

New development in bison grazing dispute as Land Board advances rulemaking



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A new development is unfolding in the [ongoing legal battle](#) over bison grazing on Montana's state trust lands.

On Monday, the Montana Land Board approved a motion from State Auditor and Commissioner James Brown to begin rulemaking that would update how grazing agreements are managed on those lands. The move adds another layer to a growing dispute between the state and conservation group American Prairie.

The Land Board oversees roughly 5.2 million acres of state trust land, which are managed to generate revenue for public schools. Brown has said the board's decision is rooted in that responsibility, as well as a priority to support traditional agriculture.

The conflict centers on whether wild bison should be allowed to graze on state trust lands. Brown has argued that unmanaged bison could create challenges for land use and existing ranching operations.

Earlier this year, he brought forward a motion directing the Department of Natural Resources and Conservation not to allow bison onto state lands without Land Board approval, while also supporting prioritizing production agriculture over bison conservation.

American Prairie, which has grazed bison in the region for more than two decades, disagrees with both the decision and how it was made.

“This lawsuit isn’t about grazing leases or the Land Board’s management of state lands. It’s about holding the government accountable to the law,” a representative for the group said.

The organization has filed a lawsuit against the Land Board, arguing the decision was made without proper public notice or opportunity for input, in violation of state law.

American Prairie also pushed back on the idea that its work conflicts with ranching.

“The goals of American Prairie are not misaligned with, nor are they against, Montana’s agricultural producers. This is not a zero-sum game. Conservation and traditional agriculture can, and do, coexist,” the group said.

Monday’s vote to begin rulemaking does not immediately change policy, but it starts a formal process. Once draft rules are created, they will go back to the Land Board for final approval. If approved, the proposal will be filed with the Secretary of State’s Office, followed by a 30-day public comment period and a public hearing.

Meanwhile, the lawsuit is moving forward in court.

A judge has given the state until May 4, 2026, to file its response, with American Prairie’s reply due by May 18. A hearing on the group’s request for a preliminary injunction is scheduled for June 11.

The outcome of the case could have broader implications for how Montana manages its state trust lands, and how conservation efforts and traditional agriculture coexist moving forward.