National Monuments

Executive Summary

National monument designation of our public lands is a key tool in combatting the climate crisis, and a way to honor the racially and ethnically diverse history of our nation.

The Antiquities Act of 1906 established the foundation for conserving and protecting the nation's archeological heritage on lands that contain significant value to our history and that contain antiquities deemed worthy of protection. The Antiquities Act has historically been used to designate exceptional landscapes by both Republican and Democratic Administrations, protecting such iconic places as the Grand Canyon National Park and Bears Ears National Monument.

Because energy production on public lands accounts for almost 25% of all U.S. carbon dioxide emissions, we must do more to strike a balance on federal lands to protect places that should be set aside for conservation.

The expansion of our nation’s national monuments helps strike that balance and protects critical wildlife, water, and other natural resources from further development.

The long-held concern that using the executive authority of the Antiquities Act on federal public lands is an “overreach,” looks past the fact that these designations are made on existing federally-managed land. HECHO currently supports the designation of national monuments for sites such as Castner Range, Avi Kwa Ame, and Caja Del Rio, landscapes in the West that are varied in their importance to our history, their ability to protect critical wildlife species, watersheds, and other antiquities important to diverse communities.

Executive Summary

An Act for the Preservation of American Antiquities (the Antiquities Act) was the first law to establish that archeological sites on public lands are important public resources. It obligated federal agencies that manage public lands to conserve for present and future generations the historic, scientific, commemorative, and cultural values of the archeological and historic sites and structures on these lands. Presidents have used the authority of the Antiquities Act more than 250 times to protect archeological sites, historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest. Congress has since enlarged the original boundaries of many presidentially proclaimed national monuments or changed their management designation. The National Park Service manages more than 100 parks that got their start because of the Antiquities Act. All of them contain significant archeological resources that contribute to understanding our nation's cultural and scientific heritage.

In an effort to carry on the principles of environmental justice that began the century-long public lands conservation effort, we must look to new equitable national monument designations that honor more racially and ethnically diverse histories and resources on our public lands. Among these potential designations, such as the Castner Range, Caja Del Rio, and Avi Kwa Ame, HECHO sees an opportunity to support locally-led efforts of diverse coalitions to protect landscapes important to this country for a variety of reasons.

Castner Range is nestled within the Franklin Mountains in the majority-Hispanic community of El Paso, Texas, best known by the locals for its annual display of blooming Mexican Yellow Poppies, and the range’s vast history and historical significance dating back thousands of years of Indigenous history. It is currently managed by the Department of Defense and is a part of Fort Bliss. As the population of this region has increased over time, an imbalance between the developed and natural landscapes arose, resulting in a disproportionate urbanization of land.

Challenge

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25% 250 100+
Percentage of U.S. carbon emissions that come from public lands The number of times presidents have used the Antiquities Act National Parks that had their start via the Antiquities Act
Despite decades of industrialization and commercial development, El Paso remains one of the nation’s cities with the lowest per-capita household income. For decades, the community has sought to protect the area to better access and enjoy the beautiful space of Castner Range. The greater El Paso community, Texas conservation groups, local governments, El Paso business associations, and racially and ethnically diverse national environmental leaders are all calling on President Biden to protect and designate Castner Range as a national monument.

Spirit Mountain, called Avi Kwa Ame by the Mojave Tribe, is a mountain within the Lake Mead National Recreation Area near Laughlin, Nevada. The entire region is considered sacred by ten Yuman speaking tribes as well as the Hopi and Chemehuevi Paiute. For the Yuman tribes, the area is tied to their creation, cosmology, and well-being. Energy developers and others have tried to build wind farms and other industry projects in the region for years, and without national monument status, the sacred land is under threat. A coalition of tribes, local Searchlight, Boulder City and Las Vegas residents, the Nevada Legislature, conservation groups, recreation interests and others are calling on President Biden to establish Avi Kwa Ame as a National Monument to permanently protect it.

The Caja del Rio in New Mexico, just south of Santa Fe, is a true convergence of cultures that not only has thousands of years of Native American history recorded on canyon walls but also records the arrival of Spanish settlers to the area. The area is currently being degraded by rogue recreational shooting, looting, vandalism, and being used as an illegal dumping site. It is also the site of a proposed power line. Protecting the sanctity, beauty, and history of this landscape provides acknowledgement of early inhabitants of the area and their great contribution to the history and future of humanity and coexistence of the many cultures that now make up this unique American experiment. Additionally, there are wildlife conservation opportunities within the Caja del Rio as this landscape is used for migration and as wintering grounds for many species of wildlife.

There is opposition from some groups towards the executive authority granted to the President to designate national monuments by the Antiquities Act. In Utah, this is the case specifically in response to President Biden’s monument designation of Bears Ears and Grand Staircase-Escalante. The concern of federal government overreach is valid, yet unfounded in the executive authority granted under the Antiquities Act, which has been widely used in a bipartisan matter, established by law.

**Solution**

Designating new national monuments is a direct means of safeguarding our history, telling a more diverse story of the peoples of this country, protecting invaluable wildlife and water resources, and setting aside land from development to reduce our greenhouse gas emissions. We must move forward in combating the climate crisis by conserving more of our public lands as national monuments, and we must do so in a more equitable way that honors racially and ethnically diverse landscapes and antiquities. National monument designation for Castner Range, Avi Kwa Ame, and Caja Del Rio are immediate steps in this more just direction that we must accomplish.

**Policy Recommendations**

- Presidential designation of national monument status for Caja Del Rio, Castner Range, and Avi Kwa Ame under The Antiquities Act (16 U.S.C. 431-433)
- H.R.2752 - Castner Range National Monument Act
- H.R.6751 - Avi Kwa Ame National Monument Establishment Act of 2022