

President Trump Orders a Review of the Antiquities Act

Wednesday, President Donald Trump signed an executive order directing Secretary of the Interior Ryan Zinke to conduct a thorough review of many Bureau of Land Management acquisitions under the *Antiquities Act* over the past 20-plus years.

Watch the video above to see the signing ceremony, which was held at the Department of the Interior headquarters in Washington, D.C. Zinke prefaced the ceremony with a press briefing about the order.

He said:

The monument designation period stretches from 1 January 1996 under which the act—and it has to include acts and monuments that are 100,000 acres or more—so the beginning date is January 1st, 1996, and the other condition is they have to be a total of 100,000 acres or more. That should include about 24 to 40 monuments. That gives you kind of a thumbnail.

The executive order directs the Interior to provide an interim report to the President within 45 days of the day of the order and a final report to the President within 120 days of that order.

For the record, in the last 20 years, in particular, that would cover about, oh, tens of millions of acres to include marine area sanctuaries. Some of these areas were put off limits for traditional uses, like farming, ranching, timber harvest, mining, oil and gas exploration, fishing, and motorized recreation.

The designations on kind of the bookends are the Grand Staircase-Escalante National Monument of 1996. And that was

the first BLM land designation, all the way to really the Bears Ears National Monument in 2016, which has been in the news a lot. So those are the kind of two bookends. Again, it's monuments that are 100,000 acres or larger, so it hits the big ones.

The president's—the authority on such matters is singular, so you know. There's no requirement for public input before the designation of a monument and there's no NEPA requirement. Normally, when you do a land use project, we normally NEPA. The Antiquities Act is the exception. Again, we don't have to go through legislative process; the president determines it, and it does not have to go through NEPA.

In this case, the administration, as you all know, has heard from members of Congress and states and, in some cases, the designation of the monuments may have resulted in loss of jobs, reduced wages and reduced public access. And in the case of sign public land use, we feel that the public, the people that the monuments affect, should be considered. And that's why the president is asking for a review of the monuments designated in the last 20 years to see what changes, if any, improvements can be made, and give states and local communities a meaningful voice in the process.

And I can tell you, from a kid who grew up in Montana, or grew up in the West, where much-needed monuments have taken place, I think today's executive order and review of the Antiquities Act over the past two decades is long overdue.

And the policy is consistent with the president's promise to give Americans a voice and make sure their voices are heard. Like many of the actions he's taken since assuming the role of the president, the office, this is yet another example the president is doing exactly what he was saying in his campaign promises, and he's delivering.

The president believes, like I do, that many of the neighbors in the Western states of the federal government can be a good neighbor. We can protect areas of cultural and economic importance, and they can use the federal lands for economic development when appropriate, just as Teddy Roosevelt envisioned it. I am a lifetime supporter and admirer of Teddy Roosevelt's policies, and the president is the same.

The Antiquities Act of 1906—and that was under President Roosevelt—it did give the president the authority to declare historic monuments, landmarks, prehistoric structures and other objects of historic and scientific interest on federal lands. Also in the Antiquities Act, authors specified the scope of the authority to “designate the smallest area compatible with proper care and management of the objects to be protected.” That's verbiage from the act itself.

So with the average size of the monument's designations over the past years has increased. I think that should be worthy of notice. Since the 1990s, when the act was first used, the average size of the national monuments came from 422 acres to, today, in the millions of acres.

So here's what the executive order does in summary. It restores the trust between local communities in Washington that the local communities and states will have a voice—those states that are affected, and local communities. The executive order puts America and the Department of Interior back on track to manage our federal lands in accordance with traditional multiple use, as laid out by Pinchot and the President, and directs the Department of Interior to make recommendations to the President on whether a monument should be rescinded, resized, modified in order to better manage our federal lands. And this executive order gives rural communities across America, again, a voice, as his campaign promised and is delivering that.

Here's what the executive order does not do. The executive order does not strip any monument of a designation. The executive order does not loosen any environmental or conservation regulation on any land or marine areas. It is a review of the last 20 years, and the review has timelines in which I am obligated to uphold. {eo}