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Will a third Interior secretary visit resolve debate over national monuments?

By Amy Joi O'Donoghue, Deseret News | Posted - Apr. 7, 2021 at 9:27 p.m.



10PM: U.S. interior secretary to visit Bears Ears, meet with local leaders

KSL TV

SALT LAKE CITY — For the third time in five years, a U.S. Department of Interior secretary is visiting Utah amid a debate over two controversial national monument designations that will likely never fully be resolved.

In a release sent late Wednesday, the U.S. Department of Interior announced that Interior Secretary Deb Haaland received briefings from federal employees, visited the Bears Ears Education Center in Bluff, San Juan County, met with tribal leaders and was meeting with Utah Gov. Spencer Cox and members of Utah's congressional delegation.

On Thursday, she will be joined by tribal leaders in more tours of the Bears Ears region and will meet with stakeholders in San Juan County who include local elected officials, ranchers, conservation organizations, mining companies, paleontologists and archaeologists.

Haaland posted on Twitter some of her experiences.

On Friday, she plans to be in Kane County, site of decades-old controversy involving Grand Staircase.

Boomerang effect of changing administrations

The story of the Bears Ears Monument designation and the creation of the Grand Staircase-Escalante National Monument is convoluted, steeped in history, filled with bitterness, infused with hope and epitomizes the political controversy of how America's public lands and waters should be used, and who rightfully gets to make that decision.

The fate of the monuments, depending on which Interior secretary visits Utah, has become [a political football tossed back and forth](#) by a trio of U.S. presidential administrations highly at odds on what the priorities should be for public lands. This latest visit will likely echo the hope and optimism Native American tribes had when then-Interior Secretary [Sally Jewell visited the remote Bears Ears region](#) of San Juan County in 2016. The Bears Ears Inter-Tribal Coalition had been pushing, and pushing hard, for President Barack Obama to exercise his authority under the Antiquities Act to set aside 1.9 million acres to create the Bears Ears Monument on land sacred to the tribes.

During that trip under the heat of a July sun, Jewell made the trek to the Bears Ears Meadows, where she dined on a Hopi dinner, was entertained by Native American tribes with traditional song and dance and was presented with dozens upon dozens of cards made by Native American children pleading for the monument designation.

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Interior Secretary Sally Jewell tours rock art in Butler Wash near Bluff in southern Utah on Saturday, July 16, 2016. (Photo: Scott G Winterton, Deseret News)

It was a jubilant day, with Jewell posing for pictures with monument supporters.

In contrast, when Jewell listened to local and state elected leaders opposed to the monument in a meeting in Monticello, there were a lot of grim faces in the room.

Local leaders quietly grumbled afterward that the event had been a waste of time; the Obama administration had already made its decision and Jewell's tour was simply a show of goodwill that would soon be trashed.

By December that year, their prediction came to fruition when Obama designated the 1.35 million acre Bears Ears National Monument, fostering an expanse of GOP resentment in Utah as large as the monument itself.

Move to shrink the monuments

When Donald Trump beat Hillary Clinton to secure a GOP victory for the White House in 2016, Utah's top elected leaders — including former Sen. Orrin Hatch — went to work on Trump to get the Bears Ears designation overturned, or its boundaries reduced.

The controversial 1996 designation of the Grand Staircase-Escalante National Monument also got put on the menu to get an overhaul, with state and local leaders who had chafed under its designation for two decades.

President Bill Clinton used the same law, the Antiquities Act, to stun Utahns with the designation of the monument of 1.9 million acres, one of the best kept secrets Clinton pulled off and made worse by the announcement he made in the neighboring state of Arizona.

The hope that Trump would agree to review what Utah's conservative leaders called an abuse of the Antiquities Act was realized when he sent his Interior Secretary Ryan Zinke to make a similar whirlwind tour that Jewell did a year earlier.

Zinke arrived in Utah in May 2017, just a few months into the Trump presidency in a trip that played out in sharp contrast to Jewell's visit.

U.S. Interior Secretary Ryan Zinke takes a horseback ride in the Bears Ears National Monument with local and state representatives on Tuesday, May 9, 2017. (Photo: Scott G Winterton, Deseret News)

This time, Utah's top elected leaders were practically giddy, enthused with the hope that finally, after all this time, there was a presidential administration in charge that was listening to their concerns over local land use, and how monument designations stymie traditional activities like ranching, mining, motorized access and more.

Zinke did an aerial tour of Bears Ears and [rode on the mountain, listening to the concerns of ranchers](#) and what they feared would be an erosion of their access.

On the flip side, [Zinke was met with Native American protesters](#), with one woman angrily peppering him with questions, prompting him to wave a finger and chastise her: "Be nice. Don't be rude."

He also made a trip to Grand Staircase-Escalante, returning from the Kaiparowits Plateau with a souvenir lump of coal.

By December that year, Trump was in Utah's capital city, flanked by its top GOP leaders to declare that yes, he was cutting Grand Staircase's boundaries by half and reducing

Bears Ears into two differently named national monument units totaling 201,397 acres — the Shash Jaa and Indian Creek.

Native American tribes, conservation groups and area supporters of Bears Ears and Grand Staircase were livid, prompting a flurry of lawsuits immediately challenging Trump's authority to downsize monument boundaries designed by previous presidents.

Now a new administration has taken the place of Trump. There's a Democrat in the White House, President Joe Biden, who has made the conservation of public lands and public waters one of his top priorities to augment his climate change agenda.

Another president, another set of goals

One of his stated goals, hailed by conservationists and environmentalists, is to protect 30% of U.S. public lands and public waters by 2030.

Beyond that, Haaland is the country's first Native American to serve in a Cabinet position, hailing from the Western state of New Mexico and proudly touting her membership in Pueblo of Laguna. She has publicly stated she is fierce in her protection of public lands and has previously visited Bears Ears, describing the beauty of the region.

Her confirmation hearing drew nay votes from both Utah's GOP senators, with Sen. Mike Lee retorting to her that the monument status in the Bears Ears region does not make the land more beautiful.

Romney said because of Haaland's views on land management, energy resources and her support of the Green New Deal, he couldn't vote in support of her confirmation either.

But it is her views on public lands conservation, the boss she works for and her status as a member of a federally recognized tribe that gives monument supporters hope.

"What I would say is that we really support the secretary and her want of allowing all parties to weigh in on the matter," said Pat Gonzales-Rogers, executive director of the Bears Ears Inter-Tribal Coalition. "I think it speaks volumes on how earnest she is to get to an informed and educated decision on the matter."

Gonzales-Rogers said he could not make a prediction on what decision might be made this summer when it comes to Bears Ears.

"I can't say where she is headed with that," he said. "But we would like to go back to the original tribal proposal of 1.9 million acres as well as creating a path to make it permanent."

He said while the governor and some members of the Utah delegation have called for a collaborative "solution," to the Bears Ears question — which he takes with good faith — the state's past performance with Native American tribes leads him to a place of skepticism.

"We are always in the posture to embrace collaboration and commonality, but with that said, we do it with the respective eye on what some of the past relationships Utah has had with the tribes, and at best they have been acerbic, provincial and paternalistic."

Is collaboration possible?

Beyond the tribal community's optimism stemming from Haaland's visit, other elected leaders in Utah are welcoming a chance to renew the conversation over the monuments' designation and subsequent reduction.

"I am excited for Secretary Haaland's visit. I look forward to a fresh perspective on the protection and management of both the Bears Ears and Grand Staircase-Escalante national monuments," said Moab Mayor Emily Niehaus. "I am hopeful that under her leadership, we will have a collaborative management plan that considers varied perspectives while also fiercely protecting the place and her cultural resources."

There is a united call for that "collaboration," but what that will look like in this third examination of the monument issue remains an unknown.

Everyone agrees the political football that Utah's monuments have become needs to be deflated, shelved and not returned to the game when another GOP administration is at the helm of the U.S. presidency.

When he announced he was directing a review of monument changes made under the Trump administration, Biden stoked a quick response from Utah's GOP leaders who

have repeatedly made calls for him to seek a congressional solution to achieve that certainty.

Gonzales-Rogers is in agreement that it is doing no good when it comes to management of the land to have boundaries fluctuate depending on who occupies the White House.

"Both sides want some finality and permanency to the solution and not this vacillating that occurs between differing political ideologies," he said. "That could be a starting point."

But he did note Utah's state and federal officials have not provided any details on what a collaborative congressional solution might look like.

As far as the other monument, the Grand Staircase-Escalante Partners released a statement in anticipation of Haaland's visit, urging a return to the monument's original boundaries to help local communities and the environment.

"Long-term protection of the monument's landscapes and the health of its ecosystems are vital for the future of adjacent rural communities. The fully protected monument amplifies ecological resilience for the whole region as extinction threatens the flora and fauna of the southern Colorado Plateau," the statement read.

"Grand Staircase-Escalante can become a 'species ark' by interlocking with other designated federal lands, from Bryce Canyon National Park to Bears Ears," it said. "A restored Grand Staircase-Escalante National Monument will mitigate global warming, provide a carbon sink, protect watersheds, springs and seeps, and prevent wholesale extinctions."

But Garfield County Commissioner Leland Pollock said the reduced monument is being managed much more effectively and the new plans in place show how 20 years under the original designation failed to adequately care for the landscape.

"The reason it is working so well is because it was working so bad before," he said. "It was easy to look at what didn't work and change it in the monument plan to what is now working."

He added that tourism to the area was limited before, but now it is booming because of the enhanced access.

If it is restored to its original size, he said that decision will amplify just how powerful, and arbitrary, that U.S. presidents can be when it comes to monuments.

"If they can take this BLM rangeland which is full of sagebrush, noxious weeds and washes and gullies — if they can take this and arbitrarily draw a line around it, then they can make a monument anywhere in the Western United States," he said. "That should scare the hell out of any Western state that has public land in their boundaries."