



CAMPAIGN: Challenging the BLM & USFS 30x30 Proposed Rules

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OVERVIEW:

The Department of the Interior, Bureau of Land Management (BLM) manages over 240 million acres of land and the Department of Agriculture, U.S. Forest Service (USFS) manages 193 million acres, the majority of which is located in 11 Western States and Alaska. How that land is managed and what uses are permitted are vitally important to rural counties, their local economies, and their citizens, who depend on the ability to use federal lands for timber production, ranching, mineral exploration and development, outdoor recreation, and other traditional uses.

April 2, 2023, the BLM issued a proposed rule¹ that will rewrite the Federal Land Policy and Management Act, the law that governs how the agency is to manage these lands. Using their rule making authority, the BLM is attempting to give “conservation” uses priority over the statutorily defined multiple-uses, such as grazing, mining, mineral and energy development and recreation. In essence, this proposal will facilitate the Biden Administration’s 30x30 target to permanently protect 30 percent of America’s land, and decimate the economies of the rural West.

April 21, the U.S. Forest Service issued an Advanced Notice of Proposed Rule Making indicating they will be preparing similar rules applying to the USFS managed Lands.²

The first set of comments on the BLM proposed rule were filed June 20, 2023. The USFS first set of comments are due July 20th.

MULTIPLE-USE ALLIANCE:

During the Obama Administration, the BLM also attempted to revise the planning rules, eroding local coordination and productive uses of the land. ASL worked with Western counties to develop robust comments signed by over 70 entities across the West. A lawsuit was filed upon the finalization of the rule (*Kane County v. DOI*) challenging the action. Fortunately, Congress rescinded the rule under the Congressional Review Act.

To confront the BLM and USFS attempts to revise their planning rules and eliminate the productive uses of our federal lands, we have once again created an Alliance, the “Multiple-Use Alliance,” for counties, local governments, State agencies and organizations to join together and challenge the agency action. Attorney Norman James with Fennemore Law will be leading the

¹ DOI-BLM Conservation and Landscape Health Proposed Rule, <https://www.regulations.gov/document/BLM-2023-0001-0001>

² USDA-USFS Organization, Functions, and Procedures; Functions and Procedures; Forest Service Functions, <https://www.federalregister.gov/documents/2023/04/21/2023-08429/organization-functions-and-procedures-functions-and-procedures-forest-service-functions>

legal strategy. We invite all entities that depend on and utilize our federal lands to join us in filing comments and prepare for the anticipated court action.

Currently, the counties leading the Multiple-Use Alliance are:

Chaves County, New Mexico
Garfield County, Colorado
Garfield County, Utah
Jackson County, Colorado
Kane County, Utah
Lea County, New Mexico
Modoc County, California
Moffat County, Colorado
Otero County, New Mexico
San Juan County, Utah

The priority of the Alliance is to ensure that all industries and communities are represented, and that the full use of our federal lands are protected. Those entities that can help contribute to the legal expenses are encouraged to do so, but this is not required to join the Alliance, sign onto the comments, and participate in the potential court challenge.

If you are interested in joining the Alliance, please contact Margaret Byfield at asl@americanstewards.us.

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