

Radical Shift

Biden's BLM is bent on turning a century of land management on its head.

By Marjorie Haun

Until the early 20th century progressive era, the federal government took seriously its constitutional charge to dispose of territorial landholdings. When President Theodore Roosevelt ushered in the national parks system, the “disposal of lands” encountered a philosophical shift wherein the Department of the Interior (DOI) began to regard itself as the keeper of vast undisposed—mostly marginal—tracts in the West. In 1934, the Taylor Grazing Act was enacted. It states: “That in order to promote the highest use of the public lands pending its final disposal, the Secretary of the Interior is authorized, in his discretion, by order to establish grazing districts.” Ensnared in law, livestock grazing (the highest use) was to be facilitated prior to the “final disposal” of the lands to the states. In 1946 President Truman combined the Grazing Service with the General Land Office to create the Bureau of Land Management (BLM), which in short order shifted from facilitating grazing rights to regulating and often limiting activities on the lands it administered.

During the 1970s, with pressure from the growing environmental movement, laws were passed that gave the federal government control over the same western lands it was charged with disposing. The National Environmental Policy Act (NEPA) was passed on Jan. 1, 1970, and out of it grew the Environmental Protection Agency. Following were the Clean Air Act (1970), the Endangered Species

Act (1973), the Clean Water Act (1977), and a deluge of similar acts which gave executive-branch agencies unprecedented power to regulate America’s surface and subsurface resources. Most significant was the Federal Lands Policy & Management Act of 1976 (FLPMA) which shifted the focus from “dis-

posal” to “retention” of lands held in trust by the federal government.

Topping off a decade of expansion of federal power, the Equal Access to Justice Act was passed in 1980. It requires the government to pay the legal fees for any plaintiff to which it loses a lawsuit, even if it loses on only one of a number of points brought forth in a case against it. With its passage, the environmentalist movement shifted from hands-on conservation to a litigious “sue and settle” model. The EAJA created inexhaustible revenue streams flowing from executive-branch agencies to environmental groups, which have since become international in scope and

exceedingly wealthy.

For nearly 50 years, the BLM and its sister agencies have used increasingly authoritarian tactics against citizens, all the while incubating radicals within its ranks. Now with nearly 250 million acres of surface resources and 700 million acres of subsurface mineral estates in its clutches, the nation’s most powerful land-management agency has put forth a proposed “conservation” rule that constitutes nothing less than the ultimate landgrab.

THE RADICALS

Debra Haaland was appointed by President Biden as secretary of the Interior in 2021. First elected to represent New Mexico in Congress



**Authoritarian tactics,
onerous regulations
and resident
radicals. Our
government at work.**

on a climate activist platform in 2018, she is an ardent fossil-fuel opponent and supports the catastrophic plan to “decarbonize” America. Alaska’s Sen. Lisa Murkowski gave Haaland the tie-breaking vote needed for her confirmation. Almost immediately, Haaland took millions of acres of Alaska’s energy rich lands out of production.

In June of 2023, Haaland enraged citizens and leaders of the Navajo Nation when she unilaterally placed a 20-year ban on oil and gas development within a 10-mile zone around Chaco Canyon National Park, which is located on Navajo Nation lands in New Mexico. Haaland had planned to announce

the land withdrawal inside Chaco Canyon but was turned away by Navajo allotment owners who blocked the road entering the park and reportedly told her to “stop trespassing” and “go home.” In a statement Navajo Nation President Buu Nygren said: “The financial and economic losses that are impacting many Navajo families as a result of the secretary’s recent land withdrawal are nothing to celebrate. As leaders of the Navajo Nation, we support the Navajo allottees who oppose the withdrawal of these public lands.”

Under Haaland’s direction, the DOI has shut down domestic pipelines, stonewalled energy and mineral projects on federal lands, and turned the bureaucracy itself into a plat-

form for environmental and climate activism. sented to the Senate Natural Resources Committee during Stone-Manning’s confirmation hearings, Merkley described her as “extremely difficult to work with; the nastiest of the suspects; vulgar, antagonistic, uncooperative and extremely anti-government.” Merkley also claimed that another participant in the tree-spiking incident “recounted a conversation she had overheard wherein Ms. Stone-Manning, along with other co-conspirators, planned the tree spiking and discussed whether to use ceramic or metal spikes in the trees.” A menacing letter sent to the Forest Service on behalf of fellow ecoterrorist John P. Blount is attributed to Stone-Manning. She signed the letter “George Hayduke,” the cen-

After the tree-spiking incident, Stone-Manning, as all savvy radicals have done, entered the political realm where radicalism has a much faster and broader impact than it does behind the trees in a national forest. She worked as a key staffer for Montana’s Democratic governor Steve Bullock. Bullock, a fellow environmentalist, infamously blocked energy development projects and reportedly held secret negotiations with out-of-state special-interest groups pushing for the introduction of bison into Montana cattle-grazing lands. After her stint in the governor’s office, Stone-Manning became a senior policy advisor for the National Wildlife Federation, an NGO that opposes resource development on



PHOTOS COURTESY DREW COOMBS

FAR LEFT: Dufurrena Ranch sheep are moved constantly in the high country in Humboldt County, Nev., to prevent overgrazing. ABOVE LEFT: Big Bown Bench in Grand Staircase-Escalante National Monument in Utah as it looked while grazed by livestock. ABOVE RIGHT: Sparse forage grows on Big Bown Bench, even after it has been in a state of “nonuse” for nearly two decades, purportedly to rehabilitate it from grazing.

form for environmental and climate activism.



Tracy Stone-Manning, a human depopulationist and suspected ecoterrorist, was appointed to head the Bureau of Land Management in fall 2021. During the 1980s, she was active with ecoterrorism group Earth-First! and according to veteran Forest Service Special Agent Michael Merkley participated in a 1989 tree-spiking incident in Idaho’s Clearwater National Forest. In his letter pre-

tral character from Edward Abbey’s “Monkey Wrench Gang.” Stone-Manning distanced herself from Blount and received immunity when she testified against him in his 1993 criminal trial.

During her confirmation hearings, Stone-Manning maintained that she never had direct involvement with EarthFirst! and its terroristic activities. Following Merkley’s submission of his letter to Congress, he received death threats from environmental extremists.

public lands, and endorsed the anti-capitalist declaration “Earth Charter.”

In her graduate thesis, Stone-Manning alleged that human babies are “environmental hazards.” She produced a poster featuring a smiling toddler under the headline: “Can you find the environmental hazard in this photo?” The text was excoriating: “We breed more than any other industrialized nation. At the same time, we suck up one-third of the world’s energy.... When we overpopulate the

earth notices it. Stop at two. It could be the best thing you do for the planet.”

In familiar extremist form, Stone-Manning also created ads propagating the overwrought falsehood that grazing livestock on public land is “destroying the West.” One such ad barked: “Scientists warn that grazing is pounding the West into desert.”

Stone-Manning, it seems, would love nothing more than to banish grazing permittees from BLM lands.

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Environmental litigator **Nada Wolff Culver** is the BLM’s deputy director of Policy and Programs and served as BLM acting director prior to Stone-Manning’s confirmation. She headed the Audubon Society’s public lands program and served as an attorney for the Wilderness Society. An anti-oil-and-gas zealot, while serving as acting director, Culver

ever had any intention of carrying out the BLM’s “multiple use” mandate, and seem poised to turn a century of land management on its head.

THE ULTIMATE LANDGRAB Globalizing American Lands

Days after Biden took control of the executive branch, he reentered the Paris Climate Accord, which sets the quixotic goals of:

(a) Holding the increase in the global average temperature to well below 2°C above preindustrial levels and pursuing efforts to limit the temperature increase to 1.5°C above preindustrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

(b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas

emissions development, in a manner that does not threaten food production; and

man (R-WY), “[I]s a continuation of Biden’s 30x30 efforts to try to lock up our resources throughout the country and prevent us from being able to access them for any purposes really, whether it’s for energy development or food production. This is a war on energy independence, on food independence, on energy and food security. It is the unelected bureaucrats in Washington, D.C., attempting to control land-use decisions.”

The proposed rule states: “To ensure that health and resilience, the proposed rule provides that the BLM will protect intact landscapes, restore degraded habitat, and make wise management decisions based on science and data. To support these activities, the proposed rule would apply land health standards to all BLM-managed public lands and uses, clarify that conservation is a ‘use’ within FLPMA’s multiple-use framework, and revise



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The rationale for the new rule is disingenuous because conservation is already embedded in every aspect of BLM’s administration of federally controlled lands.

may have profited financially from her suspension of Trump-era drilling leases in Alaska. According to a January 2023 report in *The Washington Free Beacon*: “Protect the Public’s Trust on Monday said that then-acting director of the Bureau of Land Management Nada Wolff Culver could have benefited from a 2021 suspension of three Trump-era drilling leases. Culver owned up to \$15,000 in bonds with the energy conglomerate Conoco-Phillips, which the watchdog says stood to profit off the government strong-arming its competitors out of the region.” The report continues: “The bond Culver owned saw its market rate increase by about 1.5 percent after the announcement. But according to Protect the Public Trust, Culver violated the Interior Department policies by simply owning Conoco bonds. Her failure to divest from her energy investments is ‘the most egregious example yet of the considerable disregard for ethics compliance at the Department of the Interior under Secretary Deb Haaland,’ said the group’s director, Michael Chamberlain.”

Neither Haaland nor Stone-Manning nor

emissions development, in a manner that does not threaten food production; and

(c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.

The third point is key. In order to meet the Paris Climate Accord’s demands, the mining and fossil-fuel industries would have to be eliminated and millions of acres in existing grazing permits would potentially be opened up to massive (taxpayer subsidized) green energy projects—or closed completely for “conservation.”

Biden’s “rewilding” plan (aka “30x30”) would implement the Paris Climate Accord domestically by the year 2030, placing 30 percent of America’s surface and subsurface lands, resources, and ocean territories under federal lock and key. But for the extremists in the Biden administration, 2030 can’t come soon enough. In April of this year, the Department of Interior published its proposed rule, “Conservation and Landscape Health,” in the Federal Register, which, according to Congresswoman Harriet Hage-

existing regulations to better meet FLPMA’s requirement that the BLM prioritize designating and protecting Areas of Critical Environmental Concern.”

Although “nonuse” is anathema to BLM’s mission, the rule adds “conservation” as a use under its multiple-use mandate. As Wyoming’s Sen. John Barrasso, the ranking member of the Senate Committee on Energy and Natural Resources, said in a hearing with Secretary Haaland: “The Department of Interior released a proposed rule to allow entities to lease federal lands for the purpose, not of use, but of *nonuse*. In other words, the Secretary wants to make nonuse a use.”

BLM Doublespeak

BLM’s proposed rule not only upends existing law by labeling conservation as a use, but it also gives priority to Areas of Critical Environmental Concern, restoration, and the protection of “intact” landscapes—all nonuses or nonproductive uses. Under such imperatives, any impact, including the phantasmal effects of climate change, could be called deleterious

and used to couch the elimination of beneficial production in the language of multiple use.

The Left's rationale for the rule is disingenuous because conservation is already embedded in every aspect of BLM's administrative policies. Along with NEPA, FLPMA, and the Endangered Species and Clean Water acts, there are a dozen additional rules, statutes and Executive Orders mandating conservation measures. Nearly every lawsuit brought against a federal agency by an environmental group has been based on the purported incomplete or improper application of a conservation rule, statute or act. For half a century, conservation has been the industry standard for anyone seeking access to or a permit on federal lands. Case in point: "Ecosystem restoration and resilience" are already integrated into BLM's budget, with \$161 mil-

There are no protections in the rule that identify or disqualify foreign entities from purchasing said conservation leases and thereby controlling domestic lands and resources. Hypothetically, by giving grants or donations to groups touting "conservation" as their goal, the Chinese Communist Party—or others of its ilk—could put American assets under foreign control while economically decimating entire regions of the West.

Jean Bayles, a rancher with grazing permits in Utah and Colorado, warned in an open letter to the BLM: "[Bill] Gates is facilitating efforts of the Chinese Communist Party to influence U.S. agricultural policy through the work of a group he has ties to which works to convince U.S. government officials to partner with China on American agriculture. According to the Department of Agriculture, China already owns 384,000

past time we rein in unelected government officials, so that we can reduce the harmful effects of their overregulation." As of this writing the REINS Act hangs in political limbo.

In a recent column, Cat Urbigkit, a Wyoming rancher and expert in the arena of grazing leases, wrote: "BLM's proposed Conservation and Landscape Health rules make an end-run around Congress and the president by attempting to use rule making to grant the agency authority to define what constitutes 'conservation' and to determine what public lands will be subject to conservation, as well as issue conservation leases that can be used to exclude other uses. No federal law grants the BLM such authority."

Clearly, the BLM's proposed rule is dangerous and illegal. Unfortunately, the current administration doesn't seem to care.

With an apparent goal of globalizing

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FROM FAR LEFT: "Conservation group" Grand Canyon Trust purchased grazing permits in Utah's Grand Staircase-Escalante National Monument and immediately destroyed water resources and left it with a pile of trash in an abandoned stock tank. ► Cattle share ground with white-faced ibis in central Oregon. ► Sheep on range with caretaker burros often graze on forage unsuitable for other livestock, keeping land both healthy and productive.

lion going toward "restoring wildlife habitat in the sagebrush steppe of the high desert to recreating wetland meadows to repairing watersheds on former industrial timberlands" during the 2023-24 fiscal year alone.

To the Highest Bidders

Far from protecting public lands, the rule would create a marketplace where "conservation leases" may be awarded to the highest bidders instead of proven caretakers of the land. This is not a case where big ranchers outbid smaller ranchers. Because conservation would be prioritized as a use, American ranchers with their relatively modest means would be forced to compete in a rigged game against billion-dollar environmental groups such as the Wilderness Society and The Nature Conservancy, global foundations, government-subsidized green energy corporations, Swiss billionaires and even hostile states such as China.

acres of agricultural land in the United States. This is a clear and dangerous landgrab. Imagine how easily Bill Gates, or even the Chinese government sponsored by Gates, could become a conservation lessee on our land and take over the grazing leases that now exist—ostensibly in the name of saving the world from climate change."

Radical... and Illegal

Outside of constitutional constraints, D.C. bureaucrats have for decades taken upon themselves the power to create regulations with the force of law. First introduced in 2011, the REINS Act (Regulations from the Executive in Need of Scrutiny) would compel federal rules and statutes with significant impacts to pass through Congress before being implemented. Sen. Rand Paul (R-KY) issued a press release stating: "With the REINS Act, Congress would have a voice in approving major rules created by the [e]xecutive [b]ranch. It's

American lands, the rule was formulated by bureaucrats with zero stakeholder input—and a short 60-day comment period. (House Republicans managed to get the comment period extended by two weeks.) If implemented, it would invalidate existing federal lands' statutes and the activities they govern. But because it is so extreme, the rule has galvanized a diverse and muscular opposition. Livestock associations, state and local governments, the Western Governors Association, outdoor recreation groups, hunters and sportsmen's groups, mining and extraction advocates, and western ranchers have rallied to oppose the rule. With the support of the Congressional Western Caucus, Republicans in both the House and Senate have introduced bills to force DOI to withdraw the rule, and states, legal foundations and other parties are currently mounting a barrage of legal challenges against it. The sheer radicalism of BLM's proposed rule may be its undoing. ■