

**To:** House Committee on Natural Resources Republican Members

From: Subcommittee on Federal Lands – Aniela Butler, Brandon Miller, and Jason Blore

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**Date:** February 10, 2025

**Subject:** Oversight Hearing on "Restoring Multiple Use to Revitalize America's Public

Lands and Rural Communities"

The Subcommittee on Federal Lands will hold an oversight hearing on "Restoring Multiple Use to Revitalize America's Public Lands and Rural Communities" on Tuesday, February 11, 2025, at 2:00 p.m. in Room 1324 Longworth House Office Building.

Member offices are requested to notify Will Rodriguez (<u>Will.Rodriguez@mail.house.gov</u>) by 4:30 p.m. on Monday, February 10, if their Member intends to participate in the hearing.

#### I. KEY MESSAGES

- The Trump administration has promised a prompt return to multiple use on our federal lands, which will bring immediate relief and concrete benefits to struggling Americans, particularly those in rural, western communities.
- Returning multiple-use principles to federal land management will help lower housing
  costs, ease the way for much-needed development projects, allow for increased access to
  public lands, improve forest health, bolster rural economies, and secure American energy
  dominance for years to come.
- In contrast, the Biden administration pursued a variety of heavy-handed, preservationist policies. Besides harming rural communities, these policies marked an egregious departure from longstanding and widely accepted multiple use principles.
- Through the vague "30x30 Initiative," the controversial "Public Lands Rule," unpopular national monument expansions, restrictive resource management plans, and other illadvised policies, the Biden administration revealed the alarming scope and dogmatic application of its preservationist agenda.

#### II. WITNESSES

- The Honorable Eric Clarke, County Attorney, Washington County, St. George, Utah
- **Mr. Jim D. Neiman**, President and Chief Executive Officer, Neiman Enterprises, Hulett, Wyoming
- Mr. Tim Canterbury, President, Public Lands Council, Howard, Colorado
- **Mr. Dan Gibbs**, Executive Director, Colorado Department of Natural Resources, Denver, Colorado [Minority Witness]

#### III. BACKGROUND

# The Biden Administration's Harmful Disregard of Multiple-Use Principles

The Significance of Multiple Use

The federal government owns approximately 640 million acres of land in the United States (U.S.), covering about 28 percent of the country's landmass. In America's western states, federal land ownership approaches 50 percent of the landmass. These lands fall primarily under the jurisdictions of the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS). The BLM's enabling statute, the Federal Land Policy and Management Act of 1976 (FLPMA), requires the agency to manage its 244 million acres of land and more than 700 million acres of subsurface mineral estate in accordance with multiple use and sustained yield (commonly referred to as a 'multiple use mandate'). Multiple uses include livestock grazing, energy and mineral development, timber production, outdoor recreation, and wildlife habitat protection. FLPMA further defines the term "sustained yield" to require "the achievement and maintenance in perpetuity" of multiple uses. Similarly, USFS must guarantee multiple use and sustained yield on America's national forests.

For nearly 50 years, the multiple use mandate has guided productive and responsible administration of America's public lands. The principle's primacy in law and practice during this lengthy period indicated broad acknowledgment of a simple truth: multiple use is essential to the Western way of life. With so much western land under federal control, thousands of rural economies depend on access to federal land for energy and mineral development, recreational activity, livestock grazing, timber production, and other activities supporting economic livelihoods. In fact, BLM estimated that its lands supported 783,000 jobs in fiscal year (FY) 2021.<sup>7</sup>

<sup>5</sup> 43 U.S.C. § 1702(h).

<sup>&</sup>lt;sup>1</sup> Carol Hardy Vincent & Laura A. Hanson, "Federal Land Ownership: Overview and Data," Congressional Research Service, February 21, 2020, <a href="https://www.crs.gov/reports/pdf/R42346/R42346.pdf">https://www.crs.gov/reports/pdf/R42346/R42346.pdf</a>.

<sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> 43 U.S.C. §§ 1701-1787. Vincent & Hanson, *supra* note 1.

<sup>&</sup>lt;sup>4</sup> Ibid.

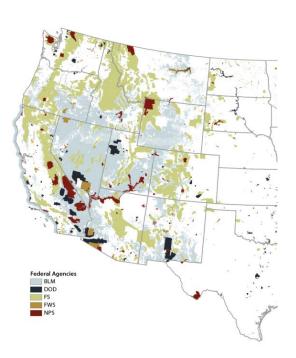
<sup>6 16</sup> U.S.C. §§ 528, 1604(g).

<sup>&</sup>lt;sup>7</sup> "The BLM: A Sound Investment for America 2022," Bureau of Land Management, U.S. Department of the Interior, https://www.blm.gov/sites/default/files/docs/2022-12/2022-SoundInvestment.pdf.

Throughout its term, however, the Biden administration jettisoned longstanding multiple use principles to implement a radical environmentalist agenda. Turning a blind eye to the needs of western and rural America, Biden's federal land managers obsessed over climate change, environmental justice, clean energy, and resource preservation. They advanced these goals through policies and programs such as the "30x30 Initiative," the BLM's "Public Lands Rule," national monument creation and expansion, preservationist resource management plans (RMPs), the "Old Growth" Initiative, and related efforts. These extreme measures jeopardized the well-being of countless western and rural communities. The purpose of this hearing is to examine the harmful consequences of the Biden administration's abandonment of multiple use and demonstrate the numerous benefits that will result from restoring this time-honored principle to the management of America's public lands.

## The Radical and Ill-Defined "30x30 Initiative"

The vast scope of the Biden administration's preservationist agenda was quickly revealed when, on January 27, 2021, President Biden issued Executive Order (E.O.) 14008, directing the U.S. Department of the Interior (DOI), the U.S. Department of Agriculture (USDA), the Council on Environmental Quality (CEQ), and other federal agencies to preserve at least 30 percent of the country's lands and waters by 2030.9 Observers soon highlighted significant problems with the E.O., including its extraordinary vagueness and failure to define basic terms. <sup>10</sup> For instance, it was not explained whether conservation efforts on private and state lands and waters would have counted towards meeting the 30 percent goal. Similarly, the Biden administration failed to identify a baseline of current conservation practices to measure progress toward the 30x30 goal. The federal government already owned roughly 28 percent of U.S. land when the Initiative was launched. 11 If this amount had been used as a baseline, the federal estate would have still had to grow by an additional 41



Federal land ownership by agency in the western U.S. **Source:** Congressional Research Service, using National Atlas, 2005, and ESRI USA Base Map data.

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<sup>&</sup>lt;sup>8</sup> See, e.g., Marc Heller, "Biden admin nixes old-growth forest plan," E&E News, January 8, 2025, <a href="https://www.eenews.net/articles/biden-admin-nixes-old-growth-forest-plan/">https://www.eenews.net/articles/biden-admin-nixes-old-growth-forest-plan/</a> (quoting a critic of the plan as observing that "[m]ost old-growth areas in national forests are already off-limits to logging").

<sup>&</sup>lt;sup>9</sup> Executive Order on Tackling the Climate Crisis at Home and Abroad, January 27, 20201. <a href="https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/">https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/</a>.

<sup>&</sup>lt;sup>10</sup> Letter to Secretary of the Interior Debra Haaland, Chairman Bruce Westerman, et al., April 14, 2021, <a href="https://naturalresources.house.gov/uploadedfiles/2021-04-">https://naturalresources.house.gov/uploadedfiles/2021-04-</a>

<sup>14</sup> westerman et al to haaland doi re 30 x 30 engagement session.pdf.

<sup>&</sup>lt;sup>11</sup> Vincent & Hanson, supra note 1.

million acres of land in less than a decade to meet the 30 percent goal. This translates to an area roughly the size of the State of Washington. 12

This unscientific and ill-defined goal had so many issues that the Biden administration even attempted to rebrand the effort as the "America the Beautiful Initiative," an implicit acknowledgment of 30x30's willful detachment from mathematical realities. Further confusion resulted from the previous administration's announcement of a "\$1 billion" "America the Beautiful Challenge" fund to further the 30x30 Initiative. The When asked about how the program would meet its \$1 billion funding goal, for example, CEQ representatives vaguely cited authority under the Bipartisan Infrastructure Law, even though that statute contains no mention of either the 30x30 Initiative or its objective of "conserving 30 percent of the nation's lands and waters." At the conclusion of the Biden administration, despite promises of conservation, 30x30 was only ever cited as a justification for locking up lands and resources under restrictive, preservationist designations such as national monuments and mineral withdrawals. Together, these actions demonstrate that the 30x30 Initiative was a deliberately vague policy to which the Biden administration could point when attempting to justify its increasingly restrictive land-use policies and further weakening of multiple use.

The Controversial "Public Lands Rule" and Natural Asset Companies

On May 9, 2024, the BLM published its final, so-called "Conservation and Landscape Health" Rule (commonly referred to as the "Public Lands Rule"). <sup>16</sup> The publication followed more than a year of controversy, limited opportunities for public input, and well-founded concerns upending the longstanding multiple use mandate. <sup>17</sup> Under FLPMA, BLM-administered lands are to be managed in support of multiple uses, which are exclusively defined to *only* include livestock grazing, energy and mineral development, timber production, outdoor recreation, and wildlife habitat protection. <sup>18</sup> The Public Lands Rule, however, allows BLM to elevate conservation above all other uses, thereby threatening the traditional uses that many Western communities rely

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<sup>&</sup>lt;sup>12</sup> Lauren Wenzel, et al., "Marine Protected Areas 2020: Building Effective Conservation Networks," National Marine Protected Areas Center, 2020, <a href="https://nmsmarineprotectedareas.blob.core.windows.net/marineprotectedareas-prod/media/docs/2020-mpa-building-effective-conservation-networks.pdf">https://nmsmarineprotectedareas.blob.core.windows.net/marineprotectedareas-prod/media/docs/2020-mpa-building-effective-conservation-networks.pdf</a>.

<sup>&</sup>lt;sup>13</sup> Biden-Harris Administration Launches \$1 Billion America the Beautiful Challenge to Support and Accelerate Locally Led Conservation and Restoration Projects, April 11, 2022. <a href="https://bidenwhitehouse.archives.gov/ceq/news-updates/2022/04/11/biden-harris-administration-launches-1-billion-america-the-beautiful-challenge-to-support-and-accelerate-locally-led-conservation-and-restoration-projects/">https://bidenwhitehouse.archives.gov/ceq/news-updates/2022/04/11/biden-harris-administration-launches-1-billion-america-the-beautiful-challenge-to-support-and-accelerate-locally-led-conservation-and-restoration-projects/">https://bidenwhitehouse.archives.gov/ceq/news-updates/2022/04/11/biden-harris-administration-launches-1-billion-america-the-beautiful-challenge-to-support-and-accelerate-locally-led-conservation-and-restoration-projects/</a>.

<sup>&</sup>lt;sup>14</sup> Briefing from Council on Environmental Quality Leg. Affairs to H. Comm. on Natural Resources Staff (Apr. 11, 2022, 15:00 FDT)

<sup>&</sup>lt;sup>15</sup> For a non-exhaustive list of examples, please see the designation of the <u>San Gabriel Mountains National Monument</u>, the <u>Thompson Divide mineral withdrawal</u>, the <u>Berryessa Snow Mountain National Monument</u>, and the <u>Twin Metals mineral withdrawal</u>.

<sup>&</sup>lt;sup>16</sup> Federal Register, Conservation and Landscape Health, Final Rule, RIN 1004-AE92, Bureau of Land Management, U.S. Department of the Interior, May 9, 2024, <a href="https://www.govinfo.gov/content/pkg/FR-2024-05-09/pdf/2024-08821.pdf">https://www.govinfo.gov/content/pkg/FR-2024-05-09/pdf/2024-08821.pdf</a>.

<sup>&</sup>lt;sup>17</sup> There were only three in-person information sessions to discuss the proposed rule, all of which were in major urban centers. "Bureau of Land Management releases meeting dates for proposed Public Lands Rule," Bureau of Land Management, U.S. Department of the Interior, May 3, 2023,

https://www.blm.gov/press-release/bureau-land-management-releases-meeting-dates-proposed-public-lands-rule. See, e.g., "BLM Rule Threatens Multiple Use Management of Public Lands," National Cattlemen's Beef Association, April 18, 2024, <a href="https://www.ncba.org/ncba-news/news-releases/news/details/37658/blm-rule-threatens-multiple-use-management-of-public-lands">https://www.ncba.org/ncba-news/news-releases/news/details/37658/blm-rule-threatens-multiple-use-management-of-public-lands</a>.

<sup>&</sup>lt;sup>18</sup> 43 U.S.C. § 1702(c).

upon for their livelihoods. <sup>19</sup> Specifically, the rule enables BLM to lease federal parcels under new and vaguely defined "restoration and mitigation" leases and change certain standards governing land-use decisions. <sup>20</sup> Moreover, if BLM determines that uses previously authorized under FLPMA are incompatible with a restoration and mitigation lease, new land-health standards, or an Area of Critical Environmental Concern (ACEC), those uses would no longer be allowed. <sup>21</sup>

The Public Lands Rule's new leases are an unaccountable mechanism through which wealthy individuals and entities could lock up huge areas of public land for preservationist purposes. These leases are broadly available to "entities seeking to restore public lands or mitigate" negative environmental impacts. 22 While the initial lease term is capped at ten years, the lease "can be extended as necessary to serve the purpose for which [it] was first issued." Also troubling is the fact that the leases are vulnerable to exploitation by a new kind of entity, the natural asset company (NAC). A NAC is a company "whose primary purpose is to actively manage, maintain, restore . . . and grow the value of natural assets and their production of ecosystem services."<sup>24</sup> Developed by the Intrinsic Exchange Group (IEG), NACs "hold the rights to the ecological performance" of prescribed areas, including public lands, for "conservation, restoration, or sustainable management."<sup>25</sup> On September 29, 2023, the New York Stock Exchange requested that the Securities and Exchange Commission allow NACs to be listed on the exchange. <sup>26</sup> Although the proposal was withdrawn after facing heavy criticism, IEG maintains that it will continue to pursue "different options" for introducing NACs into financial markets.<sup>27</sup> Through misguided policies like the Public Lands Rule, the Biden administration had made it easier for extreme environmental groups or foreign entities, perhaps under the guise of a NAC, to hold unaccountable, managerial authority over federal lands. This was certainly a marked departure from the idea, codified in statute, that BLM lands are supposed to be owned by the public and managed to support multiple uses.

*Unilateral and Unpopular National Monument Expansions* 

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<sup>&</sup>lt;sup>19</sup> Letter to Secretary of the Interior Debra Haaland, Office of Advocacy, U.S. Small Business Administration, June 13, 2023, <a href="https://advocacy.sba.gov/wp-content/uploads/2023/06/BLM-Conservation-Letter-FINAL.pdf">https://advocacy.sba.gov/wp-content/uploads/2023/06/BLM-Conservation-Letter-FINAL.pdf</a>.

<sup>&</sup>lt;sup>20</sup> Federal Register, Conservation and Landscape Health, Final Rule, RIN 1004-AE92, Bureau of Land Management, U.S. Department of the Interior, May 9, 2024, <a href="https://www.govinfo.gov/content/pkg/FR-2024-05-09/pdf/2024-08821.pdf">https://www.govinfo.gov/content/pkg/FR-2024-05-09/pdf/2024-08821.pdf</a>.

<sup>&</sup>lt;sup>21</sup> *Ibid.* (stating that "[1]eases will not override valid existing rights or preclude other, subsequent authorizations so long as those authorizations are compatible with the restoration or mitigation use.") (emphasis added).

<sup>22</sup> *Ibid.* 

<sup>&</sup>lt;sup>23</sup> *Ibid*.

<sup>&</sup>lt;sup>24</sup> Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Proposed Rule Change to Amend the NYSE Listed Company Manual to Adopt Listing Standards for Natural Asset Companies, Securities and Exchange Commission, 88 Fed. Reg. 68811, October 4, 2023, <a href="https://www.federalregister.gov/d/2023-22041">https://www.federalregister.gov/d/2023-22041</a>.

<sup>&</sup>lt;sup>25</sup> Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Proposed Rule Change to Amend the NYSE Listed Company Manual to Adopt Listing Standards for Natural Asset Companies, Securities and Exchange Commission, 88 Fed. Reg. 68811, October 4, 2023, <a href="https://www.federalregister.gov/d/2023-22041">https://www.federalregister.gov/d/2023-22041</a>.
<a href="https://www.federalregister.gov/d/2023-22041">https://www.federalregister.gov/d/2023-22041</a>.
<a href="https://www.federalregister.gov/d/2023-22041">https://www.federalregister.gov/d/2023-22041</a>.

<sup>&</sup>lt;sup>27</sup> Division of Trading and Markets, Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Withdrawal of Proposed Rule Change to Amend the NYSE Listed Company Manual to Adopt Listing Standards for Natural Asset Companies, Securities and Exchange Commission, 89 Fed. Reg. 4354, January 17, 2024,

https://www.sec.gov/files/rules/sro/nyse/2024/34-99355.pdf. Jennifer Yachnin, "Natural asset companies' felled by critics," E&E News, January 18, 2024, <a href="https://subscriber.politicopro.com/article/eenews/2024/01/18/natural-asset-companies-felled-by-critics-00136273">https://subscriber.politicopro.com/article/eenews/2024/01/18/natural-asset-companies-felled-by-critics-00136273</a>.

Under the Antiquities Act of 1906, Congress authorized the president to designate national monuments on federal lands containing "historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest." <sup>28</sup> This authority was limited, however; among other restrictions, the law specified that national monuments "shall be confined to the smallest area compatible with the proper care and management of the objects to be protected." <sup>29</sup> Despite the Antiquities Act's intended narrow focus, presidents of both parties have repeatedly abused the law throughout its history to lock up millions of acres of land under onerous restrictions. The 46<sup>th</sup> president, however, took this brazen disregard to new heights. In just four years, President Biden created or expanded 12 national monuments and restored the boundaries of three others that Presidents Obama and Clinton had created. <sup>30</sup> This included two national monuments that President Biden created in California during the last two weeks of his presidency: the 624,000-acre Chuckwalla National Monument and the 224,000-acre Sáttítla Highlands National Monument. <sup>31</sup> In total, President Biden "used the Antiquities Act more than any first-term president since the Carter administration," using his expansive interpretation of the statute to lock up nearly 5.7 million acres of land. <sup>32</sup>

Apart from blocking access to natural resources, national monuments often defy local sentiment and limit economic opportunities for struggling rural economies.<sup>33</sup> Adding insult to injury, locals often express concern over "whether there was sufficient consultation with, and support from, Congress, local and state governments, residents of the affected areas, and the general public" before a president creates a given monument.<sup>34</sup> Further, national monuments are increasingly being placed under the jurisdiction of the BLM and USFS, <sup>35</sup> creating tensions with the two agencies' multiple-use mandates. By unilaterally designating more than 5 million acres as national monuments, President Biden thus expanded upon a lamentable presidential tradition of flagrantly abusing the Antiquities Act and ignoring the concerns of local communities and stakeholders.<sup>36</sup>

#### Restrictive RMPs

BLM prepares RMPs to serve as land-use plans for specific units. As the BLM's "blueprint" for "keeping landscapes healthy *and* productive," an RMP should offer a balanced management plan

Jennifer Yachnin, "Biden declares conservation success as '30x30' winds down," E&E News, January 9, 2025, <a href="https://subscriber.politicopro.com/article/eenews/2025/01/09/biden-declares-conservation-success-as-30x30-winds-down-00197063">https://subscriber.politicopro.com/article/eenews/2025/01/09/biden-declares-conservation-success-as-30x30-winds-down-00197063</a>. President Biden also used the Antiquities Act to protect 3.1 million acres of water in the Atlantic Ocean. *Id.*33 See, e.g., Mike Lee, et al. "A monumental insult," Deserte News, October 8, 2021,

<sup>&</sup>lt;sup>28</sup> 54 U.S.C. §§ 320301-320303.

<sup>&</sup>lt;sup>29</sup> 54 U.S.C § 320301(b).

<sup>&</sup>lt;sup>30</sup> Dennis Romboy, "President Biden just designated two new national monuments in the West. Where are they?" Deseret News, January 9, 2025, <a href="https://www.deseret.com/the-west/2025/01/09/biden-national-monument-california-antiquities-act-utah-bears-ears/">https://www.deseret.com/the-west/2025/01/09/biden-national-monument-california-antiquities-act-utah-bears-ears/</a>.

<sup>31</sup> *Ibid*.

https://www.deseret.com/opinion/2021/10/8/22716955/bidens-expansion-monuments-an-insult-sens-lee-romney-curtis-moore-utah-stewart-owens-bears-ears/ (noting that President Obama's creation of the Bears Ears National Monument in 2016 was vigorously opposed by Utah officials and restricted economic development in the state's poorest county).

<sup>&</sup>lt;sup>34</sup> Carol Hardy Vincent, "National Monuments and the Antiquities Act," Congressional Research Service, January 2, 2024, <a href="https://crsreports.congress.gov/product/pdf/R/R41330/46">https://crsreports.congress.gov/product/pdf/R/R41330/46</a>.
<sup>35</sup> Ibid.

<sup>&</sup>lt;sup>36</sup> Jennifer Yachnin, "Biden declares conservation success as '30x30' winds down," E&E News, January 9, 2025, https://subscriber.politicopro.com/article/eenews/2025/01/09/biden-declares-conservation-success-as-30x30-winds-down-00197063.

that accounts for multiple uses and the perspectives of interested stakeholders. <sup>37</sup> Under the Biden administration, however, these plans were routinely transformed into top-down, preservationist schemes that flew in the face of local interests and concerns. The Rock Springs RMP, which covers approximately 3.6 million acres in southwestern Wyoming and was finalized in December 2024, is representative of this approach. <sup>38</sup> When the Draft Rock Springs RMP was released in August 2023, many locals were dismayed to see its strict limitations on oil and gas development, grazing, and recreation. <sup>39</sup> The opposition was so strong that Wyoming Governor Mark Gordon called on the BLM to withdraw the Draft RMP completely. <sup>40</sup> Unfortunately, the finalized RMP ignored most of these concerns, and BLM Principal Deputy Director Nada Wolff Culver rejected Governor Gordon's recommendations outright. <sup>41</sup> In response, state and local officials expressed disappointment that "years of collaborative work" with the BLM had proved unavailing. <sup>42</sup>

Similar dynamics unfolded in Colorado, Montana, North Dakota, Utah, and across the West. The BLM's RMPs for the Colorado River Valley Field Office (CRVFO) and Grand Junction Field Office (GJFO), finalized on October 16, 2024, restricted oil and gas leasing on nearly 1.1 million acres in Colorado despite facing significant opposition in Colorado and Congress. Relatedly, county officials in Utah accused BLM of failing to adequately coordinate with state and local partners during the planning of the Grand Staircase-Escalante National Monument (GESNM) RMP. According to these officials, the BLM missed critical deadlines, failed to produce a list of the "objects" that would be protected by the monument's new acreage, and misled the public about road closures that would occur under the agency's preferred alternative. By cutting off multiple use at the planning level, the Biden administration furthered a "death by a thousand cuts" approach to rural and western economies that depend on productive lands for food, fuel, and fiber.

### The Misguided "Old Growth" Initiative

In April 2022, President Biden issued E.O. 14072, directing USDA and DOI to define, identify, and inventory "mature and old growth forests" on public lands and develop policies to protect

<sup>&</sup>lt;sup>37</sup> "Planning and NEPA in the BLM," Bureau of Land Management, U.S. Department of the Interior, *accessed on February 1*, 2025, <a href="https://www.blm.gov/programs/planning-and-nepa">https://www.blm.gov/programs/planning-and-nepa</a> (emphasis added).

<sup>&</sup>lt;sup>38</sup> "Rock Springs RMP Revision," Bureau of Land Management, U.S. Department of the Interior, *accessed on February* 2, 2025, https://eplanning.blm.gov/eplanning-ui/project/13853/510.

<sup>&</sup>lt;sup>39</sup> Draft RMP and EIS for the Rock Springs RMP Revision, Wyoming, 88 Fed. Reg. 56654, August 18, 2023, <a href="https://www.federalregister.gov/d/2023-17787">https://www.federalregister.gov/d/2023-17787</a>.

<sup>&</sup>lt;sup>40</sup> "Governor Gordon Calls for Complete Withdrawal of BLM's Rock Springs RMP Draft," The Office of Governor Mark Gordon, September 27, 2023, <a href="https://governor.wyo.gov/news-releases/governor-gordon-calls-for-complete-withdrawal-of-blm-s-rock-springs-rmp-draft">https://governor.wyo.gov/news-releases/governor-gordon-calls-for-complete-withdrawal-of-blm-s-rock-springs-rmp-draft</a>.

<sup>&</sup>lt;sup>41</sup> Nicky Ouellet, "BLM finalizes Rock Springs Resource Management Plan," Wyoming Public Radio, December 20, 2024, <a href="https://www.wyomingpublicmedia.org/natural-resources-energy/2024-12-20/blm-finalizes-rock-springs-resource-management-plan">https://www.wyomingpublicmedia.org/natural-resources-energy/2024-12-20/blm-finalizes-rock-springs-resource-management-plan</a>.

<sup>42</sup> Ibid

<sup>&</sup>lt;sup>43</sup> Dennis Webb, "Boebert bill blocking local oil, gas plans clears House panel," The Grand Junction Daily Sentinel, September 25, 2024, <a href="https://www.gjsentinel.com/news/boebert-bill-blocking-local-oil-gas-plans-clears-house-panel/article">https://www.gjsentinel.com/news/boebert-bill-blocking-local-oil-gas-plans-clears-house-panel/article</a> 70a9d35c-7aae-11ef-98db-6723b4f8cf7e.html.

<sup>&</sup>lt;sup>44</sup> "County Officials Vent Frustrations to BLM over Monument Plan," The Byway, January 12, 2024, <a href="https://utahbyway.com/2024/01/post/county-officials-vent-frustrations-to-blm-over-monument-plan/45">https://utahbyway.com/2024/01/post/county-officials-vent-frustrations-to-blm-over-monument-plan/45</a> Ibid.

those forests. <sup>46</sup> The interagency mature and old growth initiative began in July 2022 with a Federal Register Notice and public comment period, resulting in roughly 4,000 comments and more than 100,000 signatures on various form letters from across the country. <sup>47</sup> In April 2023, USFS published an "initial draft" seeking to define and inventory "old-growth and mature forests" and even convened a "Definition Development Team." <sup>48</sup> Yet these efforts failed to create a coherent definition for "old-growth" or "mature" forests. This was a predictable shortcoming, as no standard definition exists for "old-growth forests" and "mature forests," and they are not terms recognized in the scientific practice of forestry. Despite this lack of clear definitions, the report identified 91 million acres of "old-growth and mature" forested lands on National Forest System (NFS) lands, comprising 63 percent of all land managed by USFS. <sup>49</sup>

The Biden administration ultimately admitted that "these 'definitions' are considered dynamic, not static, and thus are subject to refinement as new information is incorporated (working definitions)." Despite lacking a real definition, the administration released an introductory report in January that identified wildfire, insects, and diseases as the leading threats to mature and old-growth forests and even admitted that "tree cutting" is a minor threat. The report even acknowledges that active management generally "improved or maintained" old growth stands. Continuing this misguided and incomplete effort, USFS published a Notice of Intent to amend all 128 national forest land management plans to provide direction on managing, conserving, and stewarding old-growth forest conditions. On June 21, 2024, USFS released a draft Environmental Impact Statement that included burdensome regulations that would hinder forest management efforts.

There was significant opposition from various stakeholders who argued that the proposed National Old Growth Amendment was legally suspect and scientifically flawed. In response, USFS announced they were withdrawing the proposed amendment on January 7, 2025. USFS Chief Randy Moore acknowledged this opposition, stating there "was also feedback that there

<sup>50</sup> Ibid.

<sup>&</sup>lt;sup>46</sup> Executive Office of the President [Joseph Biden]. Executive Order 14072, "Strengthening the Nation's Forests, Communities, and Local Economies." April 20, 2023. 87 F.R. 24851,

https://www.govinfo.gov/content/pkg/FR-2022-04-27/pdf/2022-09138.pdf.

<sup>&</sup>lt;sup>47</sup> U.S. Forest Service and Bureau of Land Management, "Request for Information (RFI) on Federal Old-growth and Mature Forests", July 15, 2024, 87 FR 42493,

 $<sup>\</sup>frac{\text{https://www.federalregister.gov/documents/2022/07/15/2022-15185/request-for-information-rfi-on-federal-old-growth-and-mature-forests.}$ 

<sup>&</sup>lt;sup>48</sup> U.S. Forest Service and Bureau of Land Management, "Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management", April 2023, <a href="https://www.fs.usda.gov/sites/default/files/mature-and-old-growth-forests-tech.pdf">https://www.fs.usda.gov/sites/default/files/mature-and-old-growth-forests-tech.pdf</a>.

<sup>&</sup>lt;sup>49</sup> *Ibid*.

<sup>&</sup>lt;sup>51</sup> U.S. Forest Service and Bureau of Land Management, "Analysis of Threats to Mature and Old-Growth Forests on Lands Managed by the Forest Service and Bureau of Land Management, January 2024, <a href="https://www.fs.usda.gov/sites/default/files/fs">https://www.fs.usda.gov/sites/default/files/fs</a> media/fs document/MOG-Threats-Intro.pdf.

<sup>&</sup>lt;sup>52</sup> *Ibid*.

<sup>&</sup>lt;sup>53</sup> U.S. Forest Service, "Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System, December 20, 2023, 88 FR 88042,

https://www.federalregister.gov/documents/2023/12/20/2023-27875/land-management-plan-direction-for-old-growth-forest-conditions-across-the-national-forest-system.

54 U.S. Forest Service, "Draft Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest

<sup>&</sup>lt;sup>54</sup> U.S. Forest Service, "Draft Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System, June 21, 2024, EIS No. 20240110, <a href="https://www.federalregister.gov/documents/2024/06/21/2024-13596/environmental-impact-statements-notice-of-availability">https://www.federalregister.gov/documents/2024/06/21/2024-13596/environmental-impact-statements-notice-of-availability</a>.

impact-statements-notice-of-availability.

55 U.S. Forest Service, "National Old Growth Amendment" Chief Randy Moore, January 7, 2025, https://www.fs.usda.gov/inside-fs/leadership/national-old-growth-amendment.

are important place-based differences that we will need to understand" in order to properly steward forest resources on the ground. <sup>56</sup> While this was a welcome decision, the fact remains that this ill-advised effort from the Biden administration unquestionably diverted time and energy away from addressing the overwhelming wildfire and forest health crisis that is the true threat to forest stands of every age class.

#### The Benefits of Restoring Multiple Use

The American people need relief after suffering four years of disastrous natural resources policy under President Biden. A simple return to the letter and spirit of time-tested multiple-use mandates, as proposed by the Trump administration, will go a long way toward helping struggling communities surrounded by federal land. Some of the policy areas with the most urgent need for improvement are described below.

Right-sizing Federal Land Ownership to End America's Housing Shortage

The harmful consequences of excessive federal land ownership are not confined to America's rural communities. Federal lands encircle many of the nation's fastest-growing urban centers, driving up housing costs and rental prices. <sup>57</sup> This problem is especially pronounced in America's western states, where approximately half of the land is federally owned. <sup>58</sup> Therefore, it is unsurprising that this region has generally suffered from housing price increases that have outpaced those experienced in other parts of the country. <sup>59</sup> Additionally, these communities often face significant delays in approving needed transportation projects, water resource plans, and other local initiatives simply because they are surrounded by federal parcels under restrictive land-use designations. <sup>60</sup>

Fortunately, workable solutions to America's housing crisis remain firmly within reach. In a 2022 study, Republicans on the U.S. Congressional Joint Economic Committee (JEC) found that "[t]he federal government can alleviate a large share of the housing shortage in the West by disposing of a minuscule share of its vast landholdings." Freeing up only 0.1 percent of the federal government's landholdings for residential development across the west could lead to the construction of 2.7 million new homes and empower 4.7 million Americans to finally afford averagely priced homes in their states. <sup>62</sup> In Utah, for example, allowing for more housing to be built on federal lands could address 35 percent of the current housing shortage. <sup>63</sup> Utah Governor

<sup>&</sup>lt;sup>56</sup> *Ibid*.

<sup>&</sup>lt;sup>57</sup> Hugo Dante & Kevin Corinth, "The HOUSES Act: Addressing the National Housing Shortage by Building on Federal Land," U.S. Congressional Joint Economic Committee, Republicans, August 2022,

https://www.jec.senate.gov/public/ cache/files/efdd0c37-af95-40cd-9125-e80f8a11504b/the-houses-act---addressing-the-national-housing-shortage-by-building-on-federal-land.pdf.

<sup>&</sup>lt;sup>58</sup> *Ibid*.

<sup>&</sup>lt;sup>59</sup> *Ibid*.

<sup>&</sup>lt;sup>60</sup> See, e.g., Mark Eddington, "It's official: Federal agencies reverse approval for controversial Northern Corridor Highway," The Salt Lake Tribune, December 21, 2024, <a href="https://www.sltrib.com/news/2024/12/21/feds-overturn-approval/">https://www.sltrib.com/news/2024/12/21/feds-overturn-approval/</a>.

<sup>&</sup>lt;sup>61</sup> Hugo Dante & Kevin Corinth, "The HOUSES Act: Addressing the National Housing Shortage by Building on Federal Land," U.S. Congressional Joint Economic Committee, Republicans, August 2022,

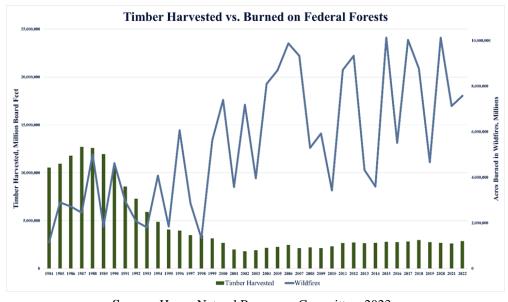
 $<sup>\</sup>frac{https://www.jec.senate.gov/public/\ cache/files/efdd0c37-af95-40cd-9125-e80f8a11504b/the-houses-act---addressing-the-national-housing-shortage-by-building-on-federal-land.pdf.}$ 

<sup>&</sup>lt;sup>62</sup> Ibid.

 $<sup>^{63}</sup>$  Ibid.

Spencer Cox recently identified the state's exorbitant housing prices as "the single greatest threat" to achieving future prosperity, which shows the importance of this issue. Even a small reduction in the federal estate could bring enormous benefits to American families. Restoring Multiple-Use to Improve Forest Health and Strengthen Rural Economies

BLM and USFS are the two primary agencies tasked with forest management. <sup>64</sup> USFS manages roughly 145 million acres of forests and woodlands across the NFS, while BLM manages 37.6 million acres of mostly public domain forests. <sup>65</sup> Turning these agencies away from the preservationist approaches they have taken under the Biden administration and requiring them to fulfill their statutory multiple-use mandates would benefit both the economy and the environment by promoting active, responsible stewardship of federal forestland. Timber harvesting and grazing, for example, are traditional uses whose increased presence in federally managed forests is essential to managing the wildfire crisis and supporting rural economies.



**Source:** House Natural Resources Committee, 2023.

Timber harvesting can directly reduce wildfire risk. Vast tracts of federal forests are overloaded with hazardous accumulations of dry fuels that have resulted from a combination of fire suppression and a dangerous lack of thinning, prescribed burns, and mechanical

treatments. <sup>66</sup> Yet USFS missed its timber target in FY 2024 by roughly 260 million board feet. <sup>67</sup> Doubling down on this failure, USFS lowered its timber target from 3.4 to 3.2 billion board for the next two years. <sup>68</sup>

Reversing this troubling trajectory for timber targets would bolster USFS's wildfire risk reduction capabilities and revitalize threatened sawmill infrastructure. Since 2000, over 1,500 sawmills, approximately one-third of the total number of sawmills then in operation, shut down

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<sup>&</sup>lt;sup>64</sup> Katie Hoover, "Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress," Congressional Research Service, February 24, 2023, <a href="https://www.crs.gov/Reports/R43429">https://www.crs.gov/Reports/R43429</a>.

<sup>&</sup>lt;sup>66</sup> Robert G. Ingram, "Robert G. Ingram: Forest Fuel Management - the Ugly Truth." *TheUnion.com*, October 9, 2020, www.theunion.com/opinion/columns/robert-g-ingram-forest-fuel-management-the-ugly-truth/.

<sup>&</sup>lt;sup>67</sup> U.S. Department of Agriculture, U.S. Forest Service, "Fiscal Year 2025 Budget Justification," <a href="https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf">https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf</a>.
<sup>68</sup> Ibid.

or severely curtailed their business activities. <sup>69</sup> Boosting timber targets would help prevent future loss of this critically important infrastructure, which could be leveraged to help ramp up forest management activities and process hazardous fuels. The viability of this solution has been confirmed in practice. Following the devastating Caldor Fire in 2021, the Washoe Tribe of Nevada and California partnered with a private timber company and USFS to build a sawmill to process the salvage timber left behind by the wildfire. 70 This partnership promised to improve forest health and provide an important source of revenue and jobs in that region. <sup>71</sup> Moving forward, our land management agencies must reject the false premise that locking up land is sufficient to protect our forests. Instead, to restore health and resiliency to our forests, federal land managers must engage in active forest management, which includes responsible timber harvesting.

Grazing is another traditional use whose increased application would significantly reduce wildfire risk and improve landscape health. Studies have repeatedly demonstrated that grazing is compatible with rangeland management and even vital to rangeland health. In 2024, for example, USDA released a study showing livestock grazing can limit both wildfire risk and invasive annual grasses. 72 Responsible grazing can modify the range to make it more fire resilient, while the presence of livestock on federal land decreases fire probability and severity. 73 Such benefits are among the reasons why USFS listed grazing as a key aspect of the agency's Wildfire Crisis Strategy. 74 Grazing on public lands also delivers considerable cost savings to federal land management agencies while adding economic value to rural economies. Ranchers grazing livestock on public lands assist federal agencies by frequently clearing public trails, monitoring recreation trends, observing wildlife movements, and responding first to wildfires and other natural disasters.<sup>75</sup>

As demonstrated through the examples of timber harvesting and grazing, a severe consequence of federal land managers locking up land is that states and localities lose out on revenuegenerating activities. Economic research has found that a "[w]ilderness designation is significantly associated with lower per capita income, lower total payroll, and lower total tax receipts in counties."<sup>76</sup> The study continued by noting that "[t]he benefits and costs from [w]ilderness are unevenly distributed between local and non-local communities, with local communities incurring a larger burden of the costs."<sup>77</sup> This logic would readily apply to other restrictive land-use designations that contradict true multiple-use. Therefore, opening more

<sup>77</sup> *Ibid*.

<sup>&</sup>lt;sup>69</sup> "Wildfires," Congressional Budget Office, June 2022, https://www.cbo.gov/publication/58212.

<sup>&</sup>lt;sup>70</sup> "New sawmill to start processing Caldor Fire salvage logs for Sierra-at-Tahoe", Tahoe Daily Tribune, August 17, 2022, https://www.tahoedailytribune.com/news/new-sawmill-to-start-processing-caldor-fire-salvage-logs-from-sierra-at-tahoe/. <sup>71</sup> See ibid.

<sup>&</sup>lt;sup>72</sup> Kirk W. Davies et al., "Ecological benefits of strategically applied livestock grazing in sagebrush communities," Ecosphere; May 22, 2024, https://doi.org/10.1002/ecs2.4859. <sup>73</sup> *Ibid*.

<sup>&</sup>lt;sup>74</sup> Fiscal Year 2025 Budget Justification, United States Department of Agriculture Forest Service, accessed February 3, 2025s, https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf.

<sup>&</sup>lt;sup>75</sup> Fiscal Year 2025 Bureau of Land Management Greenbook, U.S. Department of the Interior, accessed February 3, 2025, https://www.doi.gov/media/document/fv-2025-bureau-land-management-greenbook.

<sup>&</sup>lt;sup>76</sup> Testimony of Dr. Ryan M. Yonk, Assistant Professor, Southern Utah University, before the House Natural Resources Subcommittee on National Parks, Forest and Public Lands, October 14, 2011. https://www.govinfo.gov/content/pkg/CHRG-112hhrg70721/html/CHRG-112hhrg70721.htm.

federal land to traditional uses could serve as a promising way forward for many of the nation's most economically disadvantaged rural areas.

## Republican Solutions to Restore Local Control and Productive Uses of Public Lands

House Republicans are determined to use the 119<sup>th</sup> Congress to advance commonsense and practicable solutions to increase Americans' access to their public lands and empower local stakeholders to have a greater role in land-use decisions. In completing this work, Republicans will return to many of the legislative solutions that were already developed in the 118<sup>th</sup> Congress to advance these policies to President Trump's desk. A selection of bills planned for consideration or already considered this Congress in the jurisdiction of the House Committee on Natural Resources include the following:

- H.R. 471 (Rep. Westerman), "Fix Our Forests Act": Comprehensive, bipartisan legislation to restore forest health, improve resiliency to catastrophic wildfires, and protect communities by expediting environmental analyses and deterring frivolous lawsuits.<sup>78</sup>
- H.R. 3397 (Rep. Curtis) (118th), "Western Economic Security Today (WEST) Act of 2024": Withdraws the proposed Public Lands Rule and prohibits the BLM from finalizing, implementing, or enforcing any substantially similar rule. 79
- H.R. 5499 (Rep. Miller-Meeks) (118<sup>th</sup>), "Congressional Oversight of the Antiquities Act": Amends the Antiquities Act by requiring congressional approval for the designation of national monuments. If Congress does not approve the designation within six months, the monument cannot be redesignated by the President for 25 years. 80
- H.R. 6085 (Rep. Hageman) (118<sup>th</sup>), To prohibit the implementation of the Draft Resource Management Plan and Environmental Impact Statement for the Rock Springs RMP Revision, Wyoming: Restricts the Secretary of the Interior from finalizing, implementing, administering, or enforcing the RMP and Environmental Impact Statement for the Rock Springs RMP Revision, Wyoming.<sup>81</sup>
- H.R. 6547 (Rep. Boebert) (118<sup>th</sup>), "Colorado Energy Prosperity Act": Restricts the Secretary of the Interior from finalizing, implementing, administering, or enforcing the Draft RMP or Draft Supplemental Environmental Impact Statement for the CRVFO and GJFO RMPs.<sup>82</sup>

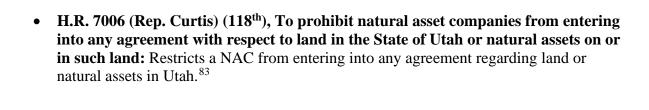
<sup>&</sup>lt;sup>78</sup> H.R. 471, https://www.congress.gov/bill/119th-congress/house-bill/471.

<sup>&</sup>lt;sup>79</sup> H.R. 3397, 118th Congress, https://www.congress.gov/bill/118th-congress/house-bill/3397.

<sup>&</sup>lt;sup>80</sup> H.R. 5499, 118th Congress, https://www.congress.gov/bill/118th-congress/house-bill/5499.

<sup>81</sup> H.R. 6085, 118th Congress, https://www.congress.gov/bill/118th-congress/house-bill/6085.

<sup>82</sup> H.R. 6547, 118th Congress, https://www.congress.gov/bill/118th-congress/house-bill/6547.



<sup>83</sup> H.R. 7006, 118th Congress, https://www.congress.gov/bill/118th-congress/house-bill/7006.