

Advocacy Comments on BLM’s Proposed Public Lands Conservation Rule

On April 3, 2023, the U.S. Department of the Interior’s Bureau of Land Management (BLM) published a proposed rule entitled “Conservation and Landscape Health.” The Office of Advocacy of the U.S. Small Business Administration (Advocacy) respectfully submitted the following comments on the proposed rule:

- BLM’s proposed rule has unintended consequences that are contrary to the agency’s goals and the statutory requirements for land management under the Federal Land Policy and Management Act (FLPMA).
- The proposed rule does not properly explain how conservation leases are compatible with the multi-use land management goals laid out in the FLPMA.
- The proposed rule offers too much discretion to BLM, which may result in elevating conservation above the other principal land management uses.
- BLM’s proposal does not account for required actions that lease holders already take with respect to conservation goals and does not consider alternatives.
- The proposed rule lacks a proper factual basis for certification that the rule will not have a significant economic impact on a substantial number of small entities.
- Advocacy requested that BLM prepare a proper and thorough RFA analysis that identifies the small businesses impacted by the rule, describes the impacts to these small businesses, and considers regulatory alternatives.

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