

In Reply Refer To:
FWS/ANRS/065545

To: Assistant Secretary for Fish and Wildlife and Parks

From: Director

Subject: Response to the deliverable Section 5.c. (iv) of Secretary’s Order 3349 – “American Energy Independence”

I. Introduction

In 1960, the U.S. Fish and Wildlife Service (Service) first promulgated regulations to govern the exercise of non-Federal mineral rights on lands and waters in the National Wildlife Refuge System (NWRS). These regulations lacked a specific consistent process for providing operators access and use of refuge surface to conduct operations while also minimizing impacts to refuge resources and uses. Reports from the Government Accountability Office (2003 and 2007) and the Office of Inspector General (2015) identified these deficiencies in the Service management of non-Federal oil and gas operations and recommended promulgating regulations to clarify and improve the process. In 2013, the Service began a rulemaking effort to resolve these deficiencies that culminated in the finalization of the oil and gas rule (Rule) entitled, “Management of Non-Federal Oil and Gas Rights,” 81 Fed. Reg. 79948 (Nov. 14, 2016).

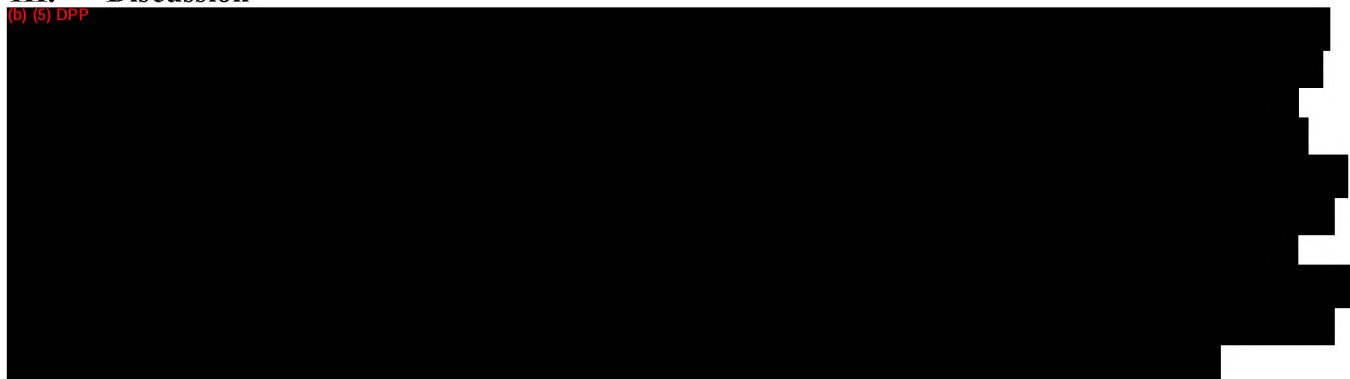
II. Background

The March 28, 2017, Presidential Executive Order (EO) entitled “Promoting Energy Independence and Economic Growth” instructed the Secretary of the Interior to review the Service’s Rule to ensure it is consistent with the policy set forth in section 1 of the EO.

On March 29, 2017, the Secretary signed Secretary’s Order (SO) 3349, “American Energy Independence,” which required the Service to conduct a policy review, within 21 days of the SO, of the Rule and report on whether the Rule is fully consistent with that policy.

III. Discussion

(b) (5) DPP



(b) (5) DPP

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

(b)
(5)
(b)
P

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b) (5) DPP

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

(b) (5) DPP

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

****NOTE TO REVIEWERS****

- The purpose of this package is to transmit our response to Secretarial Order 3349 ensuring consistency of the *National Wildlife Refuge System Revision of Regulations (50 CFR 29D) Governing Non-Federal Oil and Gas Activities* with the policy outlined in Executive Order of March 28, 2017.

- (b) (5) DPP


CONTACT:

Scott Covington (Division of Natural Resources & Conservation Planning)
(703) 358-2427 or scott_covington@fws.gov