



**Committee:** Senate Energy & Natural Resources Committee

**Event:** [Full Committee Hearing to Examine the BLM Land Use Planning Process Under FLPMA](#)

**Date:** November 19, 2025

***Executive Summary:***

Today's hearing holistically addressed *Federal Land Management Policy Act* (FLPMA) and related resource management plan (RMP) concerns, with bipartisan concern expressed at the length of permitting timelines and the inflexibility of the plans themselves. Republicans called attention to issues within their own states, including Wyoming and Utah.

***Member Toplines:***

*Chair Mike Lee (R-UT)*<sup>1</sup>: Lee underscored that the hearing will focus on the FLPMA permitting process and related Bureau of Land Management (BLM) challenges. He asserted that RMPs were designed to be flexible, but have instead become time intensive in drafting and static, ultimately harming energy development, grazing, and recreational access. He took issue with the "expanded use of restrictive designations," naming the Areas of Critical Environmental Concern (ACEC) policy as an issue, and highlighted the Wyoming Rock Springs RMP as an example.

*Ranking Member Martin Heinrich (D-NM)*: Heinrich underscored that land use planning is a public process and acknowledged the challenges in examining multiuse. He agreed that BLM has struggled in updating RMPs to match current technology and needs, including utility scale solar, geothermal energy production, and the uptick in recreation.

***Witness Toplines:***

[\*The Honorable Derek Brown, Utah Attorney General\*](#): Brown noted that the federal government controls 68 percent of Utah's landmass. He explained that in 2015, all 29 counties were required to develop County RMPs, which would then contribute to a State RMP. He noted that these plans are effectively useless when the federal government disregards them, highlighting the sage-grouse guidance as an example that was developed without the use of state science and mindfulness of Utah's "unique environment." He also noted permitting delays, reporting that the Transwest Express Transmission line has taken over 18 years to progress from application to construction, despite the support for the project across administrations. He advocated for FLPMA and related RMP regulatory certainty across administrations.

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<sup>1</sup> Neither the Chair nor Ranking Member's statements were available online at the time of memo composition.

[Jim Kenna, Retired State Director, BLM](#): Kenna underscored the importance of land use planning and advocated for increased funding and staffing.

[Micah Christensen, Natural Resource Counsel, Wyoming County Commissioners Association](#): Christensen discussed the Rock Springs RMP and the designation of 935,000 acres as ACEC. He raised issues with the opacity of the ACEC designation process and expressed concern that BLM is acting beyond congressional intent.

[Adam Cramer, CEO, Outdoor Alliance](#): Cramer commended Congress for their passage of the *EXPLORE* Act and affirmed the outdoor recreation community's support for the BLM's Public Lands Rule. He acknowledged the need for community engagement and planning itself.

[Greg Sheehan, President & CEO, Mule Deer Foundation](#): Sheehan detailed his background, which includes 25 years with the Utah Department of Natural Resources. He noted the value of FLPMA and reiterated concerns that RMPs are expensive and time consuming to update. He noted that FLPMA provides limited guidance within Section 202(C) on how to coordinate with state and local governments and tribes. He advocated for strengthening early and consistent engagement to draft better RMPs.

### ***Major Takeaways:***

#### FLPMA Concerns:

- Chair Lee asked about the increase in “restrictive designations” in Utah since FLPMA's enactment and the impact on permitting for transmission, wildfire mitigation, grazing, rights of way (ROW), etc. Brown noted that Garfield County is 93 percent owned and controlled by the federal government; he shared that county commissioners are passionate about the issue.
  - Sen. **John Barrasso** (R-WY) raised issue with the ACECs designation in Wyoming. Christensen noted that it is unclear how parcels are nominated, but reported that 19 NGOs nominated 48 million acres for sage-grouse protections for the Rock Springs RMP. Christensen also highlighted concerns surrounding revenue loss when land use is restricted.
- Lee asked what happens when BLM layers its 26 administrative designations. Sheehan attested that it complicates fire rehabilitation and mitigation.
- Chair Lee raised difficulties in building the Transwest Express Transmission, noting challenges with shifting federal goal posts and varying sage-grouse plans. Brown agreed that the 18 year process demonstrates flaws.
  - Sen. **Angus King** (I-ME) raised adding permitting time limits; he requested that the panel consider edits to Section 202 to improve certainty and timeliness.
- Sen. **Catherine Cortez Masto** (D-NV) noted that 134 of 164 RMPs are outdated and underscored the need for staffing. She flagged that earlier this year Congress reversed three RMPs from the previous administration via the *Congressional Review Act* (CRA); she questioned if land use plans are considered regulations and expressed concern at future complications here.
  - Democrats, including Ranking Member Heinrich and Sen. **Ruben Gallego** (D-AZ), had Kenna elaborate on the value of local engagement.
  - Heinrich returned to CRA concerns in retracting RMPs, flagging that a CRA retraction inhibits the draft of a “similar” RMP and creates litigation issues.

- Sen. **Steve Daines** (R-MT) asked how Congress can ensure that state and local elected officials are kept involved in the BLM planning process. Christensen reiterated the need for increased staffing of planning teams and utilization of state and county resources.
- Sen. **Alex Padilla** (D-CA) highlighted the value of the Desert Renewable Energy Conservation Plan.
- Gallego had Kenna elaborate on how to take advantage of hard rock mine reclamation while developing renewable energy in Arizona.
- Sen. **John Hoeven** (R-ND) noted that there is split mineral rights ownership in states like North Dakota and Wyoming, where federal, state, and privately owned minerals are co-located and federal minerals may not have surface acreage. He highlighted his BLM Mineral Spacing Act ([H.R. 1555](#)).
- Hoeven flagged his issue with the Biden administration's North Dakota RMP, which would have closed off 45 percent of oil and gas development and 99 percent of the federal coal acreage.
- Sen. **John Hickenlooper** (D-CO) noted that FLPMA was amended in 2018 to require BLM issue regulations for transmission ROW, with the final rule directing BLM to enhance grid reliability and reduce wildfire threats to transmission lines. He asked how planning can address both. Kenna acknowledged the challenges of regional complexity.
- Ranking Member Heinrich raised concern that oil and gas are receiving preferential treatment over other land uses, including recreation.