

Improve Access to Leasing Public Lands for Oil, Gas, and Mineral Extraction

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Theme: National Resources and Environment

Overview

Goal Statement

- Providing access to these resources on public lands helps make our nation stronger by decreasing dependency on other nations, creating jobs, and helping drive economic growth. By September 30, 2019, the Bureau of Land Management will process 80% of Expressions of Interest (EOI) to lease public lands for oil, gas, or mineral extraction within 180 days.

Challenge

- An Expression of Interest (EOI) is an informal request by the public that identifies lands the BLM should consider for inclusion in future oil and gas competitive lease sales. All proposals must be adjudicated to ensure the lands are eligible for leasing under 43 CFR 3100.0-3 and 43 CFR 3101.7-1.
- The current average time to process an EOI is approximately 12-18 months from the time of submission to the time those acres are offered for lease sale.
- Protests of land parcels in upcoming lease sales is expected to increase, further impacting the ability to access economically valuable energy resources and minerals on federal lands.

Opportunity

- Streamlining the process for reviewing and offering parcels for sale to a 6-month timeframe can help increase the potential access to oil, gas and other minerals on public lands that can help make our nation stronger by decreasing dependency on other nations, creating jobs, and helping drive economic growth.

Goal Structure & Strategies

- BLM is developing the National Fluids Lease Sale System (NFLSS) to:
 - provide efficiencies in the EOI submission process
 - shorten the time required to prepare for an upcoming lease sale
 - enable real-time reporting capabilities, and
 - extend protest management capabilities of the bureau.
- NFLSS Reporting capabilities are expected to be operational in the third quarter of FY2018.
- BLM has issued new policy to review parcels for an oil and gas lease sale. The new Leasing Reform Instructional Memorandum (IM) will streamline the leasing process in order to review and offer parcels for sale generally in a 6-month timeframe. The new policy will:
 - Not defer leasing when new or amended land use plans are being considered but rather use the authority and discretion from existing Resource Management Plans (RMP) for leasing decisions. Using existing RMPs for the NEPA will significantly increase the acres available for lease by minimizing deferrals and ensuring acreage exists to hold quarterly lease sales;
 - Eliminate Master Leasing Plans (MLP);
 - No longer require a site visit;
 - Review NEPA requirements - If the proposed leasing action is adequately analyzed and in conformance with the approved RMP, a Determination of NEPA Adequacy (DNA) will be used to document NEPA compliance for the leasing decision;
 - Post the sale notice 45-days prior to sale, consistent with regulation 43 CFR 3120.4-2; and
- Reduce the time period for the public to submit protests from 30 days to 10 days. This will provide more time for the BLM to resolve protests. The start of the protest period will remain the same – the posting of the sale notice starts the protest period.
- The BLM will track the parcel review timeframe (NFLSS).

Summary of Progress – FY 18 Q1

- Progress is dependent upon the development of the NFLSS and issuance of the Leasing Reform Instructional Memorandum (IM).
- The Leasing Reform Instructional Memorandum was issued on January 31, 2018.
- Reporting will be available once the NFLSS is further developed in FY 2018.
- State Offices are already too far into the process on FY 2018 scheduled sales to meet the 6-month timeframe based on the new leasing reform process.
- Considering these factors, it is estimated that the best BLM could process by September 30, 2018 is 40% of parcels to a sale within the 6-month timeframe.

Key Milestones

Milestone Summary			
Key Milestone	Milestone Due Date	Milestone Status	Comments
Leasing Reform Instructional Memorandum (IM) released (replaces IM 2010-117)	Q2 FY 2018	Done	New policy issued on 1/31/2018
Greater Sage-Grouse RMP Revisions and Amendments, IM-2016-140 completed	Q2 FY 2018		
National Fluids Lease Sale System (NFLSS) reporting operational	Q3 FY 2018		

Key Indicators

- The BLM will track the percentage of parcels that are processed within 180 days using the National Fluid Lease Sale System (NFLSS) that is planned to have another development release in FY 2018.

Data Accuracy and Reliability

- Means used to verify and validate measured values: Data calls with the State Offices for estimates, until reporting capabilities are operational in the NFLSS. States will review reports from the NFLSS for accuracy, once operational. Data is reviewed relative to its historical trends and programmatic context for plausibility, and is personally presented for review by senior officials to Departmental leadership and colleagues.
- Sources for the data: Expressions of Interest from industry, Presale Noncompetitive lease offers, and Bureau Motions, Notice of Competitive Lease Sale, Lease Sale Files, and the NFLSS.
- Level of accuracy required for the intended use of the data: All state offices, except Alaska, will use the National Fluids Lease Sale System (NFLSS) to receive and track Expressions of Interest from industry, track noncompetitive presale offers, create parcels and build the Notice of Competitive Lease Sale. Results from the National Petroleum Reserve - Alaska sale will be captured in the NFLSS for statistics and reporting. The administrative record which contains the Expression of Interest from industry, preliminary parcel list, NEPA documents, Notice of Competitive Lease Sale and the results from the sale is maintained at the state office to verify data.
- Limitations to the data at the required level of accuracy: State Offices are currently working on lease sales through CY 2018 and at any given time are working through 4-5 future lease sales. Logistically, some State Offices are already too far in the process on FY2018 scheduled sales to meet the 6-month timeframe, based on the current leasing process.
- How the agency has compensated for such limitations if needed to reach the required level of accuracy: The revised policy will implement an EOI cut-off date for industry to submit EOIs. Most state offices have already incorporated this practice into their process. Once the State Office adjudicates and prepares the preliminary parcel list, the BLM's 6-month parcel review timeframe begins. The NFLSS already provides a link to upcoming lease sales and EOI submission cut-off dates for each sale.

Additional Information

Contributing Programs

- BLM – Energy, Minerals and Realty Management
- BLM - Resources and Planning

Stakeholder / Congressional Consultations

This initiative is being taken in reaction to general concerns from the oil and gas industry, the Administration, and some congressional representatives that the Department's land management practices are burdensome and hindering economic development.