

Congress of the United States
Washington, DC 20515

April 28, 2023

The Honorable Deb Haaland
Secretary
U.S. Department of Interior
1849 C Street N.W.
Washington, D.C. 20240

The Honorable Tracy Stone-Manning
Director
Bureau of Land Management
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Haaland and Director Stone-Manning,

I am writing to express our strong objections to the proposed Conservation and Landscape Health Rule (Rule) published on April 3, 2023. While this Rule claims to be about conservation, it comes at the expense of outdoor recreation, timber, grazing, and energy development. This Rule locks up land and is another example of the Biden Administration weaponizing the government to place the needs of radical environmentalists over the people of Montana.

The Bureau of Land Management is required, according to the Federal Land Policy and Management Act to have a “multiple use” policy on public lands. This means that all Americans can use public lands, whether it be for cattle ranching, recreation, or energy development.¹ The proposed Rule would set up a process of issuing “conservation leases” that could prevent the land from having a multipurpose use. This could result in large swaths of land being locked up without the administration having to answer anyone. Specifically, these conservation leases would be available to entities seeking to restore public lands or provide mitigation for a particular action. While justifying the Rule, the Administration argues “they would not override valid existing rights²...”, this could, however, prevent future uses of the land. The proposed Rule would also allow for non-governmental organizations to buy leases and pay to conduct restoration work on the land.³ How do you expect Montanan producers to compete with coastal corporations for the leases? This is nothing more than a bait and switch that harms Montanan producers. Your action violates the clear intent of the Federal Land Policy and Management Act.

The proposed Rule makes conservation on par with other uses of public lands under the multiple-use and sustained-yield framework, per the Federal Land Policy and Management Act. Additionally, the proposed Rule defines conservation to encompass both protection and restoration actions. It also prioritizes the designation of Areas of Critical Environmental Concern, which could be used to block outdoor recreation, timber, grazing, and energy development. Article 1, Section 1 of the United States Constitution is clear that Congress writes the law, not the Executive Branch. Why do you believe the Biden Administration has the authority to write law?

Cattle ranching is of paramount importance to the economic stability of Montana. It provides for the livelihoods of many across the state and provides sustainable and affordable high-quality protein to the United States. The ability to graze livestock responsibly has been a concern of ranchers since the dust bowl of the 1930s. The Taylor Grazing Act is a critical piece of legislation that has allowed sustainable and productive grazing practices since it was enacted in 1934. Specifically, the Taylor Grazing Act

¹ http://publiclandscouncil.org/wp-content/uploads/2016/06/Multi_use_onesheet.pdfcontent/uploads/2016/06/Multi_use_onesheet.pdf#:~:text=Multiple%20use%20essentially%20means%20that%20recreational%20land%20users%2C,not%20preclude%20any%20of%20them%20from%20happening%20concurrently

² <https://www.federalregister.gov/documents/2023/04/03/2023-06310/conservation-and-landscape-health>

³ <https://www.eenews.net/articles/blm-proposes-seismic-shift-in-lands-management/>

established grazing districts that issue use permits for a fee to regulate public land use and prevent overuse. The Bureau of Land Management administers the range lands under the Act. While the proposed Rule does not directly amend the Taylor Grazing Act, we are concerned that the Rule would impede sustainable and productive grazing practices. Specifically, this Rule will be weaponized to revoke grazing rights from eligible ranchers. Your actions are another attempt by the Biden Administration to circumvent Congress' authority and issue a Rule to appease environmentalists at the expense of rural communities in Montana.

I urge you to immediately amend or rescind the proposed Rule. If you are unwilling, I intend to introduce a resolution of disapproval to block the Rule from going into effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Rosendale". The signature is stylized and cursive.

Matt Rosendale
Member of Congress