

Custer County Commissioners  
Special Meeting Proceedings – AMSL/Budget  
June 7, 2024

The Special meeting with the American Stewards of Liberty and the Multiple Use Alliance was convened via Zoom connection on June 7<sup>th</sup> at 10:00 AM with Margaret Byfield/AMSL Moderator in the Commissioners Room at the Custer County Courthouse. Attending were Commissioner Chairman Randy Corgatelli, Commissioner Steve Smith, NRAC Committee Chairman Jim Hawkins, Gordon Vaden, Will Naillon and Deputy Clerk Tina Hawkins from Custer County. Also attending via Zoom connection were Norman James/Attorney, Vicki Marquardt/Otero Co. NM, Bill Williams/Chaves Co., NM, Celeste Meyers/Kane Co. UT, Tom Janlowski and Fred Jarmin/Garfield Co. CO, Don Steerman/RioBlanco Co., CO, Dan Byfield/CEO AMSL, Jeff Comstock/Moffet Co., CO, Mary Whitmore/Montrose Co., CO, Nina Atencio/Mesa Co., CO, Ms Taylor, Kane Co., UT, Ben Burr/Blue Ribbon Coalition UT, Justin Oleson/Custer Co., ID, Shawn Curtis/Modoc Co., CA, Bill Dolbow, Wash DC., Myron Ebell/Am. Lands Council, Tracy Barton and Wade Heaton, Kane Co. UT, Julia McCray/Allegany Forest Alliance, Dean Jackson, Lee Co. NM.

Margaret Byfield did introductions around and explained the conservation rule that will be going into effect June 10<sup>th</sup>, 2024.

Tom Janlowsky provided the background of the “conservation rule” and “old growth forests” that enables the complete tying up of BLM lands with non-use. Fred Jarmin brought forward the connection between the “30 X 30” program and America the Beautiful. Norman James provided information that a lawsuit will be filed by a coalition of industry groups. ie; Mining; American Farm Bureau, Cattlemen groups, National Rural Electric Association’s and the Western Energy Alliance. He expressed concern about smaller groups wanting to help, but actually getting in the way. Norm suggested we piggy back with industry groups and provide a way for “coordination” to be included. The other option was to start a separate lawsuit in a different Circuit Court. Ben Burr inquired if any States would be joining in the lawsuit? Norm has heard of nothing as yet about states joining the suit.

Ben then asked which circuit court it would be filed in? Norm responded certainly not the 9<sup>th</sup>! The time frame has no specific deadlines, and challenges on this rule are enabled for 6 years. The suit has not been filed as yet, but once it is the wording can be reviewed and any and all gaps can be filled. It is expected it will be filed by the end of June.

Myron/Am. Lands Council brought forward the fact that the BLM 2.0 rule that was blocked by a 2017 resolution in congress. This rule is almost the same and it should not be done.

Margaret Byfield inquired if there would be any advantage in filing in a different circuit court at the same time? Norm felt it could be advantageous if conflicting opinions are found. The general consensus of the group was to see what the industry suit wording is and then fill in the gaps if there are any. Custer Co., Kane Co., Chaves Co., and Garfield Co. were all in agreement.

The “Old Growth Forest” rule was then discussed and a letter needs to be sent to Linda Walker/USFS requesting

“coordination” at the local level. The USFS has held some big “cooperator” meetings trying to check the boxes and have had solid push back from the counties about not doing coordination. Howard Hutchison reported that the USFS is stating that “Old Growth Forest” is not being put in

as a rule, and wants another letter stressing their failure to “coordinate”. They are saying it is a Plan Amendment, and it is unprecedented to change all 128 Forest Plans in one whack. Totally impossible. The USFS has American Stewards of Liberty’s letter and Margaret is waiting for their response. Norm suggested another letter when the draft of the lawsuit comes out and question their coordination efforts. Margaret agreed to share the comment letters with those attending so all could see the points and issues. Fred Jarmin reported that USFS Chief Moore stated that “coordination will be done at the local level” in his last meeting. He asked if any counties had been contacted by their Forest Supervisors? NO they have not. It was agreed that this group will wait and see what the lawsuit says and then go from there.

Margaret then adjourned the Zoom meeting at 11:15 AM.

The Board of Commissioners worked toward setting up a G2G Meeting with our Forest Supervisor, Heather DeGeest. Discussion of the Categorical Exclusions was held, and how they are being utilized to skip the NEPA Process.

The meeting was recessed at 11:30 AM. The budget portion of the meeting reconvened at 1:00 PM with Commissioner Corgatelli, Commissioner Smith, Commissioner Zollinger and Clerk Lura Baker in attendance working on the 2024/2025 Budget.

The meeting was adjourned at 4:00 PM



  
Randy Corgatelli, Chairman  
Custer County Commissioner

Attest:

  
Lura H. Baker, Clerk