CONCURRENT RESOLUTION URGING THE PRESIDENT TO

RESCIND THE BEARS EARS NATIONAL MONUMENT

DESIGNATION

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory H. Hughes

Senate Sponsor: Wayne L. Niederhauser

LONG TITLE

General Description:

This concurrent resolution urges the President of the United States to rescind the Bears Ears National Monument designation.

Highlighted Provisions:

This resolution:

▸ expresses strong opposition to the Bears Ears National
Monument designation; and

urges the President of the United States to rescind the Bears Ears National Monument.

**Special Clauses:**

None

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Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the state of Utah is a public lands state, committed to conservation and continued recreational access for hunters, anglers, campers, and other recreationists, as well as allowing for productive uses, including agriculture, timber production, and energy and natural resource development;

WHEREAS, the Legislature and the Governor are committed to the health, protection, preservation, and productivity of, and access to, the public lands within our state;

WHEREAS, roughly 66% of the land within the sovereign state of Utah is presently controlled by the federal government;

WHEREAS, 38 non-western states in the Union govern and exercise their constitutional jurisdiction over virtually all the land within their borders, and the legislatures and the governors of those states tend to the health, safety, and welfare of their citizens;

WHEREAS, on December 28, 2016, President Barack Obama designated the Bears Ears National Monument, limiting public access to 1.35 million acres in San Juan County, Utah;

WHEREAS, every member of Utah's congressional delegation publically opposed the designation of the Bears Ears National Monument;

WHEREAS, the designation of the Bears Ears National Monument sets a dangerous precedent of allowing special interest groups to unduly influence the monument designation process and silence local voices;

WHEREAS, local Native American groups with historical ties to the area have passed resolutions opposing the designation of the Bears Ears National Monument;

WHEREAS, San Juan County Commissioner Rebecca Bennally, whose constituency includes members of the Navajo Nation who live in San Juan County, and the entire San Juan County Commission, opposed the monument designation and unanimously passed a resolution expressing their opposition;
WHEREAS, every city council in San Juan County has passed a resolution opposing the designation of the Bears Ears National Monument; WHEREAS, counties across the state have passed resolutions standing unitedly with San Juan County in opposition to the Bears Ears National Monument; WHEREAS, every member of the Utah State Legislature representing San Juan County opposed the designation of the Bears Ears National Monument; WHEREAS, the Legislature passed a resolution last summer expressly opposing the creation of the Bears Ears National Monument, with the Governor concurring therein; WHEREAS, Governor Gary R. Herbert wrote to the President of the United States in August 2015 and in February 2016 urging him not to use the Antiquities Act to designate another national monument in Utah;

WHEREAS, Governor Gary R. Herbert noted that another monument designation would “inflame passion, spur divisiveness, and ensure perpetual opposition”; WHEREAS, the Antiquities Act limits a presidential monument designation to the “smallest area compatible with proper care and management of the objects to be protected”; WHEREAS, the Bears Ears National Monument is almost twice the size of the state of Rhode Island; WHEREAS, once-thriving rural Utah communities and their citizens are suffering economic deprivation at the hand of their own federal government, which a national monument tourism economy fails to alleviate; WHEREAS, the power granted to the President to designate national monuments under the Antiquities Act has been exploited and abused by presidents of both parties for over a century; WHEREAS, newly designated monuments averaged 15,573 acres in 1906 when the Antiquities Act was signed into law but, in the year 2016, have averaged 739,305 acres, which is more than 47 times the size of those created 110 years ago; WHEREAS, because only western states have large areas of federal land within their borders, use of the Antiquities Act by presidents to designate millions of acres of land as national monuments disparately impacts western states; WHEREAS, Utah is 50th in the nation in per pupil spending due to the large portion of the state that is held as federal land and not subject to property tax; WHEREAS, considerable funding for the Utah public education system comes from the responsible development of our abundant natural resources and other...
economic uses of our public lands; WHEREAS, continued opportunity for multiple uses of our public lands is vital to the economies of San Juan County and the state of Utah, providing tax revenue that supports students’ education statewide; WHEREAS, within the sweep of President Obama’s Bears Ears National Monument designation is 109,000 acres of school and institutional trust land designated to produce funding for our school children; WHEREAS, Utah is already home to five national parks and seven national monuments; WHEREAS, all or part of four national monuments, one national park, and one national recreation area are located in San Juan County; WHEREAS, San Juan County, despite the presence of these national monuments, parks, and recreation areas, is the poorest county in the state and among the most economically depressed in the nation; WHEREAS, Navajos in San Juan County experience some of the highest rates of unemployment in the state; WHEREAS, rural economies depend on multiple uses of our public lands for sustenance and growth; WHEREAS, the Bears Ears National Monument designation will forever remove the possibility of economic development and decimate the economy of the region with impacts felt around the state; WHEREAS, citizens in rural Utah deserve the equal opportunity to pursue happiness through the protection of their life, liberty, property, and right to determine their own destiny unimpeded by their own federal government; WHEREAS, San Juan County residents, including local Native American tribes, fear that woodcutting, pinion gathering, traditional religious and cultural practices, and a host of other historical uses of the area will be restricted or entirely prohibited; WHEREAS, San Juan County’s Natural Bridges National Monument prohibits woodcutting, and grazing has declined by almost a third in Grand Staircase-Escalante National Monument despite a presidential promise that grazing would “remain at historical levels”; WHEREAS, the United States Forest Service and Bureau of Land Management, which are charged with managing the Bears Ears National Monument, have a combined deferred maintenance backlog of almost $6 billion;
WHEREAS, these federal land management agencies clearly do not have the funding to maintain the lands for which they are currently responsible; and
WHEREAS, Utahns are best positioned to care for and manage our public lands:
NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, strongly urges the President of the United States to rescind the Bears Ears National Monument designation.
BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of the United States, Utah's congressional delegation, the Secretary of the Department of the Interior, and the Secretary of the United States Department of Agriculture.