Society for Conservation Biology North America
The North America Section of a global community of conservation professionals

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The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C St. NW, Room 5646, Washington, DC 20240

Subject: Comment in Strong Opposition to the Proposed Rescission of the Conservation and Landscape Health Rule (RIN 1004-AF03, Docket BLM-2025-0001)

Dear Secretary Burgum,

On behalf of the Society for Conservation Biology North America (SCBNA)—part of the global Society for Conservation Biology representing nearly 3,000 members from six global regions—we write in strong opposition to the Bureau of Land Management's (BLM) proposed rule to rescind the Conservation and Landscape Health Rule (also known as the Public Lands Rule), issued as a final rule on April 18 and published in the Federal Register on May 9, 2024.

The Public Lands Rule is a critical, long-overdue policy designed to fulfill the BLM's legal mandate under the Federal Land Policy and Management Act (FLPMA) of 1976 to manage public lands under the principles of "multiple use and sustained yield" (MUSY).[1] (In addition, the MUSY principle-based conservation actions, such as conservation credits and voluntary biodiversity offsets, facilitate other actions, including but not limited to enhanced ecosystem services and employment generation, as demonstrated in the billions of dollars market output per annum.[5]). Therefore, the rule correctly acknowledges that conservation is an essential and productive use of public lands, placing it on equal footing with other authorized uses such as grazing, mining, and energy development.[2] (The proposed rescission would fundamentally undermine this balanced approach and threatens the long-term health and productivity of our shared national landscapes for the benefit of all Americans.

Importantly, the Public Lands Rule does not prohibit extractive uses. Rather, it preserves FLPMA's "multiple use and sustained yield" mandate, while holding extractive activities accountable by giving conservation real weight in project review. The Rule strengthens the "unnecessary or undue degradation" standard and directly requires the mitigation hierarchy to "avoid, minimize, and compensate … for adverse impacts … when authorizing uses of public lands," with particular care for important, scarce, or sensitive resources. Extractive projects remain possible nonetheless, yet only after avoidance and minimization have been evaluated and any residual impacts are compensated for. The Public Lands Rule is thus consistent with the long-standing "multiple use and sustained yield" framework as well as our evolving understanding of the importance of nature.[2, 3, 5]

The BLM's rationale for rescinding the Rule, namely that it is "unnecessary" and "undermines" the multiple-use mandate, is deeply flawed and contradicts the scientific and legal necessity of modernizing land management.[6, 9] The Rule is, in fact, essential to ensure the BLM meets its statutory duty to prevent "unnecessary or undue degradation" and to "protect the quality of scientific, scenic, historical, ecological,

environmental... and archeological values." Moreover, the Rule provides the BLM with modern tools to address the compounding crises of climate change and biodiversity loss, including through:

- **Conserving habitat for plants and animals:** The rule is explicitly designed to protect important wildlife habitat and intact, functioning ecosystems. BLM-managed lands are home to over 300 species listed under the Endangered Species Act and thousands of other at-risk species, all of which depend on the Rule's goal of ecological resilience for survival.[7]
- **Improving resilience to extreme weather**: By directing the BLM to manage for landscape health, the rule ensures that public lands can better withstand the impacts of drought, wildfires, and invasive species.[7]
- **Restoring and mitigating degraded lands**: The rule introduces the concept of Restoration and Mitigation Leases, allowing the BLM to work with Tribes, qualified individuals, and non-governmental organizations to restore degraded lands through compensatory mitigation that cannot fulfill FLMPA's mandate for "sustained yield". This tool directly benefits wildlife, watersheds, and the public.[7]
- Basing **decisions based on sound evidence**: The rule explicitly calls for all management decisions to be based on science, data, and Indigenous knowledge. Rescinding this directive would leave the BLM less prepared in the face of changing conditions on the ground.[4, 7]
- Designating and managing **Areas of Critical Environmental Concern (ACECs)**: The Rule clarifies the designation and management of ACECs, which are one of the last lines of defense for areas of particular scenic, historical, cultural, or ecological importance in danger of irreparable harm. Removing these procedural clarifications will erode protections for these vital areas.[7, 8]

Taken together, these policy directions allow the BLM to manage landscapes in ways that are both ecologically sound and evidence-based. The Public Lands Rule also recognizes the inherent value and history contained within our public lands, and supports co-stewardship of cultural resources. In particular, the Rule encourages BLM managers to work more closely with Tribal Nations to ensure stronger cultural resource protection for ancestral lands. The withdrawal of this policy would undermine progress toward co-stewardship and respect for the irreplaceable cultural values of these landscapes.[4]

The Conservation and Landscape Health Rule is a responsible modernization of federal land management necessary to ensure the health and productivity of public lands for future generations.[8, 9] It is not an overreach; rather, it is a tool to ensure long-term prosperity and security of these irreplaceable natural resources. We urge the Bureau of Land Management to immediately withdraw the proposed rescission of the Public Lands Rule and to reaffirm its commitment to the protection of our shared natural heritage.

Thank you for the opportunity to comment on this critically important matter.

Sincerely,

Lauren Jonaitis

Lauren Jonaitis
Vice President of Policy, SCBNA

References:

1. U.S. Congress. Federal Land Policy and Management Act of 1976 (FLPMA), Public Law 94-579, 90 Stat. 2743, 43 U.S.C. § 1701 et seq.

2. U.S. Department of the Interior, Bureau of Land Management. Conservation and Landscape Health. Final Rule. Federal Register 89, No. 90 (May 9, 2024): 40536.

3. U.S. Department of the Interior, Bureau of Land Management. Restoration and Mitigation Leases: Fact Sheet. April 2024.

4. U.S. Department of the Interior. Secretarial Order 3403: Fulfilling the Trust Responsibility to Tribal Nations in the Stewardship of Federal Lands and Waters. November 15, 2021.

5. Jamie Pleune, The BLM's Public Lands Rule and "Periodic Adjustments in Use to Conform to Changing Needs and Conditions" under the Federal Land Policy and Management Act, 42 Pace Env't L. Rev 101 (2024).

6. U.S. Department of the Interior, Bureau of Land Management. Rescission of Conservation and Landscape Health Rule. Federal Register 90 FR 43990. September 11, 2025.

7. U.S. Department of the Interior. Biden-Harris Administration Finalizes Strategy to Guide Balanced Management, Conservation of Public Lands. Press Release. April 18, 2024.

8. The Wilderness Society. BLM Public Lands Rule rollback proposal announced; 60-day comment period to follow. Press Release. September 10, 2025.

9. Defenders of Wildlife. Trump Administration Moves to Repeal the BLM Rule that Modernized Land Management. July 15, 2025 (Updated September 10, 2025).