

INFORMATION/BRIEFING MEMORANDUM FOR THE SECRETARY

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Memorandum

DATE: April 18, 2017

TO: Acting Deputy Secretary

THROUGH: Katharine MacGregor, Acting Assistant Secretary
Land and Minerals Management

FROM: Michael D. Nedd, Acting Director – Bureau of Land Management

SUBJECT: Bureau of Land Management response to Secretary's Order 3349, Sections 5(c)(i), (ii), and (v)

BACKGROUND

Secretary's Order (SO) 3349, which was signed on March 29, 2017, implements the review of agency actions directed by Executive Order 13783 signed by the President on March 28, 2017, entitled "Promoting Energy Independence and Economic Growth" (March 28, 2017 EO). SO 3349 also directs a reexamination of the mitigation policies and practices across the Department of the Interior (DOI) in order to better balance conservation strategies and policies with the need for creating jobs.

DISCUSSION

This memorandum responds to sections 5(c)(i), 5(c)(ii), and 5(c)(v) of S.O. 3349. Section 5(c)(i) states that the Bureau of Land Management (BLM) shall proceed expeditiously with proposing to rescind the final rule entitled, "Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands," 80 *Fed. Reg.* 16128 (Mar. 26, 2015). (b) (5)

Section 5(c)(ii) states that within 21 days, the BLM shall review the final rule entitled, "Waste Prevention, Production Subject to Royalties, and Resource Conservation," 81 *Fed. Reg.* 83008 (January 17, 2017), and report to the Assistant Secretary – Land and Minerals Management on whether the rule is fully consistent with the policy set forth in Section 1 of the March 28, 2017 EO. (b) (5)

Section 5(c)(v) of SO 3349 states: Within 21 days, each bureau and office head shall provide to the Deputy Secretary, through their Assistant Secretary, a report that identifies all existing Department Actions issued by their bureau or office that potentially burden (as that term is defined

in the March 28, 2017 EO) the development or utilization of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear resources.” The term “burden” as defined in the March 28, 2017 EO “means to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.” The term “Department Action” from SO 3349 refers to “all existing regulations, orders, guidance documents, policies, instructions, notices, implementing actions, and any other similar actions.” (b) (5)

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