



COUNTY OF SISKIYOU

Board of Supervisors

P.O. Box 750 • 1312 Fairlane Rd
Yreka, California 96097
www.co.siskiyou.ca.us

(530) 842-8005
FAX (530) 842-8013
Toll Free: 1-888-854-2000, ext. 8005

February 14, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Subject: Expansion of the Cascade-Siskiyou National Monument

Dear President Trump:

We write this letter to draw attention to the irresponsible and potentially illegal expansion of the Cascade Siskiyou National Monument (Monument), approved by President Barack Obama on January 12, 2017. The Monument was originally established by Presidential Proclamation 7318 under President Bill Clinton, and encompassed approximately 66,000 acres within its boundaries in Southern Oregon. In October 2016, Oregon Senators Ron Wyden and Jeff Merkley reached out to Secretary of the Interior, Sally Jewell, proposing to expand the Monument by approximately 65,000 acres, 10,000 of which are located in Siskiyou County, California.

The expansion is likely to affect the natural resources, economy and citizens of Siskiyou County, through the restrictions that are put into place after Monuments are designated. In many instances roads within Monument boundaries are no longer allowed for use and are not maintained, timber harvest is prohibited, wildfire outbreak becomes more prevalent as a result of non-management, public grazing lands are eventually severely restricted, and private lands included in Monument boundaries are turned over to federal agencies due to pressure to include these lands in the Monuments management policies.

We raise three main issues concerning the legality and process for expansion of the Monument, the first being the lack of public engagement that took place prior to approval of the expansion. As part of their process in reaching out to the Department of the Interior, and the Department's subsequent involvement in the expansion, Oregon Senators Wyden and Merkley held a public hearing in Ashland, Oregon on October 14, 2016. There were no other attempts by the Senators, or the Department of the Interior, to hold any other public meetings, and specifically there were no hearings or meetings held in California. In an attempt to garnish public input, the Siskiyou County Board of

Brandon Criss
District 1

Ed Valenzuela
District 2

Michael N. Kobseff
District 3

Lisa Nixon
District 4

Ray Haupt
District 5

Supervisors held their own meeting on November 17, 2016, and submitted all written and verbal comments provided during that meeting to the Department of the Interior for consideration. It seems extremely unprofessional that there were no attempts by the proponents of the expansion to hold public meetings in the state in which a portion of the Monument would encompass, and appears to be an attempt to stifle public engagement and input.

Second, the original Monument and the expansion were both designated under the Antiquities Act through Presidential Proclamation 7318, which allows the President of the United States to approve Monuments by signature. However, the intent of the Antiquities Act is to protect archeological and Native American areas by giving the President of the United States power to declare as Monuments “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” while at the same time limiting that designation to the “smallest area compatible with proper care and management of the *objects* to be protected.” Based on this direction, it is our position that the broad designation of the Monument and the expansion under the Antiquities Act is misuse of the Act itself, and does not follow the spirit and intent of the Act.

Lastly, we believe that the Monument expansion is potentially illegal as it does not meet Article 1, Section 10 of the United States Constitution stating that “No state shall, without the consent of Congress... enter into any agreement with another state...”, and Article IV, Section 3, Clause 2 which states that “The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the Unites States...” An example of a situation where Congress was needed to approve such an action is Congress’ approval of the Tahoe Regional Planning Agency, which was required before engaging the States of Nevada and California in mutual planning processes. The designation of the Monument expansion triggers the need for the states of Oregon and California, and state and federal agencies, to be formally engaged together in management responsibilities for the Monument; however no such approval through Congress was ever established.

We hope that as time allows you are able to have some time to look into this issue. We look forward to the opportunity to work with you and provide additional information on this matter. Please feel free to contact, Elizabeth Nielsen, Natural Resource Policy Specialist, at any time at enielsen@co.siskiyou.ca.us or (530) 842-8012.

Sincerely,



Michael N. Kobseff, Chair
Board of Supervisors