



## Agency Priority Goal Action Plan

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

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# Overview

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## Goal Statement

- When BLM provides increased access to oil, natural gas, and mineral extraction on public lands, it will increase American energy security by decreasing energy dependency from other nations, create jobs, provide revenues, and help drive economic growth.
- By September 30, 2019, the BLM will process 80% of Expressions of Interest (EOI) to lease public lands for oil, gas, or mineral extraction within 180 days.

## Challenge

- An 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. BLM adjudicates all proposals to ensure the lands are eligible for leasing under 43 CFR 3100.0-3 and 43 CFR 3101.7-1.
- The 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, but steadily declining to less than 12 months.
- BLM expects protests of land parcels in upcoming lease sales 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 will help BLM increase the potential access to oil, gas and other minerals on public lands that can increase American energy security by decreasing dependency on other nations, creating jobs, providing revenues, and helping drive economic growth.

# Goal Structure & Strategies

- BLM develops 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 BLM.
- BLM issued new policy (in January 2018) to review parcels for oil and gas lease sales. The new Leasing Reform Instructional Memorandum (IM) streamlines the lease review process to a 6-month timeframe. The new policy does:
  - 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) as duplicative NEPA;
  - Not require a site visit;
  - Review NEPA requirements - If BLM's proposed leasing action is adequately analyzed and in conformance with the approved RMP, the BLM will use a Determination of NEPA Adequacy (DNA) 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 to provide BLM more time to resolve protests. The posting of the sale notice starts the protest period.
- The BLM will track the parcel review timeframe using NFLSS.

# Summary of Progress – FY19 Q2

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- **Level of Results Achieved**
  - BLM issued the Leasing Reform IM on January 31, 2018.
  - The September 2018 sales implemented the new leasing reform schedule.
  - Reporting will be available once the National Fluids Lease Sales System (NFLSS) will be further developed in FY 2019.
- **Likelihood of Success**
  - Medium – Offices struggle to compress parcel preparation time with other adjudication and NEPA requirements. Further, court issued Preliminary Injunction on Leasing Reform IM on September 21, 2018 for Greater Sage Grouse habitat areas. Court enjoined public comment periods and NEPA – lease offerings must now include 30-day public comment period and 30-day protest periods. BLM awaiting litigation resolution.
  - Additionally, BLM received legal challenges in March 2019 on the NEPA analysis for climate change, which is increasing parcel deferrals.
- **Basis for the Assessment**
  - Considering these factors, BLM estimates the best BLM can process is 65% of EOIs for sale within the 6-month timeframe by September 2019 as offices struggle to compress the NEPA preparation, parcel adjudication times and protests resolution on top of FOIA responses.

# Summary of Progress Continued – FY19 Q2

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- **Actions planned to ensure achievement of the goal**
  - BLM’s progress is dependent upon the continued enhancement of the NFLSS and results from legal challenges; plus timely filling of staff vacancies.
  - The NFLSS is using Agile development and is releasing modules to improve functionality for users.
  - NFLSS Release 1.3 pushed more enhancements to the users on April 12, 2019, including a EOI dashboard to help internal users track the workflow of the nominated lands, and additional resources for adjudicators including a link to the a GIS-based “Land Studio” tool.
  - BLM expects reporting capabilities in the Oracle Business Enterprise Edition (OBIEE) reporting tool in May 2019. BLM developed “canned reports” in the test environment.
  - BLM tentatively scheduled the next release 1.4 for September 2019. This release will include new functionality and additional enhancements. New functionality will include the ability to print pre-populated lease forms with stipulations and notices. New enhancements will include tracking money BLM receives from competitive lease sales with system-to-system communication between the NFLSS and the Collection and Billings System.

# Key Milestones

| Milestone Summary   |                    |                  |  |
|---|--------------------|------------------|--|
| Key Milestone   | Milestone Due Date | Milestone Status | Comments   |
| Leasing Reform (IM) released (IM 2018-034 replaces IM 2010-117)         | Q2 FY 2018         | Completed        | BLM issued new policy on January 31, 2018. Offices struggle to compress. Court ordered Preliminary Injunction on September 21, 2018, for Greater Sage Grouse habitat areas. Court enjoined public comment periods and NEPA– lease offerings must now include 30-day public comment period and 30-day protest period. BLM may potentially need extended time on some oil and gas lease sales to accommodate the Preliminary Injunction requirements. However, Washington Office confirms that each State Office will continue to hold four quarterly lease sales each FY. |
| Greater Sage-Grouse RMP Revisions and Amendments, IM-2016-140 completed | Q2 FY 2018         | Completed        | BLM expects to publish planned amendments and revisions by May 4   |
| National Fluids Lease Sale System (NFLSS) reporting                     | Q3 FY 2019         | 80%              | BLM developed canned (pre-built) reports in the test environment.  |

# Key Indicators

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The BLM will track the percentage of EOIs processed within 180 days using the NFLSS. BLM expecting more user buy-in from the BLM state offices with improvements from the recent 1.3 modular release. The BLM maintains a commitment to host quarterly sales, 28 sales a year plus Alaska.

- BLM state office plans for using the NFLSS:
  - MT, NV, and NM – expecting to develop the Sept 2019 lease sale notice through NFLSS with the new 1.3.
  - CO – processing deferrals from the past, lands not in NFLSS
  - UT – organize stipulations/notices in the NFLSS
  - ES and WY – use the NFLSS to accept EOIs, not yet used with the parcel management

# Data Accuracy and Reliability

- **Means used to verify and validate measured values:** BLM will use data calls with the BLM state offices (SOs) for estimates, until reporting capabilities become operational in the NFLSS. SOs will review reports from the NFLSS for accuracy, as the States use it on a more regular basis for all aspects of the sale. BLM will review data relative to historical trends and programmatic context for plausibility, and senior officials will review and present 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 SOs, except Alaska, will use the NFLSS to receive and track EOIs 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 SOs maintains the administrative record, which contains the EOIs from industry, preliminary parcel list, NEPA documents, Notice of Competitive Lease Sale and the results from the sale, in order to verify data.
- **Limitations to the data at the required level of accuracy:** Since the BLM built NFLSS from the ground up, there are few concerns at this point for limitations to data accuracy. BLM designed the data fields in NFLSS to assure that EOIs and parcels are being entered consistently by both the public and BLM. Additionally, there will be no data migration or need to ensure data accuracy and reliability as is being done for Automated Fluid Mineral Support System (AFMSS).
- **How the agency has compensated for such limitations if needed to reach the required level of accuracy:** The BLM is continuing to design and refine the NFLSS reports module to ensure consistency of data and metrics measured.

# Additional Information

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## Contributing Programs

- BLM – Energy, Minerals and Realty Management (WO-300)
- BLM - Resources and Planning (WO-200)

## Stakeholder / Congressional Consultations

The BLM is taking this initiative in response 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 hinder economic development. The BLM consistently provides 28 lease sales a year plus Alaska.