



Montana Natural Resource Coalition of Counties, Inc.

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February 3, 2026

Honorable Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, NW - Rm 6154
Washington, DC 20240

Honorable Katharine MacGregor
Deputy Secretary
U.S. Department of the Interior
1849 C Street, NW - MS 2134-LM
Washington, DC 20240

Re: Follow Up Briefing and Status Request - MtNRC 5 USC § 553(e) Petition for Rulemaking:
*“Vacatur of BLM Record of Decision, American Prairie Bison Preference Right Permits,
and Amendment to HiLine RMP.”*

Via: Certified Mail/Return Receipt, Hand Delivery, and Electronic Submission

Dear Secretary Burgum and Deputy Secretary MacGregor:

Through this correspondence, the Montana Natural Resource Coalition of Counties (MtNRC) is requesting a 15-20 minute briefing on Monday, February 23 or Tuesday, February 24, 2026, to review elements of the MtNRC Petition for Administrative Rulemaking (PAR) that was filed with the Secretary of the Interior on December 2, 2025.

We are aware that vacatur of the American Prairie bison grazing permits is now under consideration by the Bureau of Land Management (BLM). While vacatur would be a positive development, the administrative record is silent as to how the Secretary intends to address MtNRC’s assertion in the PAR that BLM erred in expanding the regulatory definition of domestic livestock in the 2015 HiLine Resource Management Plan (RMP).

Background; Key Agency Actions and Policy Filings -

June 23, 2020 - MtNRC Representatives and policy experts meet with senior BLM appointees to transmit a comprehensive policy analysis¹ of the American Prairie Reserve permits program.

July 28, 2022 - The Malta BLM Office issues a Record of Decision (ROD) authorizing changes to seven American Prairie grazing permits from cattle only to cattle and bison.²

December 2, 2025 - MtNRC files a Petition for Administrative Rulemaking with the Secretary of the Interior requesting vacatur of the American Prairie permits and amendment of the HiLine, Montana Resource Management Plan (RMP) to remove *bison*, *llamas*, and *alpacas* from the type of livestock for which preference right grazing permits may be issued.³

¹ [The Repurposing of Federally Reserved Taylor Grazing Districts For Wildlife Rewilding: A Statutory, Administrative and Legal Analysis.](#) Stillwater Technical Solutions. June 14, 2020.

² [Notice of Final Decision and Finding of No Significant Impact.](#) American Prairie Reserve Bison Change of Use Environmental Assessment. DOI-BLM-MT-L010-2018-0007-EA. July 28, 2022.

³ [5 USC § 553\(e\) Petition for Rulemaking:](#) Vacatur of BLM Record of Decision, American Prairie Reserve Bison Preference Right Permits, and Amendment to HiLine RMP for Consistency with Regulations at 43 CFR § 4100.0-5. Montana Natural Resource Coalition of Counties. December 2, 2025.

December 9, 2025 - The Secretary of the Interior assumes jurisdiction of three legal actions from DOI administrative court.⁴

December 15, 2025 - The Secretary of the Interior grants a BLM Motion for Remand of the American Prairie permits without vacatur of the 2022 Final Decision.

January 16, 2026 - BLM issues a Proposed Decision for reconsideration of the seven American Prairie permits.⁵

Because the illegitimately expanded definition of domestic livestock in the 2015 HiLine RMP was relied upon as the basis for the American Prairie grazing permits, we contend that the HiLine RMP must be amended as part of the vacatur process.

In the PAR we also document that BLM is issuing wildlife grazing permits on public lands across the states of Colorado, New Mexico, North and South Dakota, and Wyoming. Given that *since 2017 the United States has lost 17 percent of its cattle ranches and the domestic cattle herd is at a 75-year low*,⁶ the threat of inappropriate competition for scarce Taylor Grazing Act District lands posed by rewilding or conservation initiatives is a material threat to the domestic livestock industry of the United States.

Our preferred schedule window is Monday, February 23 between 10:00 am and 2:30 pm, and we can make Tuesday February 24 work. Attendees will be myself, Jim Carlson from the Boundary Line Foundation, and perhaps another MtNRC commissioner who will in town for the National Association of Counties (NaCo) conference.

Sincerely,



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Commissioner, Fergus County Montana
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The Montana Natural Resource Coalition of Counties (MtNRC) is an IRS 501(c)(3) association of county governments who use their state constitutional and statutory authorities to engage federal agencies during administrative actions at the county level.

MtNRC operates as an informal governmental instrumentality that is entirely funded and exclusively governed by sitting Montana county commissioners. Collectively, the coalition maintains jurisdiction over 65,897.6 mi² of land and natural resources, which constitutes 45% of the state of Montana. Current MtNRC members are Beaverhead, Blaine, Carter, Fallon, Fergus, Flathead, Garfield, Madison, McCone, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Sweet Grass, Valley, Wibaux, and Yellowstone Counties.

⁴ [Memorandum: Assumption of Jurisdiction of Pending Grazing Appeals](#). December 9, 2025.

⁵ [Notice of Proposed Decision](#). American Prairie Change in Use Livestock Grazing Permits. Bureau of Land Management Montana/Dakotas Office. January 16, 2026.

⁶ [USDA Plan to Fortify the American Beef Industry: Strengthening Ranches, Rebuilding Capacity, And Lowering Costs for Consumers](#). October 20, 2025.