

From: [Guertin, Stephen](#)
To: [Jim Kurth](#)
Subject: Fwd: Response to Secretary's Order 3349, Section 5.c.(iv)
Date: Wednesday, April 19, 2017 12:16:23 PM
Attachments: [Information Memorandum SO3349 Oil Gas Response FINAL revised 4-19-17.docx](#)

Jim here is the updated version of the oil and gas memo.

The re write for the burdensome regs memo (adding section 7 and CCA) looks like we won't have a deliverable till late today or early tomorrow morning.

Thanks.

Steve

----- Forwarded message -----

From: **Martinez, Cynthia** <cynthia_martinez@fws.gov>
Date: Wed, Apr 19, 2017 at 12:04 PM
Subject: Response to Secretary's Order 3349, Section 5.c.(iv)
To: Stephen Guertin <stephen_guertin@fws.gov>, Charisa Morris <charisa_morris@fws.gov>
Cc: Shaun Sanchez <shaun_sanchez@fws.gov>

Steve,

As discussed, attached is the updated memo with the changes from yesterday's meeting.

Please let us know if you need anything else.

Thanks,
Cynthia

Date: April 19, 2017

To:

Through: Assistant Secretary, Fish and Wildlife and Parks

From: James Kurth, Acting Director, U.S. Fish and Wildlife Service (FWS)

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 (FWS) 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 FWS’s management of non-Federal oil and gas operations and recommended promulgating regulations to clarify and improve the process. In 2013, the FWS 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 Interior to review the FWS’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 FWS 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.

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