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FUELING UTAH'S GROWTH & PROSPERITY

June 29, 2026

Bureau of Land Management
Director (630)
1849 C Street NW, Room 5646
Washington, DC 20240

Re: Comments on Proposed Rule – Revision of Regulations for Grazing Administration, Exclusive of Alaska; RIN 1004–AE82

To Whom It May Concern:

The Utah Petroleum Association (UPA) appreciates the opportunity to submit comments regarding the Bureau of Land Management's (BLM) proposed rule titled *Revision of Regulations for Grazing Administration, Exclusive of Alaska* published in the Federal Register on May 12, 2026.

UPA represents all aspects of Utah's oil and natural gas industry, including upstream producers, midstream gathering and pipeline companies, refiners, marketers, and service providers. Utah's oil and natural gas sector operates extensively on and adjacent to federal lands administered by the BLM, particularly within the Uinta Basin and other regions characterized by significant overlapping land uses including grazing, wildlife management, recreation, and energy development.

While portions of the proposed rule are directed specifically toward livestock grazing administration, UPA is concerned that the proposed expansion of "land health" authorities and evaluation frameworks beyond grazing management could create substantial unintended impacts for oil and natural gas development, infrastructure permitting, rights-of-way administration, and overall multiple-use land management in Utah.

Executive Summary of Concerns

UPA respectfully requests that the BLM substantially clarify and narrow the proposed land health provisions contained in proposed 43 CFR Part 1700. As currently drafted, the proposal creates significant uncertainty regarding how broad landscape-scale land health assessments, causal factor determinations, and “appropriate action” requirements may be applied to existing and future energy development activities.

The proposed rule raises several significant concerns for Utah’s oil and natural gas industry:

- The proposal expands land health evaluation authority well beyond grazing management and potentially into all aspects of BLM permitting and land use administration.
- The proposed framework could create duplicative procedural requirements on top of existing NEPA, FLPMA, ESA, air quality, and rights-of-way review processes.
- The broad and undefined nature of “appropriate action” creates uncertainty regarding future operational restrictions, permit modifications, or infrastructure limitations.
- The proposed causal factor determination process may increase litigation risk and create new administrative challenges for energy infrastructure projects.
- Utah’s extensive federal lands footprint means these procedural changes would have disproportionate impacts on the state’s economy, infrastructure planning, and energy reliability.

UPA supports responsible stewardship of public lands and recognizes the importance of maintaining healthy landscapes and sustainable multiple-use management. However, the proposed framework should not create additional regulatory barriers, uncertainty, or litigation exposure for industries already operating under comprehensive federal environmental review and permitting requirements.

Utah-Specific Impacts

Utah is uniquely affected by BLM regulatory changes because a substantial portion of the state’s oil and natural gas development occurs on or adjacent to federal lands. The Uinta Basin in particular contains extensive overlapping federal mineral ownership, BLM-administered surface estate, tribal lands, grazing allotments, wildlife habitat, and energy infrastructure corridors.

Utah producers and midstream companies routinely require:

- Federal Applications for Permit to Drill (APDs);

- Rights-of-way for gathering systems and pipelines;
- Compressor station approvals;
- Access roads and utility corridor authorizations;
- Produced water infrastructure approvals;
- Temporary use permits and maintenance authorizations; and
- Amendments and renewals associated with existing infrastructure.

Because of these overlapping federal land management responsibilities, even procedural changes to BLM land health assessments or evaluation standards can materially affect project timing, investment certainty, financing, operational flexibility, and long-term infrastructure planning.

Concerns Regarding Proposed Part 1700

1. Expansion of Land Health Standards Beyond Grazing Administration

UPA is concerned that the proposed rule significantly expands the application of land health standards beyond traditional grazing administration into broader BLM land management and permitting activities.

The proposed rule states that the BLM intends to apply land health management principles across all BLM programs and land uses. While the proposal suggests that this framework is intended to improve consistency and transparency, the practical effect may be to create an additional layer of review and documentation for energy-related permitting and operational decisions.

Oil and natural gas operations on federal lands are already subject to extensive environmental review under NEPA, FLPMA, the Endangered Species Act, Clean Air Act requirements, cultural resource reviews, and multiple land use plan consistency analyses. The proposed land health evaluation framework risks becoming duplicative of existing requirements while also creating uncertainty regarding how land health determinations may influence future permitting decisions.

UPA requests that the BLM clarify that the proposed land health framework is not intended to create additional substantive permitting standards or independent bases for denying, delaying, conditioning, or restricting otherwise authorized oil and natural gas operations or rights-of-way.

2. Landscape-Scale Assessments and Causal Factor Determinations

The proposed rule would establish broad “rapid landscape-scale condition assessments” and subsequent “causal factor determinations” where land health standards are not being achieved.

UPA is concerned that these provisions are highly subjective and may prove difficult to administer in landscapes characterized by numerous overlapping uses and environmental influences.

In Utah, land conditions are influenced by a wide variety of factors, including:

- Drought;
- Wildfire;
- Invasive species;
- Wildlife populations;
- Recreation impacts;
- Grazing practices;
- Wild horse populations;
- Historic land disturbance;
- State and private land management activities; and
- Existing infrastructure development.

The proposed rule acknowledges that many causal factors may be outside BLM control. However, the proposal does not clearly explain how the agency will isolate or quantify contributions from particular land uses or how disagreements regarding causal determinations will be resolved.

UPA is concerned that energy infrastructure projects, particularly linear projects such as gathering systems and pipelines, may become vulnerable to challenge or delay based on generalized or speculative assertions regarding landscape-scale impacts.

We respectfully request that the BLM establish clear, objective, science-based standards governing:

- How causal factor determinations will be conducted;
- The evidentiary threshold required to attribute impacts to specific uses;
- The relationship between land health evaluations and existing NEPA analyses; and
- The extent to which existing authorized uses may be affected.

3. Uncertainty Regarding “Appropriate Action”

The proposed rule states that the BLM would take “appropriate action” where land health standards are not being achieved and the causal factor is within the agency’s control.

Although the proposal notes that “appropriate action” does not necessarily require restricting existing uses, the term remains broad and undefined.

This creates substantial uncertainty for operators making long-term investments in federal leases, gathering systems, compressor stations, processing infrastructure, and pipeline corridors.

UPA requests that the final rule explicitly clarify:

- That valid existing rights, leases, permits, and rights-of-way will be protected;
- That land health determinations alone will not serve as the basis for retroactive operational restrictions absent clear evidence of substantial and site-specific impacts;
- That routine operations, maintenance activities, integrity management work, emergency repairs, and minor rights-of-way amendments will not be subject to expanded discretionary review under the land health framework; and
- That the rule will not create de facto land use exclusions outside formally adopted land use planning processes.

4. Increased Litigation and Administrative Burden

UPA is concerned that the proposed reporting, disclosure, monitoring, and evaluation requirements may significantly increase administrative burdens and litigation exposure.

The proposal contemplates expanded public disclosure of land health evaluations and causal determinations. While transparency is important, these materials may also become additional litigation tools for organizations seeking to delay or obstruct energy development projects on federal lands.

Utah energy projects already face extensive permitting timelines and legal challenges. Additional procedural requirements layered onto existing federal review processes may substantially increase project delays without producing corresponding environmental benefits.

The BLM should ensure that the final rule does not create duplicative documentation requirements or procedural standards that unnecessarily complicate routine permitting and operational decisions.

5. Need to Preserve Multiple-Use Management Principles

UPA strongly supports the BLM's longstanding statutory obligation to manage public lands under principles of multiple use and sustained yield.

Utah's public lands support a broad range of compatible and economically important activities, including:

- Oil and natural gas development;
- Grazing;
- Recreation;
- Wildlife management;
- Renewable energy;
- Transportation infrastructure; and
- Conservation and habitat management.

The proposed rule should not elevate generalized land health considerations in a manner that effectively subordinates productive uses of public lands or creates uncertainty regarding the continued viability of existing infrastructure and development.

UPA requests that the final rule expressly reaffirm that:

- Multiple-use management remains the governing framework for BLM decision-making;
- The proposed land health provisions are intended to inform management decisions rather than preclude otherwise authorized uses; and
- Existing land use plans and valid existing rights continue to govern operational authorizations.

Recommended Revisions and Clarifications

UPA respectfully requests that the BLM consider the following revisions and clarifications in any final rule:

1. Clarify that the proposed land health framework does not create new substantive permitting standards for oil and natural gas development or rights-of-way.
2. Clearly define the limits of "appropriate action" and expressly protect valid existing rights and existing operational authorizations.
3. Establish objective and scientifically supported standards for causal factor determinations.

4. Clarify that generalized landscape-scale concerns alone are insufficient to restrict or delay existing authorized uses.
5. Avoid duplicative procedural requirements that overlap with existing NEPA, FLPMA, ESA, and Clean Air Act review processes.
6. Confirm that routine maintenance, integrity management, emergency response, and operational safety activities for pipeline and energy infrastructure will not be unnecessarily delayed by expanded land health review requirements.
7. Ensure that implementation of the rule remains consistent with FLPMA's multiple-use and sustained-yield mandates.

Conclusion

UPA appreciates the opportunity to provide comments on the proposed rule and supports the BLM's efforts to improve consistency and transparency in public land management. However, because Utah's energy sector relies heavily on access to and operation across federal lands, it is critical that the final rule avoid creating unnecessary uncertainty, procedural duplication, or operational barriers for existing and future oil and natural gas development.

UPA respectfully requests that the BLM revise and clarify the proposed land health framework to ensure that it remains workable, science-based, and fully consistent with multiple-use management principles and existing statutory authorities.

We appreciate your consideration of these comments and would welcome the opportunity to continue engaging with the BLM as the rulemaking process moves forward.

Sincerely,



Rikki Hrenko-Browning
President