SENATE JOINT RESOLUTION NO. SJ0001

State management-federal mineral leases.

Sponsored by: Select Federal Natural Resource Management Committee

A JOINT RESOLUTION

for

A JOINT RESOLUTION requesting Congress to introduce a bill and enact law to amend the federal Mineral Leasing Act to authorize the state of Wyoming to administer and manage mineral leasing on federal lands located in Wyoming.

WHEREAS, in 1920, Congress enacted into law the Mineral Leasing Act, which authorizes the leasing of federal lands for the exploration and development of minerals owned by the United States; and

WHEREAS, the Mineral Leasing Act governs energy minerals, including oil, gas and coal and solid leasable minerals, including phosphate, potassium, sodium and oil shale; and

WHEREAS, the Mineral Leasing Act authorizes the United States Secretary of Interior (Secretary) to lease and regulate the development of minerals owned by the United States; and

WHEREAS, the Secretary delegated authority under the Mineral Leasing Act to the Bureau of Land Management (BLM), a federal agency that is part of the United States Department of Interior; and

WHEREAS, the BLM administers the leasing program for minerals on federal lands, including federal lands controlled by the BLM and federal lands under the jurisdiction of other federal agencies; and

WHEREAS, the Mineral Leasing Act permits the leasing of federal lands for the development of minerals through a competitive bidding process; and

WHEREAS, the Mineral Leasing Act requires competitive bidding for oil and gas lease sales on federal lands to be held in each state where eligible federal lands are available not less than quarterly and more frequently if the Secretary determines it is necessary; and

WHEREAS, the Mineral Leasing Act requires competitive bidding for coal leases on federal lands that are conducted on a case-by-case basis in response to specific nominations submitted through a lease application process; and

WHEREAS, in 2016, the Secretary issued a secretarial order that directed the United States Department of Interior to pause new coal leasing on federal lands; and

WHEREAS, the 2016, coal leasing moratorium was revoked in 2017 through secretarial order; and

WHEREAS, in 2022, a federal court reinstated the coal leasing moratorium until the BLM completed a more sufficient environmental review under the National Environmental Policy Act; and

WHEREAS, the 2022 coal leasing moratorium remained in effect until February 2024, when the United States Court of Appeals for the Ninth District vacated the 2022 court decision, holding that the decision was moot; and

WHEREAS, in 2024, the BLM issued a record of decision for the Buffalo Field Office Resource Management Plan that would make approximately forty-eight (48) billion tons of coal unavailable for leasing in north central Wyoming; and

WHEREAS, similar to coal leasing, in January 2021, President Biden issued an executive order that directed the United States Department of Interior to pause new oil and gas leasing on federal lands pending a comprehensive review; and

WHEREAS, in June 2021, a federal court issued an injunction ordering the Biden administration to end its oil and gas leasing moratorium; and

WHEREAS, in June 2022, BLM held its first oil and gas lease sale since the moratorium by offering one hundred twenty-two (122) parcels containing one hundred nineteen thousand five hundred sixty-four (119,564) acres of federal lands in Wyoming. This was the only oil and gas lease sale offered in Wyoming in 2022; and

WHEREAS, in 2023, BLM did not offer any federal land parcels and acres for oil and gas leasing in Wyoming in the first quarter; and

WHEREAS, in 2023, BLM offered for oil and gas leasing in Wyoming one hundred sixteen (116) parcels containing one hundred twenty-seven thousand fourteen (127,014) acres of federal lands in the second quarter, eighty-one (81) parcels containing sixty-seven thousand one hundred eighty-two (67,182) acres of federal lands in the third quarter and thirty-nine (39) parcels containing thirty-six thousand six hundred seventy-four (36,674) acres of federal lands in the fourth quarter; and

WHEREAS, the number of federal land parcels and acres offered for oil and gas leasing in Wyoming continued to decrease between 2023 and 2024; and

WHEREAS, in 2024, BLM offered for oil and gas leasing in Wyoming thirty (30) parcels containing thirteen thousand four hundred sixteen (13,416) acres of federal lands in the first quarter, eighteen (18) parcels containing ten thousand one hundred fifty-five (10,155) acres of federal lands in the

second quarter, four (4) parcels containing one hundred fifty-nine (159) acres of federal lands in the third quarter and eight (8) parcels containing four thousand six hundred forty-one (4,641) acres of federal lands in the fourth quarter; and

WHEREAS, in 2025, President Trump issued executive orders to increase and encourage energy exploration and production on federal lands; and

WHEREAS, in response to these executive orders, the BLM is currently revising the Buffalo Field Office Resource Management Plan; and

WHEREAS, in 2025, Congress enacted into law the One Big Beautiful Bill Act; and

WHEREAS, the One Big Beautiful Bill Act reiterated the Mineral Leasing Act by requiring BLM to hold quarterly oil and gas lease sales in states that contain available federal land for leasing, including Wyoming; and

WHEREAS, the One Big Beautiful Bill Act requires that not less than four million (4,000,000) additional acres of federal lands within known coal reserves be made available for coal leasing; and

WHEREAS, the One Big Beautiful Bill Act streamlines oil and gas leasing on federal lands by requiring the BLM to complete parcel review and offer federal land parcels in an oil and gas lease sale within six (6) months; and

WHEREAS, the One Big Beautiful Bill Act mandates that the Secretary process qualified coal leasing applications in a timely manner and expedite any required environmental review for qualified coal leasing applications; and

WHEREAS, the federal administration of mineral leasing on federal lands in Wyoming over the past ten (10) years has been inconsistent, unpredictable and subject to political delays that negatively impact Wyoming's economy, energy industry and citizens; and

WHEREAS, the federal administration of mineral leasing has been subject to prolonged leasing moratoriums, regulatory

uncertainty and delayed environmental reviews under the National Environmental Policy Act that have resulted in a decrease in mineral activity on federal lands within Wyoming; and

WHEREAS, even after federal lands in Wyoming are leased, the federal government retains legal title to the federal lands and the federal government receives money from sales, bonuses, royalties and rentals from federal mineral leasing; and

WHEREAS, the tenth amendment to the United States constitution reserves to the states all powers not delegated to the federal government or prohibited by it to the states; and

WHEREAS, the tenth amendment to the United States constitution supports the state of Wyoming having authority to administer mineral leasing on federal lands within Wyoming because Wyoming should have greater control over natural resources within its borders when not expressly prohibited by federal law; and

WHEREAS, Wyoming's management of mineral leasing on state lands demonstrates that Wyoming can adequately and efficiently manage and administer mineral leasing on federal lands; and

WHEREAS, Wyoming possesses an unparalleled understanding of land within its borders, making Wyoming better equipped than the federal government to administer and manage mineral leasing on federal lands located within the state; and

WHEREAS, Wyoming could administer and manage mineral leasing on federal lands located within the state more efficiently and at a lower cost than the federal government; and

WHEREAS, Wyoming has knowledge of the state's unique terrain, geology, wildlife habitats and ecosystems, which enables Wyoming to assess site-specific environmental impacts more accurately and quickly and tailor leasing decisions to local conditions; and

WHEREAS, Wyoming's state agencies are in constant communication with local governments, landowners and industry stakeholders, which would result in a more responsive,

efficient and balanced decision making process regarding mineral leasing and in a manner that reflects Wyoming's policies and priorities; and

WHEREAS, authorizing Wyoming to administer and manage mineral leasing of federal minerals not only respects the principles of federalism and local control but also ensures that decisions are made by those who know the land best and are most invested in its long-term sustainability.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. That the Wyoming Legislature requests that Congress introduce and enact legislation to amend the Mineral Leasing Act to authorize the state of Wyoming to administer and manage mineral leasing on federal lands located in Wyoming.

Section 2. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the Wyoming Congressional Delegation and to each member of the Wyoming Board of Land Commissioners.

(END)