

Concurrent Resolution Regarding Permitting of Oil, Gas, and Mining

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor: Carl R. Albrecht

LONG TITLE

General Description:

This resolution supports the effort to formalize a cooperative agreement with the Bureau of Land Management (BLM) to enhance the efficiency of the permit review process for oil, gas, and mining operations on BLM lands.

Highlighted Provisions:

This resolution:

- discusses the intent to enter into and the benefits of an agreement with the BLM;
- supports the drafting of an agreement to formalize an enhanced cooperative and consultative relationship with the BLM;
- affirms the authority for the BLM to enter into such an agreement;
- urges the Division of Oil, Gas, and Mining to immediately initiate negotiations with the BLM to formalize an agreement;
- recognizes benefits of an agreement; and
- recognizes that the final agreement must explicitly state that the Secretary of the Interior or the authorized officer of the BLM retains the ultimate, non-delegable authority and final decision-making authority over the issuance of federal leases and permits.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, because delays in permitting on Bureau of Land Management land are impacting resource development in the state, a resource-sharing focused cooperative

28 agreement with dual opt out (BLM agreement) would allow a streamlined application and
29 approval process for operators and significantly reduce permitting time frames without
30 compromising compliance with existing law;

31 WHEREAS, a combined permitting process between the state and the United States
32 Department of the Interior, Bureau of Land Management (BLM) would include permits for oil,
33 gas, and mining activities in the state;

34 WHEREAS, the Division of Oil, Gas, and Mining within the state's Department of Natural
35 Resources intends to formalize a cooperative and consultative agreement with the BLM
36 regarding oil, gas, and mining permits;

37 WHEREAS, this agreement is outlined in a Letter of Intent seeking to establish the
38 foundation for a subsequent BLM agreement allowing the state to review and approve or
39 acknowledge federal oil, gas, and mining permits on BLM land;

40 WHEREAS, the BLM agreement seeks to expand the state's role to include aspects of the
41 permit approval review process for oil, gas, and mining operations, where both a Division of
42 Oil, Gas, and Mining and a BLM permit is required, because coordinated review aids in future
43 inspection and enforcement efficiency;

44 WHEREAS, the state is seeking an expedited review, analysis, and recommendation role,
45 that could include the state taking the lead on the technical review of an Application for Permit
46 to Drill;

47 WHEREAS, the statutory basis for cooperation includes leveraging the model for
48 delegation of inspection and enforcement authority found in the Federal Oil and Gas Royalty
49 Management Act of 1982;

50 WHEREAS, the BLM has broad authority to cooperate with states under fundamental land
51 management laws, such as the Federal Land Policy and Management Act of 1976, which
52 mandates that BLM Resource Management Plans be consistent with state and local plans to the
53 maximum extent possible;

54 WHEREAS, Utah's regulatory agencies, specifically the Division of Oil, Gas, and Mining,
55 possess specialized local expertise in the state's geology, resource issues, and surface
56 reclamation requirements;

57 WHEREAS, the enhanced cooperation is anticipated to benefit the BLM by improving
58 efficiency, reducing redundancy, and strengthening the local knowledge base for permit
59 decisions;

60 WHEREAS, the state's review and sign-off on technical aspects of permit applications will
61 save significant BLM staff time on technical review; and

62 WHEREAS, it is understood that the BLM retains the final decision-making authority for
63 all permitting actions, and the BLM agreement cannot transfer final permit authority to the
64 state:

65 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
66 Governor concurring therein:

67 (1) supports the state's commitment to drafting a comprehensive BLM agreement based on
68 these principles and affirms the intent to formalize an enhanced cooperative and consultative
69 relationship with the BLM;

70 (2) affirms that the authority for the Department of the Interior, BLM to enter into a BLM
71 agreement stems from the existing authority for delegation of inspection and enforcement
72 duties and general cooperation and coordinating agreements;

73 (3) urges the Division of Oil, Gas, and Mining to immediately initiate negotiations with the
74 United States Department of the Interior and BLM to formalize this cooperative and
75 consultative agreement;

76 (4) recognizes that using the specialized local expertise of the state's regulatory agencies,
77 specifically the Division of Oil, Gas, and Mining, will improve efficiency and the defensibility
78 of permit decisions; and

79 (5) recognizes that the final BLM agreement must explicitly state that the Secretary of the
80 Interior or the authorized officer of the BLM retains the ultimate, non-delegable authority and
81 final decision-making authority over the issuance of federal leases and permits.

82 BE IT FURTHER RESOLVED that the Legislature directs that copies of this resolution be
83 sent to the Secretary of the Interior, the director of the BLM, the Majority and Minority Leader
84 of the United States Senate, the Speaker and Minority Leader of the United States House of
85 Representatives, and the members of Utah's congressional delegation.