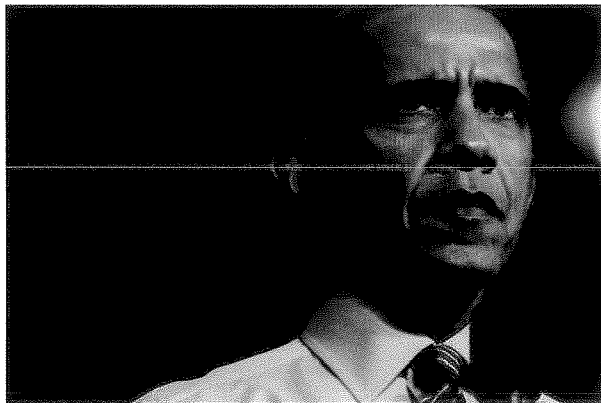


Deseret News

In our opinion: Will Obama use Antiquities Act in Alaska like Clinton did in Utah in '96 with Grand Staircase-Escalante?

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President Barack Obama listens to a question during an event Friday, Feb. 6, 2015. Alaskans are concerned President Obama may use the Antiquities Act to give the Arctic National Wildlife Refuge a restrictive "wilderness" designation — much like President Clinton did with Utah's Grand Staircase-Escalante National Monument in 1996. (Evan Vucci, Associated Press)

Imagine public land rich with extraordinarily valuable natural resources. Add a president who publicly promises to “use (his) authority to protect more of our pristine federal lands for future generations.” Then include swirling rumors about the Antiquities Act, which authorizes the president to designate large swaths of land as a national monument without any congressional approval.

Utahns will recognize all of the above as the key ingredients of the 1996 debacle that put billions of

dollars of school trust lands forever out of reach of Utah's educational system.

For Alaskans, however, this scenario is much more than a historical footnote. They fear that President Barack Obama is eager to lock up the Arctic National Wildlife Refuge (ANWR) using the same tactic that Bill Clinton used almost two decades ago to create the Grand Staircase-Escalante National Monument, which bypassed Congress altogether and blindsided Utah leaders without granting them any input into the process.

“I'm more than a little bit paranoid about the actions of this administration regarding Alaska,” Sen. Lisa Murkowski told one of her local Alaska newspapers. “I fear ... he is going to utilize the authority of the Antiquities Act and put ANWR in permanent wilderness status and lock it up.”

This isn't paranoia on her part. She has credible reasons for her concerns.

The president's Interior Department recently issued a recommendation that ANWR be labeled as wilderness, the most restrictive designation of public lands available. Yet such a designation would have to be approved by Congress, which — given the House and Senate's sizable Republican majorities — seems unlikely. Unfortunately, this president has demonstrated an eagerness to act unilaterally even if his actions go against the will of Congress. After his immigration executive order and his climate-change agreement with China, it's easy to see an arbitrary national monument designation as an increasingly likely next step.

Public lands are a national treasure, and they demand responsible stewardship. The power to determine how they are managed should not be consolidated in a single person, even when that person is the president of the United States. The chaos surrounding the Grand Staircase designation ought to have inspired Congress to significantly scale back or even repeal the Antiquities Act, but that never happened. So now we find ourselves faced with the possibility of history repeating itself.

This is not how the system is supposed to work.

Unfortunately, significant changes to the Antiquities Act are not likely to happen in today's political environment. That means we have to rely on Obama's good faith in resisting the urge to sidestep the appropriate process and act on his own. Precedent suggests, however, that Murkowski is right to be worried.

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