

Concurrent Resolution Regarding Permitting of Oil, Gas, and Mining

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor:

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 a memorandum of agreement (MOA) with the BLM;
- supports the drafting of an MOA to formalize an enhanced cooperative and consultative relationship with the BLM;
- affirms the authority for the BLM to enter into such an MOA;
- urges the Division of Oil, Gas, and Mining to immediately initiate negotiations with the BLM to formalize the MOA;
- recognizes benefits of the MOA; and
- recognizes that the final MOA 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 combined permitting memorandum of agreement (MOA) would allow a streamlined application and approval process for operators and significantly reduce permitting time frames without compromising compliance with

31 existing law;

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

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

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

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

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

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

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

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

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

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

63 WHEREAS, it is understood that the BLM retains the final decision-making authority for
64 all permitting actions, and the MOA cannot transfer final permit authority to the 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 MOA based on these
68 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 such an
71 MOA stems from the existing authority for delegation of inspection and enforcement duties
72 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 MOA must explicitly state that the Secretary of the Interior or
80 the authorized officer of the BLM retains the ultimate, non-delegable authority and final
81 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.