, and the type of guy that will hold fast to his word.



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He and I have both served our country in uniform; however different our jobs, we have some shared values. I wanted to believe him.

But then, the real listening tour got underway—one in which Zinke seemingly had ears for one point of view.

While in Utah, Zinke only met with a carefully curated batch of interest groups. Pro-monument supporters were sidelined or chastised when they confronted Zinke. Worse, important pro-monument stakeholders—even the chamber of commerce for the two rural communities most heavily impacted by the monuments, Boulder-Escalante—were denied meetings, along with military veterans and pro-monument Native American community organizations.

Zinke is taking public comment for 15 days to potentially override years of consultation. He continues to carry the message that there is no support for Bears Ears. He says there is no preconceived outcome, but after meeting with special-interest groups, and being shepherded through our state with the Republican delegation—which likely hasn't told him that the boundaries of Bears Ears closely match their own Public Lands Initiative proposal—it sure feels like he already has an outcome in mind.

I want him to be my guy. I want to believe him, but I just can't.

When the online comment period opens up for these monuments later this month, the public needs to speak up. People need to make sure that Secretary Zinke listens to all our voices as he embarks on his listening tour—about why we need, love, and want our existing monuments; about how they fit, in his own words, “the Muir model.”

While you wait for the comment period to open up, you can take immediate action on Bears Ears by signing our online petition [here](#) or [here](#).

Finally, get in touch with Senator Hatch. Prior to the media briefing on Sunday, he told Native Americans they would not be able to do what they wanted on the land if it stayed as a monument. When pressed on what specifically the Native American community could not do, he said he did not have time for the answer, and to “take my word” for it. Give him a phone call, send a postcard, fax, or email, and ask him to clarify what he meant.

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47. **Trump's national monument plan could easily fail — but he'll still declare victory**

The Los Angeles Times, May 10 | Evan Halper

Interior Secretary Ryan Zinke tangled with protesters, weaved through media hives and trotted on horseback across a Utah moonscape this week in pursuit of President Trump's executive order targeting national monuments.

It's a directive that may prove legally tenuous but is nonetheless creating rich political theater for the White House.

Trump struggled during the campaign in deeply Republican Utah, particularly with its politically potent landowner rights movement. But now the Queens-born president is polishing his bona fides with that crowd by dispatching a rugged Cabinet secretary on a quest that is rankling environmentalists and Native American tribes.

Over four days ending Wednesday, Zinke is surveying two hotly contested monuments: the 1.35-million-acre Bears Ears, which President Obama established at the behest of tribes and conservationists in the final weeks of his administration, and the 1.9-million-acre Grand Staircase Escalante, which has riled local developers and energy companies since President Clinton created it in 1996.

In the hardscrabble communities nearby, these monuments are often derided as a "betrayal," depriving them of potential jobs from energy extraction and other uses. Utah Sen. Orrin Hatch invoked the word yet again recently while railing against the Bears Ears designation on the Senate floor.

The administration's campaign against monuments was launched in Utah by design. The state is a hotbed of resistance to federal control of land. It has even passed a law calling on the federal government to cede control of most of its vast holdings to the state.

"They are trying to work with a favorable audience," said Rep. Raul Grijalva of Arizona, the ranking Democrat on the House Natural Resources Committee. "Once they leave the confines of Utah and start looking at all those other monuments, the politics dramatically changes."



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Even in Utah, polls show the public is divided on whether the Bears Ears designation should be rescinded. But the state's political leadership is largely united, and Zinke is getting his fill of attaboys on this trip.

"We now have an opportunity to discuss and deliberate like we didn't even have during the Bush administration," said Ken Ivory, a Utah legislator who is leading a multi-state federal land push that would go much further than Trump's executive order. Ivory's crusade, which has a number of allies in Congress, seeks to export nationally the Utah approach of pushing the federal government to transfer its land to state control.

It's a sensitive political issue for Trump and Zinke, who are aligned with a large coalition of hunters, anglers and outdoor outfitters anxious about what states would do with the federal land. Both men consider themselves outdoorsmen and have made assurances the Trump administration will not be relinquishing federal control of the millions of acres at issue. But Ivory is nonetheless encouraged by the move against the monuments. "This will continue the discussion," he said.

The protected lands Zinke came to survey are at the core of Trump's order for a review of all monuments created since 1996 that are larger than 100,000 acres, which is ultimately expected to end with Zinke suggesting both areas either get stripped of the monument designation altogether or be downsized substantially. Zinke is in a race to review those and 19 other monuments, including six in California, before producing two lists of suggested eliminations and rollbacks. He will present the first list in mid-June.

There is ample evidence the exercise could go sideways, as some of Trump's other executive orders have. Trump's ban on visitors from six predominantly Muslim nations and his bid to punish sanctuary cities are both unraveling in court. The executive order Trump vowed would force builders of the Keystone XL oil pipeline to use American steel actually won't.

"The review of these monuments is predicated on the idea that the president has this authority that he doesn't have," said Kate Kelly, who was an advisor to former Interior Secretary Sally Jewell. "There is no legal basis for it."

The last time a president moved to get rid of a monument on his own authority was in 1938, when Franklin D. Roosevelt sought to jettison the Castle-Pinckney National Monument in South Carolina. His attorney general looked into options at the time and reported back that Roosevelt couldn't do that. It would take an act of Congress, which ultimately authorized the federal



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government to offload the property in the 1950s. The president's authority to undo monument designations, environmentalists argue, has only shrunk since the Roosevelt administration, after Congress passed laws solidifying the federal protection.

Attorneys affiliated with some of the conservative think tanks influential in guiding Trump's agenda argue the Roosevelt administration got it all wrong. They say that not only does the president have explicit authority to scotch monuments, but that many of the monuments created under the century-old Antiquities Act were done so illegally. The act, their argument goes, was never intended to preserve sprawling land masses the size of Delaware.

By this line of reasoning, even Teddy Roosevelt was out of bounds when he designated the Grand Canyon a national monument. (It has since become a national park, and thus universally agreed to be untouchable by Trump's executive order).

"I think the president is in a strong position," said Todd Gaziano, an attorney at the Sacramento-based Pacific Legal Foundation, a conservative advocacy group.

While no president has ever successfully eliminated national monuments, several have changed their shapes, and even shrunk them. John F. Kennedy substantially redrew the boundaries of the Bandelier National Monument in New Mexico, shaving off nearly 4,000 acres and adding 3,000, saying the borders of what needed to be preserved had evolved. When Olympic National Park in Washington was still a monument, it was reduced in size multiple times to enable timber harvesting, including in 1915 when logs were needed to build Navy ships for World War I.

But there was a big difference between those parings and the ones Trump may be on the verge of trying to make now: the earlier presidential moves to redraw monument boundaries were not contested. The courts have yet to weigh in on whether the president can take such action when stakeholders such as American Indian tribes, environmental groups and lawmakers vehemently object.

Those groups have made clear that they won't let Trump lift protections off a single acre of monument land without a bitter court fight.

Justin Pidot, a former deputy solicitor general at the Interior Department who now teaches law at the University of Denver, said if he were working for this administration he would be warning Zinke that the legal arguments are shaky. But, Pidot allowed, that may not be an overriding concern in this case.



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“A lot of things this administration does, it does for political theater,” he said. “They can say they have done them, and then they get to rail against the courts for stopping them.”

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48. **Gehrke: What Zinke isn't hearing, seeing during his trip to Utah**

The Salt Lake Tribune, May 10 | Robert Gehrke

Blake Spalding and Jen Castle opened the doors of Hell's Backbone Grill in 1999, drawn to the remote town of Boulder by their love of wilderness and the nearby Grand Staircase-Escalante National Monument.

Their business, as well as the adjacent Boulder Lodge, has flourished, and when I visited a few weeks ago, the restaurant was full with the booming tourism season just gearing up.

Business has more than doubled in the last three years as a portion of the nearly million visitors drawn to the monument each year stop in for a bite at the only restaurant in the state to be in contention for the prestigious James Beard Award.

Spalding and Castle employ 45 people between the restaurant and their organic farm where they grow their own ingredients, and pay \$700,000 in wages — a significant boost to the economy in the town of about 200 people.

You'd think it's the type of information that Interior Secretary Ryan Zinke might want to hear as he visits the area to assess the impact of both the Grand Staircase and the newly designated Bears Ears National Monument.

Nope.

The Interior Department refused a request for Zinke to meet with Spalding and a handful of other members of the Escalante-Boulder Chamber of Commerce, business leaders in the communities that are most affected by the decisions the secretary and President Donald Trump will make in coming weeks.

"The fact of the matter is that there isn't a business or company or school or clinic in this county that isn't hiring right now," Spalding told me this week. "So the idea that somehow Garfield County is in economic crisis because of the monument, it's alternative facts. But they are



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alternative facts that our county commissioners and governor are really wed to and basically, on this tour with Zinke, they're only having him interact with people that confirm his bias or the governor's bias that the monument needs to be rescinded or reduced."

Nathan Waggoner, who opened Escalante Outfitters in Escalante 11 years ago, said the chamber of commerce gathered letters of support for the monument from 150 business owners in the communities surrounding the monument and delivered them to Washington and never got any response from Zinke or the Interior Department.

"We reached out as many times as we can in as many different ways to try to talk to him and we're just concerned about the economic impact of eviscerating the national monument," said Waggoner, who now operates an outfitter, a hotel, a restaurant, an outdoor equipment store and a guide service.

While the tourism industry gets knocked for creating seasonal jobs, Waggoner said the 27 people who work for him are invested in their community, building homes and starting their own businesses.

"We really feel like our community is on the cusp of becoming something great, but because of this old anger some of these county commissioners and others harbor, they hold us back," he said.

Waggoner said his group of business owners will keep trying to convey their message to Zinke and anyone else who will listen.

When Zinke's predecessor, Interior Secretary Sally Jewell, came to the region on a listening tour last year ahead of the designation of Bears Ears, she sat in a sweltering hall and heard scores of locals, for and against, voice their opinions. She met with tribal leaders who overwhelmingly supported the creation, and county commissioners who were steadfastly opposed.

Zinke did meet with the Bears Ears Inter-tribal Coalition and Interior has announced it will accept written comments from the public. But overall, his visit comes off as more scripted, with the narrative tightly controlled to present one side of the story rather than the full picture of the stunning landscape.

And the case being made against the value of monuments is obviously subject to challenge.



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Last week, Herbert's public lands director, Kathleen Clarke, was in Washington and told a House committee that monuments can severely damage local communities. I've asked the governor's office a half-dozen times since then for the evidence supporting her claim. They haven't provided any.

The common refrain among monument opponents — and, last session, the Utah Legislature — is that grazing has fallen by a third, the timber industry disappeared, and vast coal resources have been locked up.

Actually, according to recent figures, the active grazing in the monument has barely changed, aside from some grazing rights that were voluntarily retired. A lumber mill that closed in 2002 got most of its timber from the Dixie National Forest and was unrelated to the monument.

The Kaiparowits coal was and is locked up, but ask Carbon and Emery County if coal is a good bet these days. It's hard to know if that would have been developed or would be developed, given the plummeting demand, if Trump attempts to change the monument boundaries.

No doubt, rural Utah is suffering for a wide variety of reasons. But I have seen two studies of the economic impact of the Grand Staircase. One, by a pair of Utah State University faculty members critical of public lands, said the monument's a net wash.

The other, done by Headwaters Economics in 2011, said that communities around the monument, like Escalante and Boulder, saw strong growth in the number of jobs and income since the monument was designated.

That's the type of information that it might be good for Secretary Zinke to hear, the type of story that Spalding could have told him, if he was serious about learning all of the perspectives. But she's not giving up yet.

"Regardless of how it turns out, I want to say in the end I did everything I could to protect the monument," Spalding said. "I'm not going to go quietly, either, because I really believe this monument is precious. ... I never thought in my lifetime that this monument would seriously be under threat or I wouldn't have staked my life's work to it.

"Now we have to fight."

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49. **Trump Takes Aim at Western Monuments That May Hold Oil Riches**

Bloomberg News, May 10 | Jennifer A Dlouhy

Bears Ears National Monument in Utah boasts stretches of red-and-yellow sandstone so brilliant they appear to be ablaze and rock structures so precarious they appear to defy gravity.

The rugged terrain south of the Colorado River also has reserves of oil and natural gas that are currently off limits to new leasing -- restrictions that may end as the Trump administration reviews 27 large-scale monuments his predecessors set aside for protection.

Industry groups and Republican lawmakers have praised President Donald Trump's order to review those monument designations, calling it a welcome reconsideration of federal overreach. Yet, environmental groups are concerned Trump will scrap or scale back those designations, and the net result will be a boost to the fortunes of oil drillers and mining companies.

"Oil and gas is definitely a factor -- particularly given that with Trump it's been something he's talked about consistently," said Tim Donaghey, a research specialist with Greenpeace. "They're going to try to knock down as many barriers as possible to expanded oil and gas drilling."

Under the 1906 Antiquities Act, presidents can set aside land to protect historic landmarks, structures or other objects of historic or scientific interest. Most recent monument proclamations have barred new mining claims and oil, gas and mineral leases, but typically protect existing rights, according to an assessment by the Congressional Research Service. Unlike national parks, which must be established by Congress, each monument has its own rules for how the land can be used.

Presidents of both parties have used the law to designate increasingly large parcels of land, raising the hackles of Republican lawmakers worried the protections will constrain energy development and animal grazing on the sites. Former President Barack Obama issued protections for a record amount of Western land -- much of it also rich in oil or minerals.

Republicans objected to what they have termed a "land grab," and Trump made reconsidering those designations an initial priority. Interior Secretary Ryan Zinke is traveling through Utah this week to see the sites, complete with a hike to Bears Ears' "House on Fire" ruins.



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More than 90 percent -- or 1.34 million acres -- of the Bears Ears national monument overlaps with potential reserves of oil, gas and coal, according to an analysis of U.S. government data by Greenpeace that was reviewed and checked by Bloomberg. The area also contains significant uranium resources, according to the Center for American Progress.

Those fossil fuels could lurk under some 2.7 million acres of five monuments, including Bears Ears, that are now under review, spanning an area bigger than Yellowstone National Park, according to Greenpeace's analysis.

The energy resources were illustrated by U.S. Energy Information Administration maps of dense oil and gas formations known to contain the fossil fuels and sedimentary basins likely to. The analysis also drew on U.S. Geological Survey data that shows recoverable coal.

Representative Rob Bishop, a Republican from Utah who heads the House Natural Resources Committee, has focused his ire on Bears Ears, the remote, stretch of desert designated by Obama just a month before he left office. Although environmentalists and some indigenous groups backed giving Bears Ears monument status, Bishop said out-of-state support drowned out local voices of opposition.

"They're trying to make this monument to protect it from being raped by oil and gas development, which is so ludicrous," Bishop said in an April interview.

Bishop has argued in favor of a similar, slightly smaller package of land protections, worked out with local officials. The set aside, which would need congressional approval, would allow recreation and grazing on some territory and tribal protections in another. Oil and mineral leasing would be banned in the protected zone but encouraged in other areas in the state.

At Grand Staircase-Escalante in Utah, which was also established by Obama in December, the potential riches include coal, according to the U.S. Geological Survey. More than 40 percent of its total area holds oil, gas or coal, according to the government data. The entirety of the Canyons of the Ancients monument just across the Utah border in Colorado has fossil fuel deposits.

To be sure, the government's geological data is not definitive -- the sedimentary basins don't necessarily contain abundant oil, gas or coal. But there is plenty of evidence of industry interest in some of the national monuments now under scrutiny.



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For instance, EOG Resources last year won state approval to drill on state trust lands near Bears Ears. More than four dozen dormant wells were drilled in California's flower-dappled Carrizo Plain National Monument before it was protected. And a subsequently rescinded resource management plan governing Montana's Upper Missouri River Breaks National Monument included plans for new oil and gas wells in the site.

Industry Appetite

"There certainly is industry appetite for development there, or else companies wouldn't have leases in the area," Kathleen Sgamma, head of the Western Energy Alliance, told E&E News regarding Bears Ears.

The presence of oil, gas and coal changes the political landscape amid the fight over this geological one.

"It's not just the fact that the resources are there, but that industry has been on the record stating that there's interest in development," said Kate Kelly, public lands director at the Center for American Progress. "We have to wonder who they are going to be listening to when they make these determinations."

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50. **Interior Secretary Zinke admires national monuments he'll likely recommend removing**

The Washington Times, May 10 | Ben Wolfgang

Based on the beautiful pictures and effusive praise he has posted to Twitter this week from one of the nation's newest national monuments, you might never guess that Interior Secretary Ryan Zinke could set into motion the process to erase it from the map.

Mr. Zinke, tapped by President Trump to conduct a thorough review of more than two dozen national monuments, on Tuesday visited Bears Ears National Monument, a sprawling 1.35-million-acre stretch of land in Utah. It has become ground zero in the broader debate over whether the previous administration vastly overstepped its authority in cordoning off huge swaths of earth and sea as monuments to close them off from energy exploration and other human activities.



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Critics of former President Barack Obama expect Mr. Zinke, after his detailed review, to determine that the designation of Bears Ears and other national monuments should be revoked, or at least reduced.

The secretary fully opened that door this week by saying Monday that he is not sure a monument designation is the “right vehicle” to protect Bears Ears and retweeting a group opposed to the monument with the hashtag #RescindBearsEars.

At the same time, Mr. Zinke has tweeted numerous photos of the wondrous sights he has been taking in — including breathtaking helicopter shots of Bears Ears. He also has been upfront about his deep love and appreciation for America’s monuments and public lands, sending something of a mixed signal to those on both sides of the debate.

“The trip today verified it is drop-dead gorgeous country. No question about it,” Mr. Zinke told reporters Monday, according to The Salt Lake Tribune. “We want to make sure everyone’s voice is heard.”

Bears Ears is just one part of the broader review. More than two dozen other land and marine monuments also will be studied, including Utah’s Grand Staircase-Escalante, set aside by President Clinton during the height of his re-election campaign in 1996.

Since his nomination by Mr. Trump, Mr. Zinke has cast himself as a fierce defender of public lands and as someone who truly appreciates the importance of America’s monuments.

That has led critics to question how he possibly could recommend rescinding or shrinking those monuments and whether he is laying the groundwork to “cut a deal” that allows him to claim to be protecting public lands while placating those who want the size and scope of monuments diminished.

“Zinke seems like he is readying to cut a deal, protect some of the area, drill, frack other parts,” said Randi Spivak, public lands program director at the Center for Biological Diversity. “But the monument boundaries have already been reduced from the original proposal. Any further reduction in boundaries will put at risk from destructive mining and oil and gas development one of the most wild and ecologically important areas in the West.”

So far this week, Mr. Zinke has met with a number of stakeholders in Utah, including tribal groups in favor of and opposed to the Bears Ears monument.



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On much of his trip, he also has been joined by Rep. Rob Bishop, chairman of the House Natural Resources Committee, and Gov. Gary Richard Herbert, both Utah Republicans who oppose the Bears Ears designation.

Officials from the Bears Ears Inter-Tribal Coalition — a group of tribal leaders approved by the Obama administration to oversee the monument — said Mr. Zinke has not given them the amount of time he has given to those who favor revocation.

Many of those officials visited Washington last week and demanded a meeting with Mr. Zinke but were denied.

“We’re asking for equal time, and it’s not happening,” the Inter-Tribal coalition tweeted Tuesday.

Mr. Zinke tweeted this week that he is intent on speaking with all sides of the issue, and the Interior Department has flatly rejected claims that tribal leaders and other advocates of Bears Ears are being locked out of the process.

Some conservationists say Mr. Zinke’s eventual outcome — the rescission of the Bears Ears monument — is clear from his actions this week.

“He has cherry-picked the people who he’s talking to, and the list of people who he’s actually listening to is even smaller,” said Meghan Kissell, a spokeswoman for the Conservation Lands Foundation. “If Zinke wants to truly emulate Teddy Roosevelt in spirit, not just photo ops, he will start to take the time to understand the full breadth of the Bears Ears proclamation and not just pay lip service to this so-called review.”

Mr. Zinke’s supporters see the matter differently. They argue that his review process, and his trip to Utah this week, are key steps toward getting all the facts and coming to the right conclusion.

At the same time, however, they stress that the administration simply cannot allow the status quo to continue, and they favor a rewriting of the century-old Antiquities Act to limit how much power presidents have in establishing monuments.

“The Bears Ears Monument is only a symptom of something much greater. The real problem lies in the 111-year-old Antiquities Act. The act must be modernized,” Mr. Bishop said in a



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statement Tuesday. “I am confident the secretary understands there must be legislative reform to the underlying problem, the Antiquities Act.”

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51. Interior Secretary Orders Protester To ‘Be Nice’ During Visit To Bears Ears

The Huffington Post, May 10 | Chris D’Angelo

Secretary of the Interior Ryan Zinke visited the Bears Ears National Monument in Utah to review its use under the Antiquities Act, which gives the president unilateral power to declare lands as historic. President Donald Trump signed an executive order April 26 directing Secretary Zinke to consult communities across the country about national monuments that take up more than 100,000 acres as part of this review. Native advocates in Utah say that Zinke set aside just one hour to hear from tribes.

Zinke was apparently irked by the persistence of Cassandra Begay, a tribal liaison with the group Peaceful Advocates for Native Dialogue & Organizing Support. She was following the secretary as he greeted those gathered at Bears Ears, a 1.35 million-acre area in southeastern Utah that is one of 27 monuments threatened by President Donald Trump’s recent executive orders.

Their encounter can be seen in a video made by Begay and posted to YouTube and Facebook.

“When are you going to meet with the tribal leaders?” she asks. “It’s kind of unfair that you’ve only met with them for one hour, sir. Is there a reason why you’re not listening to them more?”

After being twice ignored, Begay presses Zinke again. He turns around and walks up to the much-shorter Begay. Holding up his finger, Zinke forcefully says, “Be. Nice.”

“I’m so nice,” Begay replies.

“Be nice,” Zinke says again. “Don’t be rude. Thank you.”

The video cuts off as Begay begins to fire back.

In her Facebook post, Begay described Zinke’s behavior as “demeaning and belittling.”



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"I was scared, and my heart was racing," she said in a press statement. "It felt condescending and unnecessarily aggressive. I have no idea why asking a simple question to somebody who is on a listening tour would react so aggressively."

The Department of the Interior did not respond to HuffPost's request for comment on Tuesday.

Zinke's appearance on Monday was part of a four-day "listening tour" regarding two Utah monuments, Bears Ears and Grand Staircase-Escalante, that were designated by Presidents Barack Obama and Bill Clinton, respectively. One of Trump's executive orders directs the Interior Department to give a second look to all land monuments that cover more than 100,000 acres and were established since Jan. 1, 1996.

To be fair, Zinke has met twice this month with members of the Bears Ears Inter-Tribal Coalition, a group of five Native American tribes that co-manages the Bears Ears monument. The first meeting, in Washington, D.C., came after the coalition held a press conference to demand the Trump administration's attention and threatened to sue if Trump rescinded the designation. Zinke also met with coalition members on April 7 in Utah.

However, the interior secretary was touring the monument with people opposed to its designation, including Utah Gov. Gary Herbert (R) and members of the San Juan County Commission (Bears Ears is located in that county). He has also met with members of the state's all-Republican congressional delegation, who also oppose the monument. And comments made by Trump and Zinke hint at the direction the administration is likely to go.

Trump said on April 26 that he's looking to end "another egregious abuse of federal power," put "states back in charge" and open up now-protected areas to "tremendously positive things." Zinke said during his visit Monday that he believes the Bears Ears area should be preserved, but that "the issue is whether the monument is the right vehicle."

"It is public land," Zinke said. "It was public land before the monument. It will be public land after the monument. What vehicle of public land is appropriate to preserve the cultural identity, to make sure the tribes have a voice and to make sure you protect the traditions of hunting and fishing and public access?"

He has been given 45 days to give Trump a recommendation on Bears Ears and 120 days for all other monuments.



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52. **Bears Ears National Monument: Zinke gets mixed reactions during visit**

Fox News, May 10 | Andrew O'Reilly

Interior Secretary Ryan Zinke spent the first day of his listening tour of the country's national monuments visiting the famed Anasazi ruins in Utah's Butler Wash and trying to assuage concerns of Utahns that undoing or shrinking the designation of the controversial 1.3-million acre Bears Ears National Monument would not automatically result in lots of oil rigs or mining equipment.

"The legacy and what I've seen should be preserved. The issue is whether the monument is the right vehicle," Zinke said, according to the Salt Lake Tribune. "What vehicle of public land is appropriate to preserve the cultural identity, to make sure the tribes have a voice and make sure you preserve the traditions of hunting and fishing and public access?"

Zinke -- a former Navy SEAL and congressman from Montana who calls himself a "Teddy Roosevelt Republican" -- was tasked last month by President Trump to review 27 national monuments across the country designated since 1996 that total 100,000 acres or more. In the executive order signed by Trump, the interior secretary also has been directed to produce an interim report in 45 days and issue a final report within 120 days.

Despite Zinke's assurances on Monday, many Native Americans in the Southwest say that any change in Bears Ears' status would be a major setback after years of lobbying to have the area named a national monument.

"The national monument has already been justified and there is no need for a review," Cassandra Begay, a Navajo and the tribal liaison for the Native American advocacy group PANDOS, told Fox News. "Bears Ears is the first time that Native Americans played a crucial role in the creation of a national monument in the United States."

The 1906 Antiquities Act authorizes the president to declare federal lands as monuments and restrict their use. After long-term discussions with Native American groups in the southwest, President Obama designated Bears Ears and Nevada's Gold Butte as monuments in the waning days of his presidency.



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The move was widely praised by environmentalists and Native Americans, but Republican lawmakers in Western states along with ranchers and those in the oil and gas industries widely panned the so-called “midnight monuments,” arguing that they do not represent the interests of the people in those states and will in time do more harm than good to the environment.

Trump has called the national monument protection efforts of his predecessors “a massive federal land grab,” saying Obama’s designations “unilaterally put millions of acres of land and water under strict federal control.”

Zinke faced criticism from Native American groups for traveling to Bears Ears for his four-day tour with an entourage of anti-monument politicians, including Utah Gov. Gary Herbert, and for only meeting with tribal leaders for a one-hour, closed-door meeting.

Davis Filfred of the Navajo Nation said that the meeting on Sunday in Salt Lake City wasn't enough time for the Bears Ears Inter-Tribal Coalition to make their points to Zinke. Filfred added that it seems Zinke is listening more to opponents of the monument than people who want it preserved.

Upon arriving at the Butler Wash trailhead on Monday, Zinke was greeted by PANDOS’ Begay and numerous other Bears Ears supporters. A video posted on YouTube shows Begay following Zinke and questioning him on why he won’t meet with tribal leaders before the interior secretary turns around, points his finger at her and chides her to “be nice.”

“My heart was racing when he came at me because I thought he was going to hit me,” Begay said. “It felt like he was about to snap! Certainly not what I expected from the interior secretary who is here on a listening tour.”

Others at the trailhead, however, had positive interactions with Zinke.

Hank Stevens, president of the Navajo Mountain Chapter, spoke to Zinke during his stop at Butler Wash and said Zinke promised to return to Utah to discuss the issue with tribal leaders.

“He reassured me that he is as worried about the issues as Native Americans are,” Stevens told Fox News. “This may be a fault of mine, but I always give people the benefit of the doubt.”

With the clock ticking on Zinke to hand in his recommendations to Trump, it is not entirely clear what powers the president actually has regarding Bears Ears.



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Congressional leaders and courts have in the past contested many national monument designations – Franklin D. Roosevelt, for example, took heat for Jackson Hole National Monument, which later became Grand Teton National Park. Some monuments have also been scaled down, or enlarged, over the years by presidential orders or by Congress, but no president has ever attempted to eliminate his predecessor’s monument. If Trump tries to do so, the matter will most likely end up in court.

“It’s really unclear what powers the president has to abolish these monuments,” James Morton Turner, an associate professor of environmental studies at Wellesley College, told Fox News.

For his part, Stevens said the Trump administration could avoid all the legal tie-ups and protests if it just focused its attention somewhere a little farther away.

“President Trump seems to be all about space exploration,” Stevens said, noting the president signed a \$19.5 billion spending bill for NASA. “I say they should go that way and leave us down here alone.”

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53. **Op-ed: Attempts to undo national monuments will rally formidable opposition**

The Hill, May 10 | Glenn Nelson

The Trump administration is well advised to gauge the political blowback as it contemplates an assault — disguised as a review — on the Antiquities Act, as well as two decades of amplifying diverse and inclusive stories in this country. During its final months, the Obama administration shrewdly protected a string of cultural landmarks that should form a formidable firewall around those designations, as well as earlier sacred sites, such as the Martin Luther King Jr. Memorial in D.C. and the César E. Chávez National Monument in California.

In all, Obama designated 25 culturally significant monuments, memorials, historical parks and preserves, plus dozens of national historical landmarks. The last of these was far from the least.

The Belmont-Paul Women’s Equality National Monument added to the thin ranks of national park units dedicated to women. Stonewall Inn was the first dedicated to the LGBTQ community. A second Harriet Tubman National Historical Park, plus Reconstruction Era, Freedom Riders and Birmingham Civil Rights National Monuments cemented the civil-rights base.



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The previous two years brought Honouliuli, a World War II Japanese imprisonment site in Hawaii, and San Gabriel Mountains, an important recreation area for the majority Latino population in the Los Angeles region.

The biggest target, Bears Ears National Monument in Utah, was the centerpiece of 10 units designated by Obama that are significant to Native Americans. It is to be co-managed by the Bears Ears Tribal Commission, a coalition of five tribes (Navajo, Hopi, Ute, Ute Mountain Ute, and Zuni) that lobbied for the protection.

It also attracted significant support from other communities of color, many represented by the Next 100 Coalition, an alliance of civil rights, environmental and community groups that advocate for more inclusive management of public lands.

You are understanding the magnitude of all this if you can hear the choir belting out the end of the Jeffersons theme song, “We finally got a piece of the pie-ee-eee-ee.”

The last of Obama’s public-lands designations were pieces of the American pie carved out for historically marginalized groups — people of color, LGBTQ and women. These are not your father’s tree huggers. They are the emerging wave of green in the U.S., where green isn’t just the color of environmental stewardship but also of permission. For these groups, it is permission to rediscover in the American landscape past selves that have been buried under the rubble of repression disguised as someone else’s destiny.

Connect the nouveau green with old-guard environmentalists (read: white, mostly liberal, mostly male) and you have the makings of a powerful voting bloc, certainly by the 2020 national election. By then, millennials, the most diverse generation in our history, will comprise about 40 percent of eligible voters. More states — Texas among them — are projected to be a majority nonwhite. Already there are more nonwhite babies than white babies being born every day in the U.S., and the mortality rate of whites has steadily risen.

It may go without saying that an alliance of the oppressed (people of color, LGBTQ, women), plus their environmentalist allies, will be politically activated by 2020. As demonstrated by the solidarity around women’s marches on Jan. 21 nationwide, it already has been. The newly protected federal lands either sit directly in or adjacent to urban areas or serve the galvanizing interests of Native Americans.



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The first line of engagement has been drawn at Bears Ears National Monument in Utah, which has been ground zero for the so-called Sagebrush Rebellion, the movement to transfer federal public lands to state control.

Those whispering in the ear of Trump about the legality of dashing or shrinking Bears Ears are uttering worse than alternative facts. The Antiquities Act of 1906 gives president's power to create national monuments to protect cultural, historical, and natural heritage for future generations. Only an act of Congress can undo those designations.

It should not, however, require an act of Congress to drill some reality into those wishing to walk back hard-fought and meaningful gains by an impending new power structure already eager to flex its muscles at the ballot box in four years. The new math of the resistance is palpable: Add up all the women's marches, science marches, #NoDAPL protests, and #BlackLivesMatter demonstrations, and subtract the number who attended President Donald J. Trump's inauguration.

Glenn Nelson is the founder of The Trail Posse, which covers race and inclusion in the outdoors, and a founding member of the Next 100 Coalition, which seeks a more inclusive approach to management of our nation's parks and public lands.

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54. **Hunting, fishing businesses unite support of National Monuments**

Ammoland, May 10 | Joe Evans

WASHINGTON -(Ammoland.com)- More than 100 hunting and fishing business owners and sporting organizations sent a letter today to Congress to show their support for national monuments and the responsible use of the Antiquities Act.

“As someone who has helped develop the outdoor industry in Colorado and watched it grow into an economic powerhouse, I am concerned by current efforts both to curtail national monuments and weaken the Antiquities Act itself,” said Jim Bartschi, president of Scott Fly Rods in Montrose, Colorado. “Public lands such as the new Browns Canyon National Monument preserve incredible outdoor opportunities to hunt, fish, hike, bike, camp and float – and they’re strongly supported by local communities, who understand that these lands offer one of the best new, sustainable ways to grow their local economies.



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“Since Theodore Roosevelt established the Antiquities Act in 1906, presidents of both parties have wisely used it to protect our nation’s most treasured hunting and fishing habitats,” Bartschi added. “Let’s make sure we celebrate these special places and work together to retain their status as national monuments.”

The letter is part of a larger effort to demonstrate the important role national monuments and the Antiquities Act play not only to small businesses and rural economies but also to hunters and anglers all across the country.

Business owners are meeting with decision makers in Washington this week to emphasize the value of public lands and national monuments to the outdoor industry.

“The outdoor industry accounts for \$887 billion in consumer spending and 7.6 million jobs, making it one of the largest economic sectors in the country,” said Jen Ripple, editor in chief of DUN Magazine and a Tennessee resident. “Much of this economic output depends on public lands. Tools for conservation like the Antiquities Act will help ensure that America’s public lands remain not only a great place to hunt and fish but also an important pillar of the hunting and fishing industry.”

The business owners’ letter details support for safeguarding national monuments and the Antiquities Act, as well as criteria to ensure that national monuments are representative of collaborative, ground-up solutions for the management of public lands.

“Though some national monuments can be controversial, the Antiquities Act is an effective and essential tool for conservation,” said Ryan Hughes, a Nevada-based outdoor writer and volunteer for Backcountry Hunters & Anglers. “In places like Berryessa Snow Mountain in California and Rio Grande del Norte in New Mexico, we’ve seen Congress unable or unwilling to pass legislative proposals created with the help of local stakeholders. The Antiquities Act aided in allowing these collaborative efforts to happen.”

A Wednesday press conference will feature Bartschi, Ripple and Hughes discussing the business letter and the importance of national monuments to hunting, fishing and the outdoor industry.

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55. **The best way to save sacred land? ‘The issue is whether the monument is the right vehicle’**

The Journal, May 10 | Michelle L. Price and Brady Mccombs, AP

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

Zinke’s aerial and ground tour of the Bears Ears National Monument was part of a review ordered by President Donald Trump to determine if 27 monuments were properly established.

Zinke spent the day getting familiar with the 1.3-million acre swath of southern Utah with red rock plateaus, cliffs and canyons on land considered sacred to tribes.

His tour guide was Utah Gov. Gary Herbert, one of several prominent Republican leaders in the state who oppose Bears Ears National Monument.

Zinke, a Montana Republican, said he wants to make sure Native American culture is preserved but cautioned that not all tribal members share the same opinion about the monument designated by former President Barack Obama near the end of his term.

He spoke before taking a short, winding hike in the afternoon sun with Herbert and other state and local officials to a lookout post above ancient ruins.

“Of course, the legacy and what I’ve seen should be preserved,” Zinke said, “The issue is whether the monument is the right vehicle.”

Herbert, U.S. Sen. Orrin Hatch and the rest of the all-GOP congressional delegation consider the monument creation by former President Barack Obama an unnecessary layer of federal control that will hurt local economies by closing the area to new energy development. They also say it isn’t the best way to protect the land.

In Blanding, with a population of 3,400 people, two large banners read, “#RescindBearsEars,” reflecting the popular sentiment among residents.



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Bears Ears supporters made their voices heard too. They believe the monument adds vital protections to tribal lands where members perform ceremonies, collect herbs and wood for medicinal and spiritual purposes, and do healing rituals.

Tara Benally, a member of Navajo Nation, was standing just outside the Blanding airport wearing a shirt commemorating the December declaration of Bears Ears National Monument.

“We want it left as is. We have history going through there,” said Benally, who lives south of the nearby town of Bluff. “That was basically my mom’s playground as she was growing up.”

A group of Bears Ears supporters greeted Zinke when he arrived to the trailhead. One woman asked why he only met with tribal leaders for an hour.

Zinke, who was shaking another supporter’s hand, turned around to face the woman and said: “Be nice.” The woman responded that she always is.

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

Conservation groups contend that the monument review puts in limbo protections on areas across the country that are home to ancient cliff dwellings, towering Sequoias, deep canyons and ocean habitats where seals, whales and sea turtles roam.

After his arrival Sunday in Salt Lake City, Zinke was met by about 500 protesters who chanted, “Save our monuments, stand with Bears Ears.”

He held a closed-door meeting with a coalition of tribal leaders who pushed for the monument then spoke of his admiration for Roosevelt.

Davis Filfred of the Navajo Nation said Monday that the one-hour meeting Sunday wasn’t enough time for the Bears Ears Inter-Tribal Coalition to make their points to Zinke. Filfred, who was in the meeting, said it seems Zinke is listening more to opponents of the monument than people who want it preserved.



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Zinke insisted there is no predetermined outcome of his review, saying he may not recommend the monuments be made smaller or rescinded, and he might even recommend an addition.

The two monuments he's reviewing in Utah are quite large. Created in 1996, Grand Staircase-Escalante is 1.9 million acres, about the size of Delaware. Bears Ears is smaller at 1.3 million acres.

Zinke has been tasked with making a recommendation on the Bears Ears monument by June 10, about 2½ months before a final report about all the monuments.

Environmental groups have vowed to file lawsuits if Trump attempts to rescind monuments – a move that would be unprecedented.

On the way back from his hike to the ruins, Zinke stopped at the trailhead and spoke with several people on horseback and admired their horses. .

He said his upcoming decision is not just about how the local tribes, county officials or the governor feel about the monument, but it's also about how the entire country feels about it because it's America's public land.

"President Trump, I'm going to tell you, is a great boss. The reason why I think he felt so strongly about this is he feels like sometimes Washington makes these rules and we don't have a voice," Zinke said. "He put this in motion to make sure that local communities count. States count. America counts."

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56. **NATIONAL MONUMENTS: Zinke: 'All of the above' possible for Bears Ears**

E & E News, May 10 | Jennifer Yachnin

MONTICELLO, Utah — Make the mistake of asking Heidi Redd how many animals her Indian Creek Cattle Co. owns, and she'll only laugh good-naturedly and ask if you want to know her annual income, too.

But when it comes to her opinion on the Bears Ears National Monument — the boundaries of which surround both the 5,200-acre Dugout Ranch she operates and the 250,000 acres of grazing land she is permitted to use — it's a different story.



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"The spirit of all these lands need our help and protection," Redd said yesterday after a meeting with Interior Secretary Ryan Zinke, who is visiting the 1.35-million-acre monument as he prepares to recommend whether it should be rescinded or reduced in size. She later added: "I'm not opposed to being in the monument."

She and Zinke spoke with reporters after a short hike near the ranch, where the fields are framed by red sandstone cliffs and talus slopes. Rock art and ancient dwellings can be found nearby.

Unlike many of the Utah elected officials Zinke has appeared with this week — including Gov. Gary Herbert (R) and House Natural Resources Chairman Rob Bishop (R) — Redd is not an opponent of the monument created by President Obama in his final weeks in office.

But she is worried that should President Trump attempt to revoke the monument's status, or otherwise prompt conservationists to sue the federal government, it could prove a disaster for the area here in the Colorado Plateau.

"This is a spiritual place, and to have it turned into a mass of cars and people without direction or funding, we're going to be in a right bit of trouble," said Redd, dressed in a wide-brimmed hat, delicate turquoise jewelry and mud-caked cowboy boots. She has worked on this ranch about 20 miles north of Monticello for more than 50 years and last year unsuccessfully ran for the state Senate as a Democrat.

Redd asserted that since the designation late last year, she has seen an influx of visitors to the area, particularly those who would like to view the cliff dwellings, as well as a growing community of rock climbers. But she said there has not been an increase in the number of Bureau of Land Management or Forest Service rangers assigned to protect those sites.

"I would rather not have a monument if you are not going to protect it," said Redd, who sold her ranch to the Nature Conservancy in 1997 but continues to own her own home there and raise cattle on the land. The Nature Conservancy conducts research at the ranch in areas including soil science and the impacts of climate change on vegetation.

She later added that undoing the monument's status is not an option, however: "Monument or no, people are not going to stop coming now."

Redd, who was once an advocate for the failed Utah Public Lands Initiative that sought to protect the Bears Ears area via legislation without a monument designation, also warned that rescinding



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the monument could be more detrimental to the area, prompting "years of litigation, and could cause more damage."

Nature Conservancy Utah State Director Dave Livermore, who also accompanied Zinke on the hike yesterday, said he likewise urged the secretary to leave the current boundaries in place.

"We're fine with the way it is because it does allow our livestock raising to continue, it allows our science to continue," Livermore said.

'All of the above'

As Zinke continued his weeklong tour of the Beehive State yesterday in preparation for issuing recommendations on the future of Bears Ears next month — as well as dozens of other monuments in August — he said he is more of an "optimist" about his mission.

"If you list the priorities of all sides, the priorities are remarkably similar," Zinke said. "Everyone is talking about protection of the cultural resources, everyone is talking about making sure we have public access. A lot of people are rightly talking about infrastructure" like roads and bathrooms.

He dismissed concerns that any changes to the monument would prompt lawsuits, saying he plans to make recommendations on the "basis of doing what's right and not on the fear of litigation."

He later added: "I think there's a solution out there."

Zinke reiterated his assertion, however, that national monument status may not be the "right vehicle" for the Bears Ears area.

"All of the above," Zinke said when asked about the alternatives he could recommend. "The president has given me the flexibility to make a recommendation to him, and we have a lot of options."

Zinke did rule out the possibility of converting the area to a national park, which would require congressional action (E&E News PM, May 9).

But he said he could also ask Congress to step in to address the Bears Ears site or other monuments.



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"Congress has a role to play, too," Zinke said, before criticizing lawmakers for failing to address the area via legislation rather than allowing the White House to make the designation last year. "If Congress would have taken action earlier, probably a lot of the emotion around this wouldn't have taken place. We have to be partners with Congress on this."

Although Congress has converted dozens of national monuments to national parks, it has less often opted to abolish monuments created under the Antiquities Act of 1906 — doing so fewer than a dozen times.

"I think it's important to work with Congress," Zinke later added. "I wanted to make sure that we include both sides of the aisle."

Trump issued an executive order last month mandating a review of all monuments created since 1996 that encompass more than 100,000 acres. Zinke could suggest that the president rescind or reduce the size of those sites, or recommend changes to management plans.

'Unbalanced tour'

Protesters who have trailed Zinke throughout his visit to the state could not access the private Dugout Ranch site yesterday morning, opting instead to greet the secretary's caravan 20 miles east, on the road that leads north to Moab or south to Monticello.

Proponents of the monument, including the Bears Ears Inter-Tribal Coalition, the Utah Diné Bikéyah and conservationists, have accused Zinke of spending the majority of his visit with opponents of the site.

"It does appear that they are predisposed to undo the monument in some way given the fact that he's had this unbalanced tour, spending the bulk of his time with monument opponents," said Southern Utah Wilderness Alliance Executive Director Scott Groene.

Groene criticized the Trump administration's efforts to backtrack on the Bears Ears monument, saying that despite arguments from Bishop and Utah Rep. Jason Chaffetz (R) that Congress should have been allowed to address the site, "legislation is obviously not an alternative."

"The good alternative would be legislation, and they just went through an enormous effort for this very area and failed," Groene said. "They wasted a lot of our time for three years on the 'plundered land initiative' that they couldn't even get a House vote on."



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Noting that the process has not begun yet on setting up management of the monument, he added: "No one has given this monument a chance yet."

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57. **Zinke rides with cattle ranchers working on Bears Ears**

The Deseret News, May 10 | Amy Joi O'Donoghue

BEARS EARS, San Juan County — Interior Secretary Ryan Zinke said Tuesday that in the context of Bears Ears National Monument, "cattle ranchers matter, too."

He put those words into action on a soggy afternoon, traversing 20-miles of winding, dirt road switchbacks on Elk Ridge Mountain in a 4-wheel drive vehicle to the Bears Ears grazing allotment managed by the U.S. Forest Service.

While the skies cleared, Zinke became acquainted with Payton, a tall flashy Tobiano paint mare who would take him through lush meadows high on south Elk Ridge Mountain, followed by a contingent of riders, including exclusive coverage by the Deseret News.

Zinke's no greenhorn on a horse and made plain to Utah cattle ranchers he understands what it's like to grow up in ranching country, with small towns, big dreams and tough challenges.

In a meadow, north of the Bears Ears buttes that rise 9,000 feet in elevation, he listened to Kenny Black talk about the controversial Bears Ears Monument designation made in December by President Barack Obama.

"There are a lot of protections in place," said Black, who began ranching in 2001 after buying a startup herd from his grandfather.

"There is nothing wrong with regular public land," he said.

The San Juan County native worries that the monument designation will bring another reason for the federal government to cut back on grazing allotments.

Right now, he runs about 225 head of cattle on two federal allotments from the Forest Service and the Bureau of Land Management, which owns the majority of land inside the footprint of the 1.35-million-acre monument.



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The presidential proclamation setting up Bears Ears National Monument declares that existing grazing will be honored, but Black, the Ivins family and the Johnson family are skeptical.

"The main thing is that it opens up the door to more federal regulations and scrutiny," Black said. "No one knows what the future will bring."

Zinke's visit to Bears Ears is part of an executive order directing the Montana native to review 27 monument designations — and come up with an answer on Bears Ears by early June — an unprecedented undertaking in the history of America's management of public lands.

Native American tribes, backed by environmental and conservation groups, pushed for a 1.9 million acre monument designation for Bears Ears, a successful act that Utah and San Juan County leaders called an affront to their concerns over how the sweeping landscape will be managed.

"Bears Ears is a little large to me. Beautiful country," Zinke said, jostling his horse to overstep sagebrush and fallen logs. He'd ridden some time in an unchanging landscape dotted with wildflowers and sagebrush, pine trees and soaked with rain.

That is what Black, Shawn Ivins and Sandy Johnson hoped he would see — large — that this country can accommodate ranching, hiking and Native American interests — without what they say is absentee dictatorship from Washington.

Zinke said that won't be the case any longer.

"We are going to pivot and change," he said. "Some of it is cultural within the department itself. But we want to be the 'advocate, the yep' team."

There was a moment when he brought his horse to attention and just stopped on the ride.

"I don't want to overemphasize respect."

In the Bears Ears controversy, this is the second time an Interior secretary visited southeast Utah to conduct a listening tour.

No one disagrees about the differences between Zinke's visit and that of Interior Secretary Sally Jewell in 2016.



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Sen. David Hinkins, R-Orangeville, just laughed at the contrast and shook his head.

"No comparison," he said. His smile was barely contained.

With Jewell's visit, monument critics were full of sighs, uptight, resigned. It's different now with Zinke.

"It was night and day," said San Juan County Commissioner Rebecca Benally, sporting a Brigham Young University ball cap while riding a dainty bay.

She said Jewell gave them 30 minutes in her listening tour, and listened to the coalition and Utah Dine Bikeyah — which spearheaded the proposal for the last seven years — for a day.

"I think he wants to listen to us."

That contrast has now put the opposing side in an attack mode, with Utah Dine Bikeyah issuing a statement that Zinke failed to give them enough time while he was here.

Board Chairman Willie Grayeyes said the one hour visit was a "tip of the hat" but worried it would not give the secretary the full story about the reasons for the monument push.

Grayeyes is an affable and sincere believer in the monument, and he is worried his voice, and that of the Navajo, are not being heard.

So do Sandy Johnson and Shawn Ivins, local ranchers who say there has never been such push for a monument until a few years ago.

"I've been coming off that mountain pretty much all my life, but until a few years ago is the only time I've heard of the Native Americans coming up here," Ivins said.

Is it an Old West fight about cowboys and the Native Americans who were here first?

Zinke, taking his military training to bear, was a Western diplomat: "I am an optimist."

He rode through hail and sleet and blinding wind. Next came mud and 20 miles to pavement. The storm had directed Zinke's destiny where it might be dicey, and the big mare named Payton was left to watch him go.



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"I think he enjoyed himself. Away from all the crazy things," the rancher Black said.

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58. **NATIONAL MONUMENTS: Zinke review could open 2.7M acres to development — report**

E & E News, May 10 | Jennifer Yachnin

BLANDING, Utah — Boundary changes to a half-dozen national monuments could open up 2.7 million acres of land to fossil fuel extraction, according to a new analysis released by Greenpeace this morning.

The environmental advocacy group compared maps of existing monuments with data from the U.S. Energy Information Administration, U.S. Geological Survey and other sources to examine areas with prospective oil, gas or coal deposits.

Greenpeace identified six national monuments with the largest potential energy development: Bears Ears and Grand Staircase-Escalante in Utah, Canyons of the Ancients in Colorado, San Gabriel Mountains and Carrizo Plain in California, and the Upper Missouri River Breaks in Montana.

"These are the spectacular landscapes whose rugged contours and breathtaking views have defined America's history and identity for centuries," Greenpeace spokesman Travis Nichols said in a statement. "They are the common heritage of everyone in our country and must be preserved for future generations."

Interior Secretary Ryan Zinke is reviewing the status of 27 national monuments and is set to issue a report by late August recommending boundary changes or wholesale rescission of monuments, or amendments to management plans.

President Trump ordered the review late last month, requiring an assessment of all monuments created since 1996 that contain over 100,000 acres, as well as individual monuments selected by the Interior secretary.

Zinke is in Utah this week visiting the Bears Ears and Grand Staircase-Escalante monuments, which have been the target of complaints from GOP state and congressional leaders.



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An Interior spokeswoman could not immediately respond to a request for comment, but the agency told Greenpeace that the review is about "land management decisions" from local stakeholders.

"There is no pre-determined outcome on any monument currently under review," the Interior statement said.

Greenpeace spokesman Nichols accused Trump — who vowed to expand domestic energy extraction on public lands during his campaign — of attempting to "carve up these beautiful lands into corporate giveaways for the oil and gas industry."

But speaking from the Bears Ears monument on Monday, Zinke dismissed suggestions that the review of the nation's newest monument was prompted by desires to develop the area.

"We also have a pretty good idea of certainly the oil and gas potential: not much. So, Bears Ears isn't really about oil and gas at all," Zinke said. "There's some uranium. [I'm] more and more concerned about the present mill that's there."

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UTAH – TOP STORIES – MAY 10, 2017

1. Op-ed: An open letter to Robert Redford

The Deseret News, May 10 | Don Peay

Robert Redford has done an incredible job building and managing a “wilderness” recreation experience at his Sundance Ski Resort, a part of which is leased land from the U.S. Forest Service.

2. ‘Give Your Land a Hand’ volunteers needed

St George News, May 10 | Julie Applegate

ST. GEORGE – As part of a campaign to keep Washington County’s public lands beautiful, the county and its partners are sponsoring a cleanup project in the Bloomington area of St. George Saturday morning.

3. Imagine developments in a privatized Logan Canyon

The Herald Journal News, May 10 | Thad Box

I don’t think I’m old, but some of my gray-bearded ex-students do. I celebrated my 88th birthday. Jenny and I will soon fly to Texas to see our first great-grandson. The last time we flew, a hostess our granddaughter’s age stamped “pre-board” on our tickets without our asking. And — I can’t remember what I wanted to write.

E&E/NATIONAL NEWS – TOP STORIES

1. Op-Ed: Endangered species should face same Trump test as national monuments

The Hill, May 9 | Terry Anderson

This week, Secretary of the Interior Ryan Zinke is touring two national monuments as part of President Trump’s April 26 executive order to review the last 20 years of national monument designations. The order gave Zinke 45 days to review monuments and determine whether any should be “rescinded, resized or modified in order to better benefit our public lands.”



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2. **REGULATIONS: Interior vows action on methane rule after Senate vote fails**

E & E News, May 10 | Corbin Hiar and Kellie Lunney

The Interior Department this afternoon signaled its intent to overhaul an Obama-era rule on methane waste from oil and gas operations after the Republican-controlled Senate failed today to scuttle the regulation.

3. **METHANE: Can Zinke follow through on his post-CRA promises?**

E & E News, May 10 | Pamela King

In correspondence persuading Sen. Rob Portman (R-Ohio) to back repeal of a federal rule to curb natural gas emissions from oil production on public land, Interior Secretary Ryan Zinke laid out a plan for how his agency would address methane waste without the Obama-era regulation.

4. **PUBLIC LANDS: 4 states take aim at Trump's coal leasing revival effort**

E & E News, May 10 | Ellen M. Gilmer

Four states are taking the Trump administration to court over plans to restart coal leasing on public lands.

5. **WILDLIFE: Federal grassland program benefits sage grouse — study**

E & E News, May 10 | Nicholas Geranios, AP

A new study of sage grouse in Eastern Washington found a surprisingly large benefit from a federal program that subsidizes farmers to plant year-round grasses and native shrubs instead of crops.

6. **EPA: Dems to Pruitt — don't close regional offices**

E & E News, May 10 | Kevin Bogardus

Democrats are urging U.S. EPA Administrator Scott Pruitt not to close any of the agency's regional offices.



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7. POLITICS: Effort to shield documents sparks transparency debate

E & E News, May 10 | Geof Koss

Are House Republicans conspiring with the Trump administration to evade a key federal open-records law? Or is Congress simply reasserting a long-standing legal prerogative it says is essential to conducting oversight of the executive branch?



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UTAH – FULL STORY

1. **Op-ed: An open letter to Robert Redford**

The Deseret News, May 10 | Don Peay

Robert Redford has done an incredible job building and managing a “wilderness” recreation experience at his Sundance Ski Resort, a part of which is leased land from the U.S. Forest Service.

To sustain the “management” of the place, ski and zip line tickets are sold, restaurants charge for food, cabin lots are sold.

Timber has been clear-cut to make ski runs, lifts and cables have been installed to access the tops of the mountains, the river has been dammed to make a reflection pond, and structures have been built for enjoyment of guests. To help “manage” nature, snow-making machines have been installed. Sundance has multiple uses, generates revenues, creates jobs and invests money each year to keep it a wonderful place!

If a president came in and declared that Sundance was so special — which it is — and that it needed to be preserved and past activities be banned, or limited, I would fight against that presidential action, even if the president was of my own party.

So, the exact parallels exist with the monuments — Bears Ears and Grand Staircase. Like Sundance, these areas are wonderful places. For the past 100-plus years, these lands have been managed as multiple-use. Revenues and jobs are created; money is required to have active management of habitats, water and wildlife. Like Sundance, these areas have been kept pristine and natural systems even augmented.

So here is the problem now with the presidential monuments: All of a sudden, someone comes in and wants to put incredible restrictions on past use and, over time, federal agencies demand more and more “natural systems” and no “management.” The parallel at Sundance would be to turn off the snow-making machines and stop skiing, mountain biking and zip line activity because these activities are not “natural.” And people in large cities far away would begin to demonize Redford for making money and pillaging the land. Without consulting, or respecting Redford’s lifetime of work and investment, they would make edicts from afar about how to manage his resort.



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Now, Sundance is mostly privately owned. But there are exact parallels in whether you can have certain “management” activities of land, water and wildlife, and if certain functions, such as hunting, grazing and limited mineral development, can take place — and if these traditional uses can continue to be allowed.

If the shoe were on the other foot, Redford would be adamantly opposed to federal mandates from afar. I would join him in his defense.

It would be nice for once for those on the left to say, “Yes, let's protect and preserve these magnificent places. Let's protect historical uses. Let's continue to allow certain renewable activities that generate revenue. And let's not demonize capitalism. And, just like at Sundance, let's recognize that through cooperation and collaboration, on federal lands we can have a multiple-use, 'wilderness' experience.”

Don Peay was founder of both Trump for President Utah and Sportsmen for Fish and Wildlife. He holds a bachelor's in chemical engineering and an MBA, both from Brigham Young University.

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2. ‘Give Your Land a Hand’ volunteers needed

St George News, May 10 | Julie Applegate

ST. GEORGE – As part of a campaign to keep Washington County’s public lands beautiful, the county and its partners are sponsoring a cleanup project in the Bloomington area of St. George Saturday morning.

The area near the Bearclaw Poppy Trailhead west of Navajo Drive is heavily used for recreational shooting, all-terrain vehicles, mountain bikers and others and is often littered with trash and debris.

Dozens of Washington County residents cleaned up the area April 1, gathering 30 cubic yards of trash from public lands in the area and significantly improving a recreation area that was once an eyesore, officials said in a written statement. But more help is needed to beautify the area, and the county is asking the public’s help with trash removal.



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Washington County recently launched a new countywide campaign to raise residents' awareness and participation in keeping public lands clean.

Unveiled in November by the Washington County Commission, the "Give Your Land a Hand" campaign encourages residents to clean up after themselves and pick up any garbage they come across while recreating on public lands.

"This is one of those opportunities that everybody from both sides of the political spectrum can get behind and work together on," Public Lands Clean Up Committee Chairman Rev. Jimi Kestin said.

"Because we all believe that our public lands are worthy of being kept clean ... I'm always looking for reasons to unify people."

Kestin is senior pastor at the Solomon's Porch Foursquare Fellowship in St. George and is known for his service in the county's business and faith communities.

For Saturday's event, trash bags and dumpsters will be provided. Participants are asked to supply their own gloves, water and snacks for the event and to wear protective clothing such as boots, hats, long-sleeve shirts and long pants.

The cleanup will run from 8:30 a.m. to noon; however, volunteers are welcome at any point during this time. Event coordinators will be on hand to direct volunteers, Kestin said.

Volunteers are asked to visit the welcome station located at the Bear Claw Poppy trailhead at the west end of Navajo Drive in Bloomington. At the station, they will receive directions to cleanup sites and dumpsters, sign volunteer release waivers and will be given the opportunity to join the Give Your Land a Hand mailing list to obtain notices of future events.

For more information see the county's Give Your Land a Hand webpage or email info@giveyourlandahand.com.

Partners supporting the event include Washington County, Red Cliffs Desert Reserve, the Bureau of Land Management St. George Field Office and Arizona Strip District, Republic Services, Washington County's Interfaith Council, Utah Public Lands Alliance, the State of Utah, Trust Lands Administration, the City of St. George, Walmart, Target and Costco.



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3. **Imagine developments in a privatized Logan Canyon**

The Herald Journal News, May 10 | Thad Box

I don't think I'm old, but some of my gray-bearded ex-students do. I celebrated my 88th birthday. Jenny and I will soon fly to Texas to see our first great-grandson. The last time we flew, a hostess our granddaughter's age stamped "pre-board" on our tickets without our asking. And — I can't remember what I wanted to write.

I clearly remember Cache Valley 58 years ago. Jenny, our 8-month-old son and I arrived in Logan in late June 1959. All of our earthly possessions were in a trailer I built from a wrecked Ford van. We checked into a motel and called my USU department head, Laurie Stoddart. He loaded us in his car and took us up Logan Canyon.

Tired as we were, we knew he was introducing us to precious gifts — fishing holes, picnic spots, hiking trails, nice places to pitch a tent. It was hard for Texans to believe we owned part of that land. And that we could use it and share it with other owners.

Next day we moved into a house we had rented on the phone from a professor on sabbatical. We had no contract. I had paid no deposit. No one was there. A neighbor gave us the house key and made us part of the neighborhood before we unloaded our son's potty chair. Cool, clear water ran down an irrigation ditch that watered the yard and a garden the owner planted for us.

On July 3 I was forced into a crash course on public land. Professor Wayne Cook had a family emergency in Kansas. I had to assume his duties. With Wayne's notes, help from my colleagues and an Independence Day weekend, I prepared to teach at Summer Camp the following Monday. Because I had a wife with a crawling baby in a new town, I chose to commute.

At daybreak each day I turned east on Canyon Road, the main highway to Bear Lake. Herm's sign said it was the last chance. As I passed First Dam and the electrical generating plant, I entered public land. The road narrowed and snaked around three beautiful reservoirs behind dams that diverted irrigation water. No rushes or choking vegetation invaded the mirror-like pools. Well-designed campgrounds built by the Civilian Conservation Corps (CCC) welcomed travelers.



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There was a scattering of private inholdings and businesses along the road. Zanavoo consisted of a thriving restaurant, a gift shop and a motel. There was a dance hall near Right Hand Fork where forestry students went for (probably illegal) beer. Sumer cabins were scattered along the river. New ones were under construction in recently opened areas. Most cabins were on long-term leases, an enticement for people to use the public lands.

Land all around me was struggling to recover from a century of exploitation. Each day taught me something about restoring health to damaged land. Decaying stumps, invading weeds and erosion scars on beautiful landscapes told a story of greed, misunderstanding, or both. Each day I tried to relate what I was seeing with what was expected of me in my new job.

To improve the abused environment and service Wayne's research projects, I had to put theory into practice. I borrowed horses, located research plots, collected data and coordinated our college's activities with land users and Forest Service employees. I learned eating supper with ranch families, having coffee with sheepherders who barely spoke English, sharing my water with hikers, jump-starting a fisherman's car and telling hunters where I had seen a four-point buck. Some folks complained about government rules, but I don't remember anyone wanting to put the land in private ownership.

Today most land of Logan Canyon away from roads or rivers is in much better condition than it was 70 years ago. But lands near rivers suffer. The Logan River road was widened and straightened, taking its toll on bottom lands. Reservoirs behind dams are filled with silt and invading plants. Some campgrounds have been abandoned. Private in-holdings are fenced, entrance gates to leased cabin areas are locked and no trespassing signs decorate landscapes.

People in high places, including many Utah elected officials, want the public lands in private ownership. The Kim Gardner Policy Institute at the University of Utah recently predicted Utah population will nearly double by 2065. We'll need houses for twice as many people in a decade less time than I've been in Utah.

Think of the fortunes that could be made if Logan Canyon land could be bought and "developed." Imagine a four lane highway from Logan to Garden City. Think about macmansions, tennis courts and swimming pools where leased cabins stand, on campgrounds and level spots near that highway. Imagine huge hotels and golf courses for members only.



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Pull up Google Earth and look at new housing developments on private land around Bear Lake. Follow the road back to Logan and note places where houses, private clubs, and luxury hotels could turn millionaires into billionaires while local taxpayers pay for infrastructure and services. Then follow the road from Avon to Eden and observe new development in that valley. With a fast growing population, privately owned land and the art of a deal, Logan Canyon development could be huge.

I don't feel old. I feel like I'm only one of a whole bunch of frogs sitting in a pot of calm, warming water.

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E&E/NATIONAL NEWS – FULL STORY

1. **Op-Ed: Endangered species should face same Trump test as national monuments**

E & E News, May 9 | Emily Yehle

This week, Secretary of the Interior Ryan Zinke is touring two national monuments as part of President Trump's April 26 executive order to review the last 20 years of national monument designations. The order gave Zinke 45 days to review monuments and determine whether any should be "rescinded, resized or modified in order to better benefit our public lands." The tour includes Bears Ears — 1.35 million acres established by President Obama in 2016 — and Grand Staircase-Escalante — 1.9 million acres established by President Clinton in 1996. These are only two of 27 that Zinke has singled out for review.

Zinke sees the review as an opportunity to "give state and local communities a meaningful voice in the process." Doing so could be the environmental legacy of the Trump administration.

Under the Antiquities Act of 1906, presidents can establish monuments without any input or approval from Congress or state and local officials. Hence, Bears Ears is seen as a "massive land grab." That land grab is even bigger considering that Obama created 26 new monuments and expanded 8 more, for a total of 553 million acres, bigger than Alaska, more than any previous president.



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The effect of this executive power abuse on state and local governments is illustrated by Clinton's creation of Grand Staircase-Escalante National Monument. In it, he included 176,000 acres of state lands used to generate revenues for Utah's K-12 public education system. The House Committee on Natural Resources recently cited Utah Geological Survey data that found restrictions for commodity production such as grazing and mineral development caused the value of the state lands to drop by \$8 billion immediately after the designation. Bears Ears locked up another 109,000 acres of state land.

"Families that have lived for generations in affected communities find their families torn apart due to lack of employment opportunities for the next generation," Kathleen Clarke, former head of the U.S. Bureau of Land Management under President Bush, said of the monument. "Populations are declining. In the twenty years since the creation of the Grand Staircase, school enrollment in Escalante has gone from 150 to 57 students."

Obama's designation of Katahdin Woods and Waters National Monument in Maine caused similar concerns. At a recent hearing of the House Natural Resources Subcommittee on Federal Lands, Maine Gov. Paul LePage (R) identified economic losses to the forestry industry and public access barriers such as the loss of connectivity for ATV trails. "Not long after the President designated the Monument, Maine residents started to feel the negative effects of having the federal government as their new master," he testified.

The monument review order follows President Trump's Feb. 28 revocation of Obama's "Waters of the United States" rule. That rule gave the Environmental Protection Agency authority to regulate virtually every drop of water from the Mississippi River to a backyard puddle. He has instructed the EPA to unwind Obama's war on coal and signed a congressional resolution overturning the U.S. Fish and Wildlife Service's (FWS) seizure of Alaska's authority to manage wildlife on federal refuges.

The president should continue this trajectory by instructing Secretary Zinke to review the U.S. Fish and Wildlife Service's overreach. For example, in 2014, the FWS added four sub-species of the Mazama pocket gopher in Thurston County, Washington, to its list of threatened animals.

To develop property suitable for gophers, owners must go through a long, costly permitting process. Requiring a permit is not based on the number of gophers, but on the property's suitability as gopher habitat. Landowners with suitable habitat may be required to develop a Habitat



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Conservation Plan approved by FWS, a plan that could cost \$42,000 in habitat offset fees. In one case, a local developer spent over \$3 million to accommodate the furry digger on 77 acres of its land.

Just as Secretary Zinke is seeking local input on national monument designations, he should require FWS to do so with endangered species regulations. When it worked with a nearby military base, they were able to develop a plan whereby gophers thrive along with military training exercises. The same could be done with private landowners.

President Trump's executive orders have signaled that he thinks state and local policymakers can be better caretakers of the environment than Washington bureaucrats. The Trump environmental agenda seems to be following the advice of David Brower, founder of Friends of the Earth — "Think globally, act locally." State and local citizens are better positioned to solve most environmental problems than are bureaucrats in Washington.

Terry L. Anderson is a senior fellow at the Stanford University Hoover Institution and former president of the Property and Environment Research Center in Montana.

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2. **REGULATIONS: Interior vows action on methane rule after Senate vote fails**

E & E News, May 10 | Corbin Hiar and Kellie Lunney

The Interior Department this afternoon signaled its intent to overhaul an Obama-era rule on methane waste from oil and gas operations after the Republican-controlled Senate failed today to scuttle the regulation.

"As part of President Trump's America-First Energy Strategy and executive order, the Department has reviewed and flagged the Waste Prevention rule as one we will suspend, revise or rescind given its significant regulatory burden that encumbers American energy production, economic growth and job creation," Kate MacGregor, Interior's acting assistant secretary for land and minerals, said in a statement.



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"The vote today in the Senate doesn't impact the Administration's commitment to spurring investment in responsible energy development and ensuring smart regulatory protections," she added.

The Bureau of Land Management rule was designed to limit emissions of planet-warming methane from the oil and gas sector, the largest industrial emitter. It requires producers operating on public and tribal lands to incrementally reduce the amount of natural gas vented or flared from wells by capturing more of it over time.

Interior Secretary Ryan Zinke previously indicated in a letter to Sen. Rob Portman (R-Ohio) that the department would "engage in a robust assessment" of all venting and flaring requirements to ensure industries aren't wasting natural resources or taxpayer money.

He also told Portman, who was wavering on whether to support striking down the regulation, that Interior would revise existing BLM restrictions on the flaring of unmarketable methane, as well as expedite certain permitting processes and eliminate any BLM policies that duplicate flaring restrictions in several Western states, including the one in Colorado, which the Obama administration modeled its rule on.

Those commitments convinced the Ohio moderate to vote for the rule repeal, which fell short by one vote of moving forward this morning (Greenwire, May 10). Three Republicans — Sens. Susan Collins of Maine, Lindsey Graham of South Carolina and John McCain of Arizona — sided with Democrats who voted against moving ahead with the measure.

It's unclear if Zinke will follow the plan he outlined to Portman or devise a new one in light of the failed repeal attempt. Environmentalists have questioned whether such actions would have the effect of reducing methane emissions (Energywire, May 10).

Industry groups were disappointed by the Senate vote but welcomed the news that Interior doesn't plan to let the methane regulations stand as is.

Nevertheless, oil and gas companies will have to start complying with the many provisions of the regulation in January, according to Robert Dillon, spokesman for the American Council for Capital Formation, which opposes BLM's venting and flaring rule. As a result, companies must review their budgets this summer and decide whether it makes more economic sense to comply or shut down production.



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"The big thing is uncertainty for companies who don't have time to wait for Interior to unwind the rule," Dillon said.

Supporters of the rule, meanwhile, were critical of MacGregor's announcement. The promise to revise or rescind the rule amounts to the Trump administration "saving the day for the oil and gas special interests who weren't able to muster even a Senate majority to kill the rule," said Amit Narang, regulatory policy advocate at Public Citizen's Congress Watch.

Other rules on the chopping block

MacGregor's comments represent the second firm commitment the department has made to alter or eliminate any of the four oil and gas industry-related rules that Trump's March 28 directive said could "unduly burden the development of domestic energy resources."

Interior previously announced that it was rescinding BLM's high-profile and much-litigated hydraulic fracturing rule, which set new requirements for well construction, wastewater management and chemical disclosure for fracked wells on tribal and public lands (Energywire, March 17).

The department hasn't publicly weighed in on two less controversial rules governing drilling in national wildlife refuges and parks that were also targeted by the executive order (Greenwire, April 25).

Zinke was due to receive a report from his deputy secretary advising him on how to comply with Trump's energy directive, but the secretary is currently out in Utah reviewing national monuments, as called for in a separate executive order (Greenwire, May 10).

Interior didn't immediately respond to a request for more information on how it plans to proceed on the methane, refuges or parks rules.

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3. METHANE: Can Zinke follow through on his post-CRA promises?

E & E News, May 10 | Pamela King



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In correspondence persuading Sen. Rob Portman (R-Ohio) to back repeal of a federal rule to curb natural gas emissions from oil production on public land, Interior Secretary Ryan Zinke laid out a plan for how his agency would address methane waste without the Obama-era regulation.

Those promises ring hollow in light of the Congressional Review Act's prohibition of a rule that is "substantially the same" as a regulation tossed under the statute, legal experts and environmental groups said yesterday.

"Secretary Zinke claims that if Congress nullifies the protections that BLM has put in place to reduce wasteful methane venting and flaring on our public lands, he will issue new guidance or rules that will achieve the same end. This is an empty promise," said David Hayes, a senior fellow at the Center for American Progress and former deputy secretary of the Interior during the Clinton and Obama administrations.

"Industry lawyers are standing by to argue that because of congressional action, the department has no authority to protect taxpayers and the public from the continued waste of valuable public resources," Hayes said.

In his Thursday letter to Ohio's junior senator, Zinke pledged to assess all of Interior's venting and flaring requirements, bolster incentives for methane capture, and expedite approvals for infrastructure to carry excess gas to market.

Interior could also update its Notice to Lessees 4A (NTL-4A) to "take concrete action to reduce methane waste," Zinke wrote.

The secretary's promises convinced Portman — who had previously been publicly undecided on the issue — to back a CRA resolution doing away with BLM's methane rule (E&E Daily, May 9).

"I believe that the Interior Department should do more to prevent methane venting and flaring on federal lands," Portman wrote in a Monday statement. "The Secretary of the Interior has made clear in a letter to me that the Department is committed to acting on this important issue going forward, and he has outlined specific actions it would take to do that."

But Zinke's plan to address methane through the NTL-4A could be legally fraught, dozens of law professors wrote to Senate leadership this week (Energywire, May 9).

"[T]here is a serious legal question whether the Interior Secretary can impose new requirements on lessees by simply revising the existing Notice to Lessees," their letter said. "The CRA clearly provides that, if the



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Waste Prevention Rule is overturned by CRA resolution, the Interior Department becomes legally prohibited from adopting new rules that are 'substantially the same' as the regulations overturned, unless Congress specifically provides the Department with such authority in new legislation.

"The meaning of that limitation is unknown as no court has yet interpreted it."

John Ruple, associate law professor at the University of Utah and one of the letter's signatories, said the legal implications of Zinke's proposal are murky.

"The over-energetic use of the CRA by Congress is potentially dangerous, since the agency that promulgated the rule at issue is prohibited from putting forward a 'substantially similar' replacement — and no one really knows what that means. Facing budget scrutiny and uncertainty regarding their legal footing, it is hard to imagine agencies acting quickly to fill the void created by use of the CRA — especially when agencies are supposed to eliminate two regulations for each new rule they issue," he said in a statement yesterday. "I am concerned that the Department of the Interior may not be able to deliver on the promise of a meaningful replacement."

Methane authority

Industry groups have asked Interior to stay out of methane control altogether.

"There are efforts already underway by the EPA to regulate methane emissions and ensure a fair and equitable return to the American taxpayers," said Dan Naatz, senior vice president of government relations and political affairs at the Independent Petroleum Association of America. "Using the Mineral Leasing Act to regulate air emissions is a non-starter."

Because most of Zinke's strategies would not require a new rulemaking, his promises stand on solid ground, said Kathleen Sgamma, president of the Western Energy Alliance. Updating the NTL-4A is still within BLM's authority, even if the methane rule disappears, she said.

"Apparently the only threat of litigation to subsequent actions by Secretary Zinke to keep these promises to Senator Portman would come from these same environmental groups, a truly twisted result from what they claim to want," Sgamma said.

The item on Zinke's list that would offer the most effective change is to approve pipeline rights of way — which could be done in a matter of days, she said.



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The Environmental Defense Fund (EDF) questioned whether Zinke's proposals would have the effect of reducing methane emissions.

Two of the strategies — assess venting and flaring requirements and eliminate duplicative federal flaring restrictions — would have zero impact on curbing escaped gas, the group wrote in its own letter to Portman.

"Overall, the letter does not identify a single specific 'concrete action' that the Secretary might take to reduce waste," EDF wrote. "The Secretary asks you to accept a page of vague and unfounded assurances in lieu of an 80-page technical rule, enforceable by law."

EDF asked Portman to reconsider his support of the resolution.

A long-delayed Senate vote is expected today.

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4. **PUBLIC LANDS: 4 states take aim at Trump's coal leasing revival effort**

E & E News, May 10 | Ellen M. Gilmer

Four states are taking the Trump administration to court over plans to restart coal leasing on public lands.

California, New Mexico, New York and Washington filed suit yesterday, challenging Interior Secretary Ryan Zinke's decision to lift a leasing moratorium that had been in place for more than a year.

The Obama administration froze federal coal leasing in January 2016 to conduct a broad analysis focused on leasing's environmental impacts and royalty calculations. Zinke announced in March that he was tossing the review and restarting the leasing program. The announcement came after President Trump's "energy independence" executive order aimed at boosting domestic energy production.

Yesterday's lawsuit, filed in the U.S. District Court for the District of Montana, says Zinke's decision violated the National Environmental Policy Act. The four states argue that restarting the leasing program amounts to a major federal action that requires fresh environmental review.



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Interior and its Bureau of Land Management oversee coal resources on public lands across the country, with federal leases producing nearly .4 billion tons of coal in 2015. Most of it comes from the Powder River Basin in Wyoming and Montana.

"Without the benefit of the hard look at the current environmental impacts of the coal leasing program that a lawful, up-to-date environmental impact review would provide, Defendants' decision to restart the coal leasing program does not even acknowledge, let alone address, the harms to Plaintiffs from the leasing program," the lawsuit says.

The states are asking the district court to freeze the leasing program until Interior conducts additional environmental review. The agency does not comment on pending litigation.

The lawsuit also argues that ending the moratorium "without evaluating whether the program is in the public interest or ensuring that it will provide fair market value to the public" is a violation of the Mineral Leasing Act and the Federal Land Policy and Management Act — federal laws that govern leasing on public lands.

The states note that they have "long been leaders" in working to cut greenhouse gas emissions and are actively facing effects of climate change, including more frequent and intense storms, reduced snowpack, more frequent wildfires and sea-level rise.

"Plaintiffs have an interest in the responsible use, management, and conservation of our nation's public resources," the suit says. "That interest is particularly strong where, as here, the use of such resources causes adverse environmental impacts that the States are working diligently to address."

Washington Attorney General Bob Ferguson (D) — who noted that his state also faces impacts from coal-train traffic, with as many as 70 trains per day passing through some Washington rail segments — argued that the Trump administration's approach has ignored concerns about environmental impacts and whether taxpayers are getting a fair return on the federal leases.

"Taxpayers deserve to have their natural resources managed responsibly," he said in a statement. "Responsible stewardship requires an understanding of the costs and benefits of extraction, which just months ago these same agencies admitted they simply don't have. That's unacceptable."



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Joining Ferguson in the suit are New Mexico Attorney General Hector Balderas, California Attorney General Xavier Becerra and New York Attorney General Eric Schneiderman, all Democrats.

Related litigation

The Northern Cheyenne Tribe and a coalition of environmental groups filed their own lawsuit in March challenging the reversal of the leasing moratorium. They make similar NEPA claims, and Northern Cheyenne argues that Interior also failed to meet its tribal consultation obligations before making the decision (Greenwire, March 30).

Northern Cheyenne President L. Jace Killsback said he was glad to see the four states joining the opposition to the Trump administration's move.

"They are allies to us, and we are an ally to them," he said, noting that their NEPA and consultation claims are complementary.

The environmental groups in that case are the Center for Biological Diversity, ecoCheyenne, Citizens for Clean Energy, Defenders of Wildlife, the Montana Environmental Information Center, the Sierra Club and WildEarth Guardians, represented by Earthjustice.

In a separate lawsuit filed yesterday, the Grand Canyon Trust is accusing Interior of violating the Freedom of Information Act by withholding documents related to the Obama administration's review process for the leasing program. The group first filed its request last summer.

"The federal coal leasing program is failing taxpayers, polluting air and water, and lining the pockets of coal company executives," Energy Program Director Amber Reimondo said in a statement. "The American public deserves to know why our government is turning a blind eye to clear science and the real economics of dirty coal mining."

The group filed its suit in the U.S. District Court for the District of Columbia.

Separately, the Center for Biological Diversity has requested records of communication

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5. **WILDLIFE: Federal grassland program benefits sage grouse — study**

E & E News, May 10 | Nicholas Geranios, AP

A new study of sage grouse in Eastern Washington found a surprisingly large benefit from a federal program that subsidizes farmers to plant year-round grasses and native shrubs instead of crops.

The study concluded that is probably the reason that sage grouse still live in portions of Washington's Columbia River Basin.

"Without these lands, our models predict that we would lose about two thirds of the species' habitat, and that the sage grouse would go extinct in two of three sub-populations," said Andrew Shirk of the University of Washington's Climate Impacts Group.

The study was conducted by the UW, plus state and federal researchers, and will appear in an upcoming issue of the Journal of Wildlife Management.

Sage grouse are ground-dwelling, chicken-sized birds found in 11 Western states, from North Dakota to California. As few as 200,000 remain in the U.S., down from a peak population of about 16 million. The males are known for their strutting courtship ritual on breeding grounds, and they produce a bubble-type sound from a pair of inflated air sacks on their necks.

Federal officials in 2015 opted not to list sage grouse under the Endangered Species Act but announced federal land-use restrictions. The U.S. Fish and Wildlife Service will review the bird's listing status within five years.

The Conservation Reserve Program, established in 1985, is voluntary and pays farmers to plant agricultural land with environmentally beneficial vegetation on 10- to 15-year contracts.

Of the roughly 24 million acres planted through the program in the U.S., about 1.4 million acres are in Eastern Washington.

"From the outset, it was envisioned that the CRP program would be good for wildlife," Shirk said. "But I don't think anyone expected that it would be this valuable."



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Will McDow, who works to protect sage grouse for the Environmental Defense Fund, said the report was good news.

“It’s a great example of public-private partnerships,” McDow said Tuesday. “It’s something to celebrate.”

In Eastern Washington, the sage grouse population has stabilized at about 1,000 birds. They live in three main places: the Yakima Training Center, Moses Coulee, and Crab Creek area.

The Yakima Training Center is a U.S. Army facility where the native sagebrush habitat is mostly intact. But the other two areas are heavily agricultural, with irrigated farmland and dryland wheat fields. The birds would likely not have survived there without the CRP program, the study found.

Sage grouse in other Western states are threatened mostly by oil and gas exploration and other types of development.

Previously, studies of sage grouse across their range in the United States suggested Eastern Washington agricultural areas would not be hospitable for the birds. Washington’s habitat is a relatively small island separated from the broader sagebrush seas in Montana, Wyoming, Idaho, Oregon and Nevada, the study said.

“The other studies generally predicted that Eastern Washington was a place that shouldn’t support sage grouse because most of the habitat was converted to agricultural lands,” Shirk said. “And yet they’re still here.”

The authors’ results show that without the federally-subsidized CRP lands dominated by native grass and big sagebrush, sage grouse in Eastern Washington would only have about one-third the amount of usable habitat, and the two subpopulations in agricultural areas would become so small that they would likely go extinct.

A harsh winter, for example, could decimate a small population, Shirk said.

The study found that if Washington’s CRP lands were extended to be near existing sage grouse populations, the birds’ habitat could be increased by as much as 63 percent.



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"We have seen CRP help grassland birds across the country," McDow said.

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6. **EPA: Dems to Pruitt — don't close regional offices**

E & E News, May 10 | Kevin Bogardus

Democrats are urging U.S. EPA Administrator Scott Pruitt not to close any of the agency's regional offices.

All 10 senators who caucus with Democrats and serve on the Environment and Public Works Committee last week sent a letter, obtained by E&E News, to the agency chief. Led by Sens. Tammy Duckworth (D-Ill.) and Tom Carper (D-Del.), the panel's ranking member, they requested that Pruitt commit to not shuttering any of EPA's regional and program offices.

"We ask you to reaffirm your commitment to the agency you are tasked with leading and to the families you took an oath to protect by ruling out the possibility that any regional or program EPA office will be closed or consolidated," they said in the letter.

They added that if Pruitt dismisses EPA's regional staff, "the agency would lose irreplaceable institutional knowledge and a deeper understanding of highly technical and regionally specific environmental issues."

In their letter to Pruitt, the senators said they were "deeply troubled" by an internal EPA budget document that hinted at potential closures and consolidation for some of the agency's regional offices.

"Funding levels incorporate rent cost avoidance from several regional and headquarters offices (Potomac Yards North, Region 1, Region 5, and Region 9), the decommissioning of part of the Las Vegas laboratory, and the release of the headquarters warehouse in Washington D.C.," said the document.

Further, the Office of Management and Budget has reportedly told EPA it must close two regional offices as it prepares the budget for the next fiscal year.



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Much of the speculation regarding which office could be closed has centered on EPA's Region 5 branch, based in Chicago. It is the agency's largest regional office, with more than 1,000 employees on its payroll.

Lawmakers have pushed back on that possible closure, with both Democratic and Republican House members from Michigan writing a letter to Pruitt last month urging him to keep Region 5 open.

EPA officials in Chicago and at headquarters in Washington have denied reports that the agency plans to close the Region 5 branch, calling them false and just rumors (Greenwire, April 18).

Pruitt has repeated those denials himself. In an interview with the Tulsa World last week, the EPA administrator said rumors that EPA will close the Chicago office are "pure legend" and that the move "has not been discussed."

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7. POLITICS: Effort to shield documents sparks transparency debate

E & E News, May 10 | Geof Koss

Are House Republicans conspiring with the Trump administration to evade a key federal open-records law? Or is Congress simply reasserting a long-standing legal prerogative it says is essential to conducting oversight of the executive branch?

It depends on whom you ask.

Since January, congressional staffers say they've begun to notice distinct signatures on emails sent to federal agencies from House addresses, which in effect state that the contents of the messages are not considered "agency records" for purposes of compliance with the Freedom of Information Act (FOIA).

"This email and any related documents, notes, draft legislation, recommendations, reports, or other materials generated or received by the members or staff of the Committee on Financial Services are congressional records and remain subject to the Committee's control, and are entrusted to your agency only for use in handling this matter," says one such signature flagged to E&E News recently by a House aide.



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Similar language has been appended to emails from other committees, aides say.

While Congress has long been exempt from FOIA, federal agencies are not, and congressional correspondence to the executive branch is routinely released to media outlets and other requesters under the law.

Those records can shed light on the internal operations on both the executive and legislative branches.

In recent years, documents obtained by E&E News under FOIA have shown a burgeoning investigation into an EPA administrator's email practices, EPA's denial of using controversial "stingray" surveillance technology and even lobbying by agencies to rework legislation to strengthen the public records law.

But the disclaimers could prevent the release of similar documents in the future. A House Democratic aide said recently that senior EPA political staff had discussed ways to evade FOIA with staff from both parties. EPA did not respond to a request for comment.

Rick Blum, the director of News Media for Open Government, said that the email signatures are worrisome and unnecessary, given existing exemptions in the law for Congress.

"Clearly, FOIA allows confidential congressional investigations," he said last month after reviewing one such signature. "FOIA is not an impediment to Congress getting the information it needs and keeping its information gathering confidential to protect investigations, to protect sources."

Furthermore, journalists rely on state and federal open-records laws as part of their reporting.

"Preserving emails and looking at correspondence between agencies and between parts of government should be expected and is part of the newsgathering process more and more," he said. "And it's more a part of the public consciousness."

Gray matter

While Congress is exempt from FOIA, its interactions with other entities that are covered by the statute are somewhat of a gray area.



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The leading case on the subject is a 2004 decision by the U.S. Court of Appeals for the District of Columbia Circuit, *United We Stand America Inc. v. Internal Revenue Service*, in which the judges ruled that the Joint Committee of Taxation could reserve control over the confidentiality of correspondence it sent to the IRS.

Daniel Metcalfe, the founder and former director of the Justice Department's Office of Information and Privacy, who now teaches secrecy law at American University's Washington College of Law, says that decision may support efforts by congressional staff to send something to an executive branch agency and say, "We hereby reserve control over this letter" and perhaps even an attached document.

But he said there's no judicial precedent that supports ongoing congressional efforts to broadly shield all correspondence with an agency from FOIA requests.

The 2004 decision held that "what came into an agency can be deemed a congressional record, and even part of what went back to Congress could be, but only insofar as it reflects the substance or confidential existence of the congressional communication that came in," said Metcalfe, who likened it almost to attorney-client privilege.

While the Financial Services Committee email signature would likely protect the message itself from release under FOIA, Metcalfe said the inclusion of the phrase "any related documents" seemed overly broad, while efforts to reserve control over all documents "received by" the committee from the executive branch "goes way too far."

"It's unprecedented overreaching in the congressional context, very likely impracticable, as well," he said.

Moreover, he added, even where a congressional record can be shielded from release under FOIA, the inclusion of the email disclaimer does not in any way obviate a federal agency's obligation to identify the document, so a requester has the opportunity to challenge its claimed status administratively and in court.

"Otherwise, the agency would be unilaterally removing it from any possibility of disclosure just by saying nothing about it," Metcalfe said.

'Subject to congressional control'



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Further stoking the debate were the recent revelations by BuzzFeed that House Financial Services Chairman Jeb Hensarling (R-Texas) last month had sent letters to multiple federal agencies under the panel's jurisdiction arguing that communications between the panel and agencies are not "agency records" under FOIA and "remain subject to congressional control even when in the physical possession of the agency."

Hensarling's letter to Treasury Secretary Steve Mnuchin further states that documents "created or compiled by your agency in connection with any responses to the Committee are also records of the Committee and remain subject to the Committee's control."

In a statement, House General Counsel Thomas Hungar said he had provided legal advice to Hensarling's panel and said that position represented "well-established legal principles and practices" that reflect congressional sentiment dating back four decades.

But in a letter sent Tuesday, 21 open-government groups urged Hensarling to "reconsider and rescind" his requests to federal agencies, some of which have already signaled they will comply with the request.

"These assertions improperly restrict the ability of the public to use FOIA to access those documents," wrote the Project on Government Oversight, the American Civil Liberties Union, the National Press Club and others, noting that federal law already includes "narrow and specific" FOIA exemptions. "Your letter purports to create a new category of exemption through a unilateral action by a single Member of Congress, a troubling precedent."

Metcalf said there was no precedent for documents that were later generated from initial congressional correspondence being completely screened out of FOIA.

"The only time something so generic and across-the-board has been attempted was when the White House tried it very specifically for Clinton health care task force records in 1993," Metcalfe said, while disclosing that he was the person who advised the Clinton White House on that position. "And with the demise of Hillary Clinton's efforts back then, that was never tested in litigation."

Not everyone sees nefarious motives in the recent push to protect congressional documents from being swept up in routine FOIA requests.



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One House Democratic staffer said recently that the email signatures are the result of a 2016 ruling by the D.C. Circuit, *American Civil Liberties Union v. CIA*, that has sparked concerns that Congress needs to express clear intent of its desire to exempt a document from FOIA.

In fact, the Office of the Comptroller of the Currency earlier this month cited that case in its response to Hensarling, in which it said it would decline to produce congressional records in response to FOIA requests.

But Elizabeth Hempowicz, POGO's policy counsel, disputed the relevance of that case to the current debate, saying it related to the interrogation report prepared by the Senate Intelligence Committee and set no applicable precedent.

In a letter to Rep. Maxine Waters (D-Calif.), the ranking member on Financial Services, Hensarling this week emphasized that he is not seeking a blanket exemption from FOIA for committee documents.

"[T]he letters that were sent to executive agencies do not mean that the Committee will advocate for the withholding of all records," Hensarling wrote. "We will as we always do, evaluate each situation on a case-by-case basis with an eye toward disclosure to the maximum extent feasible. All the Committee has done by issuing these letters is protect its legal rights."

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