

## **Anti-Government Extremists Are Organizing Counties To Sue Over The BLM Conservation Rule**

**SUMMARY:** The extremist group American Stewards of Liberty (AS) is coordinating a scheme to convince rural western counties to finance a lawsuit to challenge the Bureau of Land Management's proposed conservation rule.

To finance the effort, ASL is using its favorite funding model: going county to county and asking like-minded commissioners for taxpayer dollars.

At a Modoc County, California commission meeting discussing the effort, a county staffer divulged information about the legal strategy. Modoc County Planning Director Sean Curtis said that counties with federal oil production will allege that the rule will affect their royalty payments. Curtis acknowledged that his county doesn't have much at stake.

One county helping out is San Juan County, Utah, which signed an \$18,000 agreement with the group in June 2023.

### **American Stewards of Liberty Is Going County To County And Asking For More Money To Finance A Lawsuit Challenging The BLM Conservation Rule.**

#### **The Extremist Group American Stewards of Liberty Is Planning To Sue Over The BLM Conservation Rule.**

*The Group Is Persuading County Governments Across The West To Join Its "Multiple-Use Alliance" To Finance Its Lawsuit.*

**American Stewards of Liberty Started The "Multiple-Use Alliance" To Oppose The BLM Conservation Rule.** "To confront the BLM and USFS attempts to revise their planning rules and eliminate the productive uses of our federal lands, we have once again created an Alliance, the 'Multiple-Use Alliance,' for counties, local governments, State agencies and organizations to join together and challenge the agency action." [ASL Campaign Briefing, [07/10/23](#)]

- **American Stewards Of Liberty Says That It Will Use Attorney Norman James From Fennemore Law To Sue Over The Conservation Rule.** "Attorney Norman James with Fennemore Law will be leading the legal strategy. We invite all entities that depend on and utilize our federal lands to join us in filing comments and prepare for the anticipated court action." [ASL Campaign Briefing, [07/10/23](#)]
- **American Stewards Of Liberty Says Its Efforts Are "Necessary To Formally Challenge 30x30 In Federal Court."** "American Stewards of Liberty (ASL) has

organized a group of counties and organizations to challenge the proposed rules. The 'Multiple-Use Alliance' has filed the first round of comments on the BLM proposal and will be filing a second set on the USFS rule this month. This is the first step necessary to formally challenge 30×30 in Federal Court. All counties, local governments and organizations who want to help stop the lock-up of America's federal lands are invited to join the Alliance." [American Stewards of Liberty, [07/21/23](#)]

*American Stewards Of Liberty Has Convinced Ten Counties To Join Its Effort And Finance It With Taxpayers' Dollars.*

**American Stewards Of Liberty Says Its "Alliance" Has Ten Member Counties.**

"Currently, the counties leading the Multiple-Use Alliance are: Chaves County, New Mexico Garfield County, Colorado Garfield County, Utah Jackson County, Colorado Kane County, Utah Lea County, New Mexico Modoc County, California Moffat County, Colorado Otero County, New Mexico San Juan County, Utah." [ASL Campaign Briefing, [07/10/23](#)]

**American Stewards Of Liberty Says It Will Rely On Its Member Counties To Finance Its Court Challenge.**

"The priority of the Alliance is to ensure that all industries and communities are represented, and that the full use of our federal lands are protected. Those entities that can help contribute to the legal expenses are encouraged to do so, but this is not required to join the Alliance, sign onto the comments, and participate in the potential court challenge. If you are interested in joining the Alliance, please contact Margaret Byfield at [asl@americanstewards.us](mailto:asl@americanstewards.us)." [ASL Campaign Briefing, [07/10/23](#)]

*At A County Commission Meeting In California, A County Staffer Gave Clues About American Stewards Of Liberty's Legal Strategy.*

**Modoc County Planning Director Sean Curtis Suggested That The Lawsuit Will Rely On Counties Claiming That The Conservation Rule Will Result In Less Royalty Revenue. Modoc County Planning Director Sean Curtis Says Only Counties With Oil And Gas Development Are Paying American Stewards.** Modoc County Planning Director Sean Curtis: "The comments which would be prepared by an attorney that's being paid for by several of the counties that would be signatories on the letter that have oil and gas royalties at stake. So one, they have money to pay the attorney and two they have way more at stake than maybe a county like us. Although having a county in California as part of this group, and right now they're all either Utah, Colorado, or New Mexico , broadens the spectrum and gives a little more weight to the group." [Modoc County Commission Meeting Audio, [06/13/23](#)] (02:09:02)

- **Modoc County Planning Director Sean Curtis Says Only Counties With Oil And Gas Development Are Paying American Stewards.** Modoc County Planning Director Sean Curtis: "The comments which would be prepared by an

attorney that's being paid for by several of the counties that would be signatories on the letter that have oil and gas royalties at stake. So one, they have money to pay the attorney and two they have way more at stake than maybe a county like us. Although having a county in California as part of this group, and right now they're all either Utah, Colorado, or New Mexico , broadens the spectrum and gives a little more weight to the group." [Modoc County Commission Meeting Audio, [06/13/23](#)] (02:09:02)

*The Same County Staffer Acknowledged That His County Didn't Have Much At Stake And Was Only Pursuing Coordination So It Could Sue Later.*

**Modoc County Planning Director Sean Curtis Acknowledged That Modoc County Doesn't Have Much "At Stake" As A Result Of The Conservation Rule.** Modoc County Planning Director Sean Curtis: "The comments which would be prepared by an attorney that's being paid for by several of the counties that would be signatories on the letter that have oil and gas royalties at stake. So one, they have money to pay the attorney and two they have way more at stake than maybe a county like us. Although having a county in California as part of this group, and right now they're all either Utah, Colorado, or New Mexico , broadens the spectrum and gives a little more weight to the group." [Modoc County Commission Meeting Audio, [06/13/23](#)] (02:09:02)

**Modoc County Planning Director Curtis Moore Says That The County Only Sends Coordination Letters So It Can Sue Later.** Modoc County Planning Director Sean Curtis: "The coordination letter is really not much more than a reiteration of what's in FLPMA, which is attached at the back on the last page. And it's kind of- they're not going, I mean, I think we can, last time we did exactly the same thing on the planning rules and there was a couple letters back and forth and then they finally said, 'well we don't have to do that.' And that's one of your litigation points when they fail to do that." [Modoc County Commission Meeting Audio, [06/13/23](#)] (02:11:37)

*One County That May Be Helping Fund The Effort Is San Juan County, Utah, Which Signed Away \$18,000 To The Group In June.*

**San Juan County Approved An \$18,000 Contract With American Stewards Of Liberty On June 6, 2023.** [San Juan County Commission Meeting, [06/06/23](#)]

- **The Contract Was Unanimously Approved.** [San Juan County Commission Meeting Audio, [06/06/23](#)] (00:36:33)

## **Other County Funding for American Stewards's Multiple-Use Alliance:**

### **Otero County, NM**

Otero County entered into a \$20k annual contract with American Stewards on July 1, 2023. [Otero County Contract, [07/01/23](#)]

### **Kane County, UT**

Kane County, UT, on June 27, 2023, voted to approve an agreement with American Stewards to join the Multiple-Use Alliance. At 101:55, a commissioner noted that the county has a pre-existing relationship with American Stewards and voted to strike the part of the contract requiring county funding, but noted, “we could always decide at a later time to contribute a certain amount.” [Kane County meeting audio, [07/27/23](#)] and [Kane County meeting minutes, [07/23/23](#)]

Kane County’s existing relationship with American Stewards has cost taxpayers \$16,171.16 since 2022. [Utah Transparency, [accessed 09/13/23](#)]

Kane County has also paid Fennemore Craig, American Stewards’s law firm, \$32,000 since 2022. **Note: Our GRAMA records request shows that Kane County hired Fennemore Craig at Margaret Byfield’s recommendation despite her email acknowledgement that they were redundant and would cost a fraction of the \$32k sum.** [Utah Transparency, [accessed 09/13/23](#)]

A previous effort led by American Stewards cost Kane County cost taxpayers \$483,000 in fees given to American Stewards plus an additional \$203,000 to Fennemore Craig. [Salt Lake Tribune, [05/14/21](#)]

### **San Jaun County, UT**

San Juan County Approved An \$18,000 Contract With American Stewards Of Liberty On June 6, 2023. [San Juan County Commission Meeting, [06/06/23](#)]

### **Garfield County, CO**

On August 7, 2023, Garfield County agreed to give ASL \$30,000 to be part of the “Multiple-Use Alliance.” [Garfield County Contract, [07/14/23](#)]

For a similar lawsuit in 2016 against a BLM planning regulation, Garfield County agreed to pay ASL \$100,000 plus an “administrative fee” of \$1,500 per month. ASL was then directed to deposit \$33,0000 to Fennomore Craig. A “coalition litigation agreement” says that three other counties gave the group “equivalent amounts.” [Garfield County coalition litigation agreement, [07/01/16](#)]

### **Chaves County, NM**

Chaves County appears to just sporadically post live videos of commission meetings to Facebook. The commission voted unanimously to join the Multiple-Use Alliance on June 22, 2023 at timestamp 56:15. [Facebook, [06/22/23](#)]

The resolution Chaves County voted on reads, “let it be further resolved, that the Chaves County Board of Commissioners hereby commits funds to the Multiple Use Alliance to help support its efforts in fighting against removal of lands from private ownership...” but **does not specify a dollar amount.** [Chaves County meeting agenda, [06/22/23](#)]

As of 2021, Chaves County, NM had paid American Stewards \$185,000 for contracts unrelated to the Multiple-Use Alliance.. [New Mexico Wildlife Federation, [08/09/21](#)]

### **Modoc County, CA**

County staff suggested that Modoc County would not be paying American Stewards because it didn't have much at stake, and that oil-rich counties would fund the lawsuit. [Modoc County Commission Meeting Audio, [06/13/23](#)] (02:09:02)

### **Moffat County, CO**

Moffat County Colorado voted to support the Multiple Use Alliance at its June 27, 2023 commission meeting. Staff mentioned that it was discussed further in the Land Use Board, County staff said, “there’s quite a bit of action on this with land specialist attorneys as well as a lot of the counties in Colorado...” but did not specify any costs. [Moffat County Commission Meeting Minutes, [06/27/23](#)] (12:54)