

# **NATIONAL MONUMENTS: A Brief History & Possible Implications for Utah**

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# Antiquities Act of 1906

- The Antiquities Act of 1906, signed by President Teddy Roosevelt, authorizes the President to proclaim national monuments on federal lands that contain historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest.
- 16 of 19 Presidents since 1906 have proclaimed ~145 National Monuments
- FDR used his authority the most often (28 times to create or enlarge – including 5 times in Utah)
- President Obama has proclaimed the most monument  
• acreage

# Antiquities Act of 1906

- While about half of the presidential monument proclamations involved less than 5000 acres, they have ranged from 1 acre to over 260 million acres
- Congress has modified many of these proclamations and has abolished some monuments. Congress has also created monuments under its own authority.
- There is a long history of efforts to revoke or limit the President's authority to proclaim monuments.
- To date, no court challenges have succeeded in undoing a presidential designation. Courts have consistently deferred to the President's judgment as to the proper size for a monument.

# Antiquities Act of 1906

1908 – Roosevelt creates Grand Canyon National Monument, later to become a national park in 1919



1932 – Herbert Hoover adds 273,000 acre monument to Grand Canyon National Park, and designates White Sands, Death Valley, Saguaro, and Black Canyon of the Gunnison as National Monuments



1978 – Jimmy Carter designates 56 million acres of national monuments in Alaska



1915 – Woodrow Wilson reduces Mount Olympus National Monument by 1/2 for logging interests



1943 – Franklin D. Roosevelt adds 211,000 acre Jackson Hole National Monument to Grand Teton National Park and John D. Rockefeller buys private land to add to park



# Antiquities Act of 1906

1981-1993 – Neither Ronald Reagan nor George H. W. Bush use the Antiquities Act

2006-2009 George W. Bush establishes more than 300,000 square miles of national monuments in the Pacific to be administered by the National Oceanic and Atmospheric Administration and U.S. Fish and Wildlife



1996 – Bill Clinton designates 2 million acre Grand Staircase - Escalante National Monument in Utah to be managed by BLM



# President Obama and the Antiquities Act

- To date, President Obama has used the Antiquities Act 19 times
- Has “protected” more than 260 million acres of lands and waters
- Most recent - Berryessa Snow Mountain in California, Waco Mammoth in Texas, and Basin and Range in Nevada.



# Federally Managed Land

- From 2009 to 2013, BLM and USFS spent \$7.2 billion to manage public lands and earned only \$5.3 billion
- Currently, there are estimates of 13.5-20 billion in maintenance backlogs for land already managed by DOI
- Imposition/Use of Antiquities Act requires no direct consultation with states, municipalities or locals for designations to be made

# Protected Lands in Utah

Entire state landmass is approximately **54** million acres  
Amount of federal public land in Utah is **37** million acres

10% state, 21% private, 68% federal

Utah offers **5** National Parks, **7** National Monuments, **2** National Recreation Areas, **1** National Historic Site, and **6** National Forests

Utah also has **43** state parks

Despite the impression some leave, there is NOT a dearth of public lands for people to visit in Utah



# Protected Lands in Utah

**Common Misconception – Utah’s Most Precious Scenic Destinations are Being Developed & Destroyed**

**REALITY:** Today, there are more federally managed conservation lands in Utah than private lands:

***Conservation land: 12,464,860 acres***

***Private land: 11,440,909 acres***

**Roughly 35% of all land in Utah is currently under some form of protected status**

# Lessons for Utah

- Antiquities Act states the President is to reserve “the smallest area compatible with the proper care and management of the objects to be protected.”
- This administration is willing to use unilateral power to accomplish its goals.
- Need for legislative precision
- Utah is on the monument target list
- Chicago Cubs and the Capitol Fitness Center