



ANNIVERSARY

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Honorable Deb Haaland  
U.S. Department of the Interior  
Director, Bureau of Land Management  
1849 C St. NW, Room 5646,  
Washington, DC 20240

Re: BLM's Conservation and Landscape Health: RIN 1004-AE92  
[Docket ID No. BLM-2023-0001]

Dear Secretary Haaland,

The Specialty Equipment Market Association (SEMA) welcomes the opportunity to comment on the Bureau of Land Management (BLM) proposed Conservation and Landscape Health rulemaking, 88 Fed. Reg. 19583 (April 3, 2023).

SEMA opposes the BLM's *Conservation and Landscape Health* proposal, which seeks to fundamentally upend the agency's multiple-use mandate that has guided land management practices for nearly 50 years under the Federal Land Policy and Management Act (FLPMA). Our organization supports meaningful conservation that can occur simultaneously and benefit other uses, such as motorized recreation. We disagree with the agency's justification for the proposed rule because the BLM has failed to provide data to support the idea that the public lands under their jurisdiction are "increasingly degraded and fragmented due to adverse impacts from climate change and a significant increase in authorized use." SEMA opposes any efforts that fundamentally disrupt the balance of multiple uses through the unknowns of creating conservation leases and increasing Areas of Critical Environmental Concern (ACECs) that would result in any trail loss to the motorized recreation community.

### Background on SEMA

SEMA is a non-profit trade association that represents over 7,000 mostly small businesses around the country that manufacture, distribute, and retail specialty parts and accessories for motor vehicles. The industry employs over 1 million Americans and produces performance, functional, restoration and styling-enhancement products for use on passenger cars, trucks, SUVs, and special interest collector vehicles. SEMA members market products that enable automotive and off-road enthusiasts to personalize the style and upgrade the performance of their motor vehicles, including everything from classic cars to four-wheel drive vehicles to dedicated race cars.

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SEMA is most well-known for putting on the [SEMA Show](#) in Las Vegas, which is one of the largest trade shows in North America. The 2022 SEMA Show featured over 2,000 exhibitors and included over 130,000 attendees from around the world, showcasing the latest trends in performance and styling modifications of motor vehicles. The annual, trade-only event enables automotive specialty equipment manufacturers to debut new, innovative products, and connect with industry buyers from all over the world. SEMA has also used the show to actively promote emissions compliance through collaborative presentations with the EPA.

SEMA advocates for land use policies that balance the need for off-road access while protecting land that is not suitable for motorized recreation. The Association and its members are committed to ensuring the outdoors can be enjoyed by everyone, including the disabled and people who cannot physically participate in more strenuous activities. SEMA supports necessary land conservation and opposes policies that unnecessarily limit motorized access.

### **Conservation and Landscape Health Proposed Rule**

For millions of Americans, off-roading is a popular recreational activity and a lifestyle. Motorized recreation provides many opportunities for people of all ages to enjoy the outdoors. Off-roaders enjoy driving two, three, and four-wheeled vehicles on diverse landscapes across the U.S.— including trails, dirt and gravel roads, private lands, and millions of acres of land managed by the federal government. Access to public lands is critical for the future of the off-roading community. However, federal land management policies, including national monuments and wilderness designations that are larger than they need to be to protect unique natural resources, are closing roads and trails enjoyed by motorized recreationists.

We believe the BLM failed to consider the negative and devastating impact on the outdoor recreation economy and the effects on the small towns that rely on recreation as the driving force of their economy when the agency drafted this proposed rule. According to a November 2022 report from the Bureau of Economic Analysis (BEA), outdoor recreation had a record-breaking year reflecting the desire of more Americans to get outdoors and recreate during the pandemic. The BEA calculated that outdoor recreation accounted for \$862 billion in economic output in the U.S. economy, which surpassed other industries such as mining, utilities, and farming and grazing, and employs over 4.5 million Americans. The report estimated that motorized recreation such as motorcycling and all-terrain vehicle (ATV) riding accounts for a \$16.2 billion boost to the economy; SEMA suspects the economic impact may be even larger since so many Americans use some type of motorized vehicle to access public lands to recreate.

Looking more closely at the economic benefits noted in the BEA report, SEMA members manufacture products that make it easier for Americans to enjoy the outdoors, including bigger wheels and tires, suspension upgrades, lift kits, winches, lighting products, and more. These specialty products enhance everything from SUVs, trucks, four-wheelers, ATVs, to other off-highway vehicles (OHVs) to make them safer, unique, and more fun. This growing segment of our industry generates over \$23 billion annually in sales. This is in addition to the many small and family-owned businesses that serve and support off-roading tourism, including local trail outfitters and guides, local retailers, and hotels and restaurants that serve the many off-roading visitors to cities and towns across the country.

The BLM manages lands primarily located in the western part of the United States. It's important to remember that the mission of the BLM is the sustained yield of multiple uses under FLPMA in managing over 244 million acres of public lands. According to section 103 of FLPMA under 'multiple use,' I would emphasize the end of that definition:

***“and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.”***

Many questions surround the statutory authority that the agency is citing under FLPMA to introduce such a robust proposal to lease lands under new and vaguely defined “conservation leases.” Beyond the proposal’s legality, developing land leases and ramping up ACECs is an attempt to fulfill the 30x30 agenda, which aims to conserve 30% of land and water for conservation by 2030. This proposed rule will potentially end multiple use on our public lands. The agency must bear its responsibility to allow a balanced approach in this endeavor to ensure Americans can still access and enjoy our public lands.

The proposal includes many contradictory statements surrounding the proposed conservation leases. The proposal states that conservation leases are “not intended to provide a mechanism for precluding other uses, such as grazing, mining, and recreation. Conservation leases should not disturb existing authorizations, valid existing rights, or state or Tribal land use management.” However, the proposal also states that once a lease has been issued, the “BLM shall not authorize any other uses of the leased lands that are inconsistent with the authorized conservation use.” We urge the agency to clear up these contradictions before proceeding any further with this proposal.

Without clarification and stringent guidance to ensure that use(s) such as recreation will not be removed, we believe this proposed conservation effort could effectively lock up multiple use of public lands indefinitely, which would be inconsistent with current BLM management practices. The stated intention of the elevation of conservation is to ensure that it is on equal footing as other uses, but the proposed rule states that authorized officers will seek to prioritize actions that conserve over other uses. The agency could determine that other uses, such as recreation, grazing, or energy production are incompatible with a conservation lease, thus removing such use indefinitely and even after the lease expires with the BLM. Accordingly, conservation leases would lead to a reduction in public access to BLM lands. The rule also does not address how long closures could last under the lease proposal. SEMA opposes any scenario of conservation leases that restrict recreationists’ access to public lands.

Presently, the agency utilizes Resource Management Plans (RMPs), which have clear process requirements such as 90-day public comment periods along with environmental impact statements under the National Environmental Policy Act (NEPA). We believe that any “conservation lease” should be required to undertake this process to ensure that the general public has an opportunity to provide comments on projects and the potential elimination of multiple-use activities that are held on equal footing with any conservation proposal.

The strengthening of the ACECs in this proposal reinforces our concerns that conservation will lock up more land and restrict even more access to recreation on public lands. To date, approximately 196.6 million acres across federal lands are impacted by restrictive designations such as ACEs, Wilderness, National Monuments, Wilderness Study Areas, and National Conservation Areas. The BLM has also enacted over 1,000 ACECs around the country that have restricted access to over 23.5 million acres across the country. SEMA and its members do not support increasing the amount of closed land to motorized recreational access.

In addition to the other issues referenced in this letter, SEMA has concerns about how the agency can manage yet another program with its already limited staff and resources. SEMA urges the

agency to withdraw this rule. While we support conservation efforts as necessary, the BLM must also uphold its decades-long responsibility of 'multiple use' under the FLPMA and not take any action that would severely impact motorized recreational access to the lands it manages.

Thank you again for this opportunity to submit comments. Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'KB' with a stylized flourish.

Karen Bailey-Chapman  
Senior Vice President, Public and Government Affairs  
Specialty Equipment Market Association (SEMA)