

**To:** Christopher Salotti[Chris\_Salotti@ios.doi.gov]  
**Cc:** Amanda Kaster[amanda\_kaster@ios.doi.gov]; Matthew Quinn[matthew\_quinn@ios.doi.gov]; Jill Ralston[jralston@blm.gov]; Patrick J. Wilkinson[p2wilkin@blm.gov]  
**From:** Gins, Meagan  
**Sent:** 2017-05-10T18:10:10-04:00  
**Importance:** Normal  
**Subject:** BLM Budget Briefing Papers -- Kicking off 2018 budget hearing preparations during the next week ...

**Received:** 2017-05-10T18:13:05-04:00  
[BLM - Abandoned Mine Lands \(AML\) 5.10.2017 to OCL.docx](#)  
[BLM - Alaska Land Conveyance Program - 5.10.2017 to OCL.docx](#)  
[BLM - Alaska Legacy Wells National Petroleum Reserve - 5.10.2017 to OCL.docx](#)  
[BLM - Border Security & Resource Protection - 05.10.2017 to OCL.docx](#)  
[BLM - Electricity Transmission on Public Lands 5.10.2017 to OCL.docx](#)  
[BLM - Federal Coal Management Program - 5.10.2017 to OCL.docx](#)  
[BLM - Federal Land Transaction Facilitation Act \(FLTFA\) - 5.10.2017 to OCL.docx](#)  
[BLM - Federal Lands Recreation Enhancement Act \(FLREA\) - 5.5.2017 to ASLM.docx](#)  
[BLM - Fire & Fuels - 5.10.2017 to OCL.docx](#)  
[BLM - Grazing Permit Renewal - 5.10.2017 to OCL.docx](#)  
[BLM - Hunting Fishing Recreational Shooting on Public Lands - 5.10.2017 to OCL.docx](#)  
[BLM - Hydraulic Fracturing - 5.10.2017 to OCL.docx](#)  
[BLM - Implementation of SO 3349, American Energy Independence - 5.10.2017 to OCL.docx](#)  
[BLM - Lands Identified as Potentially Suitable for Disposal - 5.10.2017 to OCL.docx](#)  
[BLM - Law Enforcement and Employee Safety - 5.10.2017 to OCL.docx](#)  
[BLM - National Conservation Lands - 5.10.2017 to OCL.docx](#)  
[BLM - National Petroleum Reserve Alaska \(NPR-A\) - 5.10.2017 to OCL.docx](#)  
[BLM - Natural Gas Venting & Flaring - 5.10.2017 to OCL.docx](#)  
[BLM - Oil and Gas Development on Public Lands 5.10.2017 to OCL.docx](#)  
[BLM - Onshore Orders - General interest 5.10.2017 to OCL.docx](#)  
[BLM - Planning Rule - 5.10.2017 to OCL.docx](#)  
[BLM - Renewable Energy Development on Public Lands - 5.10.2017 to OCL.docx](#)  
[BLM - Sage-Grouse Plan Implementation - 5.10.2017 to OCL.docx](#)  
[BLM - Western Oregon management and O&C receipts - 5.10.2017 to OCL.docx](#)  
[BLM - Wild Horse Burro Management - 5.10.2017 to OCL.docx](#)

Hi Chris,

As requested, attached below are BLM's 25 budget briefing papers, which have been cleared by both BLM leadership and ASLM. Please let us know if you have any questions.

Thanks!  
Meagan

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### **FY 2018 Budget Hearings BLM Briefing Paper Index**

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25. Wild Horse & Burro Management

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

From: **Salotti, Christopher** <[chris\\_salotti@ios.doi.gov](mailto:chris_salotti@ios.doi.gov)>

Date: Thu, Apr 20, 2017 at 4:57 PM

Subject: Kicking off 2018 budget hearing preparations during the next week ...

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All -

It's time to start thinking about preparation for the 2018 budget hearings!

While this could still certainly change, current talk is that tentative roll out for the budget will be the 3<sup>rd</sup> week in May (22<sup>nd</sup> or thereabouts, the week before Memorial Day). This timing means that the Secretary could be in front of Appropriations Committees, SENR, and HNR anywhere from late that week to the third week in June, depending on schedules.

Given that this is the first go-round with a new team, the hope for Department-level hearings is that we can continue to focus on big picture issues or that have been identified as important to Committee members, reducing issue volume, paper, and time.

The plan would be to leave the truly parochial issues to post-hearing QFR or staff follow-up.

As in the past, we'd first like to develop a list of issues for both sets of hearings – authorizers and appropriators, and follow that with briefing papers detailing those issues.

You know the drill by now: we are generally looking for issues that the Department's CL offices (and programs) are aware of or that have been raised by Members during meetings, authorizing committee oversight and legislative hearings, correspondence, etc., that are important to members and could be raised to the Secretary at these hearings.

I understand the need to coordinate with your bureau budget offices, and you should, closely. We will be coordinating with the Department's Budget Office. This makes the process much smoother and reduces duplication of effort.

At the same time, we have to set deadlines and we have to make sure the process is moving forward because we must ensure the Secretary and his staff are aware of key and controversial issues and have material available to them that is appropriate to accomplish pre-hearing briefings.

What that means: when the time comes, we will need the information regardless of what stage of clearance it is in or who is currently reviewing it.

With that in mind, here is what we need and when:

1. Please identify any issues you think may be relevant for these hearings, whether they have been raised by Committee members at briefings/meetings, in correspondence, or received significant press. **Provide me with a list of those issues by COB Wednesday, April 26<sup>th</sup>.** We will review with the Department's budget office and figure out if we have anything to add;
2. We will let you know shortly after we receive and review your lists what additional papers and other information we may need you to develop. For the time being, **let's shoot to have any papers developed for those issues you all have identified as important (in addition to any information we may request) by Wednesday, May 10<sup>th</sup>.**

We'll plan to use the same format that we've used in the past.

I know it is not a lot of time to get things done, but we will work with you to try to keep the prep work at a minimum and to use existing information where we can. As noted above, timing could also change. As dates become clearer we will let you know and adjust the schedule accordingly.

For the briefing paper format, please use Times New Roman, 12 point type for these papers and present the information in bullet format. Please try to limit each paper to just the key facts, one page maximum. Be forewarned: we will return briefing papers to you if they are not in this format or if they are longer than one page!!

Again, we are looking for general interest or member-related issues that you reasonably believe could be an issue at this hearing.

If you have any questions, work with your attorney in this office or feel free to e-mail me.

As always, thanks for your help on this important project.

Chris.

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**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Hydraulic Fracturing

### **Key Points**

- The final hydraulic fracturing rule, published on March 26, 2015, maintains the three main objectives of the initial proposal:
  - Ensure wellbore integrity to protect and isolate usable water;
  - Provide public disclosure of chemicals used in the hydraulic fracturing (fracking) fluid; and
  - Ensure proper management of recovered fluids that flow back to the surface.
- The final rule was immediately challenged in court.
- The BLM is in the process of rescinding the final rule on hydraulic fracturing and will replace it with a newly proposed rule, which reverts the regulations back to the previous language.

### **Background**

- Approximately 90 percent of wells currently drilled on Federal and Indian lands use hydraulic fracturing techniques to stimulate well production.
- The number of hydraulically-fractured wells has increased steadily because fracking allows geologic formations with low permeability to produce hydrocarbons in commercial quantities.
- On May 11, 2012, the BLM proposed a draft rule on hydraulic fracturing, which received 170,000 comments. The BLM revised the draft rule to maximize flexibility, coordinate with state practices, and ensure that operators apply proven accepted “best practices.”
- On May 24, 2013, the BLM published a revised proposed rule which received 1.35 million comments.

### **Current Status**

- Members in the House and Senate have introduced legislation that would place sole regulatory authority over hydraulic fracturing operations on Federal lands in the hands of state agencies. Rep. Gohmert introduced H.R. 928, and Sen. Inhofe introduced S.334.
- The final rule has not gone into effect because the Wyoming district court first, preliminarily enjoined the effectiveness of the rule, and then set aside the rule in a final order.
- That court decision is currently on appeal to the Tenth Circuit.

Prepared by: Meagan Gins, BLM Legislative Affairs, 202-912-7399  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Federal Lands Recreation Enhancement Act (FLREA)

### **Key Points**

- The Federal Lands Recreation Enhancement Act (FLREA) provides the authority for Department of the Interior (DOI) agencies including the BLM to collect and retain recreation fees without further appropriation, and was extended until September 30, 2018, by Public Law 114-223, one of the continuing appropriations acts for FY 2017.
- FLREA does provide the authority to collect and expend recreation fees at the site or area of collection.
- DOI testified in strong support of permanent recreation fee authority in 2013, 2014, 2015, and 2016.
- The BLM looks forward to opportunities to streamline the process of implementing new fee sites and updating current fee structures.

### **Background**

- Recreation fees are collected at 377 of the BLM's 3,600 total recreation sites, are used to build, improve, and maintain recreation facilities and to provide visitor services.
- The BLM expends 100 percent of recreation fees at the sites or administrative units where fees are collected.
- In FY 2016, the BLM collected about \$22 million in recreation fees; these fees accounted for roughly 26 percent of the agency's recreation program's total expenditures.
- The FY 2017 President's budget requested Congress to permanently authorize the Federal Lands Recreation Enhancement Act.
- The current process for approving implementation of fees at new sites, and changing existing fees takes approximately two years due to requirements to obtain Resource Advisory Committee (RAC) approval for every new fee site, and publishing every new fee proposal in the Federal Register.
- This lengthy, time consuming process has caused a loss of revenue and taken excessive staff time to implement.
- The Office of Inspector General (OIG) found the BLM cannot use FLREA authority to operate concessions. The BLM and DOI are working on the OIG recommendation to propose legislation for concessions authority, including revenue retention.

### **Current Status**

- The FLREA expires on September 30, 2018. The agencies may lose the ability to issue annual passes good for one year beginning in October 2017, if the Act is not reauthorized.
- In October 2015, the Department testified in support of the overall goal of a discussion draft of the Federal Lands Recreation Enhancement Modernization Act, before the House Natural Resources Committee's Federal Lands Subcommittee. The bill has not yet been re-introduced into the House during the 115<sup>th</sup> Congress.

Prepared by: Mark Brown, BLM Legislative Affairs, 202-912-7424  
Date: May 10, 2017

**BUREAU: Bureau of Land Management (BLM)**  
**MEMBER: General Interest**  
**ISSUE: Fire & Fuels Management**

### **Key Points**

- BLM's Fire and Aviation Program is the largest and most complex fire program in Department of Interior (DOI), with responsibility for fire response on 245 million acres of Federal lands, as well as fuels reduction, mitigation and education programs, and training and partnerships.
- The protection of human life is the single, overriding priority for the BLM Fire and Aviation program.
- Based on its Integrated Rangeland Fire Management Strategy, the BLM fosters and develops partnerships with Rangeland Fire Protection Associations (RFPA) and state and local fire entities. In developing these relationships, the BLM provides training and coordination to the RFPAs, rural fire departments, and others.
- The BLM has established eight Veteran Wildland Fire Crews that operate out of stations in Arizona, Oregon, Nevada, California, Montana, South Dakota, Wyoming, and Washington. More than 500 veterans were trained through 2016 with training for additional vets underway this year.
- The spread of invasives, particularly cheatgrass, continues to be a primary concern. Without increased fuels management funding directed toward stemming this trend, rangeland fire suppression costs will continue to escalate and ecosystem health will continue to deteriorate.

### **Background**

- The BLM reduced the wildfire threat on 566,300 acres through fuels treatments in 2016, including 385,000 acres in the sagebrush biome to reduce invasive species, restore habitat and improve fire resilience, and to create firebreaks and reduce threats near communities.
- In 2016, 1.2 million acres of BLM-managed land burned, representing 70% of DOI acres burned.
- The national wildfire community lost 14 people to fire-related fatalities in 2016; these included two BLM firefighters killed in an engine rollover accident.
- BLM suppression obligations in 2016 exceeded \$252 million, making up 68% of DOI's fire suppression obligations of \$372 million. This necessitated a transfer of \$100 million from the Federal Land Assistance, Management, and Enhancement Act (FLAME) emergency fund.

### **Current Status**

- The 2017 DOI wildland fire suppression budget is expected to be approximately \$395 million, fully funding the 10-year suppression average across DOI. If needed, the FLAME emergency fund for wildfire suppression should provide an additional \$65 million.
- For the 2017 fire season, the BLM expects to have available approximately 2,883 fire personnel, including 11 Type 1 crews (highly trained), 147 smokejumpers, 294 engines, and 52 other pieces of equipment. Aircraft contracts have not been finalized, but the numbers of fixed and rotor-wing resources are expected to include 4 scooper aircraft, 33 Single Engine Air Tankers, 24 helicopters including a Type 1 rotor wing (a first for the BLM) and 21 other tactical aircraft.

Prepared by: Andrea Nelson, BLM Legislative Affairs, 202-912-7431  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Lands Identified as Potentially Suitable for Disposal

### **Key Points**

- On January 25, 2017, the BLM received a request from majority staff of the House Natural Resources Federal Lands and Oversight and Investigations Subcommittees about BLM-managed lands identified as potentially suitable for disposal.
- Specifically, Committee staff requested a list of lands potentially suitable for disposal that includes acreage, location, current uses on the land, potential right-of-way or reversionary interests, and any other potential conflicts that would impact disposal.

### **Background**

- Under the Federal Land Policy and Management Act of 1976 (FLPMA, Section 102), the BLM is directed to retain lands in Federal ownership unless it is determined through the land use planning process that disposal of a particular parcel serves the national interest.
- Section 203 of FLPMA includes disposal criteria that may be considered during the land use planning process.
- In 1996, Congress enacted a law directing the BLM to report on public lands that may be suitable for disposal or exchange. As a result of the 1996 law, the BLM produced and delivered a report in 1997 that includes a county-by-county overview of public lands that may be suitable for disposal or exchange. This report has not been updated since 1997, and there are no maps associated with it.
- More recently, Congressional requests for information relating to lands potentially suitable for disposal have occurred on a fairly regular basis.
- In response to a 2016 request, the BLM created a website with state-by-state links to Resource Management Plans (RMPs) that identified lands potentially available for disposal (available at <https://www.blm.gov/programs/lands-and-reealty/land-tenure/sales-and-exchanges/lands-potentially-for-disposal>).

### **Current Status**

- As requested by the Subcommittees, the BLM has initiated a nationwide data request to the bureau's state, district, and field offices for all existing geospatial data describing lands identified as potentially suitable for disposal in RMPs.
- Once received, these data will be included in a web-based mapping application that will be shared with the Subcommittees.

Prepared by: Jamie Pool, BLM Legislative Affairs, 202-912-7430  
Date: May 10, 2017

**BUREAU: Bureau of Land Management (BLM)**  
**MEMBER: General Interest**  
**ISSUE: Border Security & Resource Protection**

### **Key Points**

- The BLM manages nearly 200 miles of public lands along the border in California (CA), Arizona (AZ), and New Mexico (NM), promoting a safe and secure environment for the public, employees, and public land users. The BLM coordinates and collaborates with local, State, Tribal, and Federal partner agencies on border safety, security and environmental protection.

### **Background**

- The BLM partners with Federal and other agencies including U.S. Border Patrol (USBP) to meet joint objectives of securing our nation's borders and conserving Federal lands.
  - In March 2006, USBP, the BLM, and other agencies signed an Memoranda of Understanding (MOU) providing goals, principles, and guidance that both address emergencies involving human safety, and minimize environmental and resource damage arising from illegal cross-border activities on Federal lands.
  - Under the MOU, Border Patrol agents patrol jointly with BLM.
- The BLM and DHS developed interagency agreements to facilitate USBP's ongoing maintenance of tactical infrastructure, and the BLM participated in joint training with USBP agents to integrate resource protection awareness.
- To combat illegal activities and transnational threats on public lands near the Arizona border, the BLM's Operation ROAM (Reclaim Our Arizona Monuments) is coordinated with all DHS entities through the Alliance to Combat Transnational Threats (ACTT AZ) made up of 60 Federal, State, Tribal and local agencies. Operation ROAM activities have involved extensive law enforcement presence and repair/mitigation of resource damage in the Ironwood Forest and the Sonoran Desert National Monuments and surrounding public lands. In NM, the BLM coordinates with ACTT (Texas and NM), USBP, State and counties in a collaborative approach to transnational crimes. BLM-CA accomplishes the same goals through the Southwest Border Alliance, which includes Federal, State, Tribal and local agencies with responsibilities along the border in CA.
- The BLM provides a regional leadership role in the mitigation of environmental impacts caused by smuggling. The BLM shares funding with state and tribal partner agencies, including the Tohono O'odham Nation, Pascua Yaqui Tribe, Cocopah Tribe, and other organizations. Between FY 2003 and FY 2014, the BLM allocated \$14 million to local communities for cleanup efforts.
- The public lands managed by the BLM along the southwestern U.S. border include widely-used recreation areas, public lands used for multiple uses such as mining, ranching and other commercial interests, and congressionally-designated wilderness.

### **Current Status**

- The cooperative approach has matured and is demonstrated in strong working relationships in all agencies responsible for border security and resource protection.

Prepared by: Andrea Nelson, BLM Legislative Affairs, 202-912-7431,  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Implementation of S.O. 3349, American Energy Independence

### Key Points

- On March 29, 2017, Secretary Zinke issued Secretarial Order (S.O.) 3349, which implements the review directed by President Trump's Executive Order (E.O.) 13783, focusing on decreasing the regulatory burden associated with energy production.
- In addition, S.O. 3349 revokes Secretary Jewell's October 31, 2013, S.O. 3330, and directs the Department of the Interior's (DOI) bureaus to identify all actions taken related to S.O. 3330 and the 2015 Presidential Memorandum, *Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment*.
- E.O. 13783 also rescinded several climate change-related directives, and S.O. 3349 directs DOI bureaus to identify all action taken related to the rescinded directives.
- Finally, S.O. 3349 specifically directs the BLM to review a number of other agency actions that may place an unnecessary burden on domestic energy development.

### Background

- S.O. 3330 established a DOI-wide mitigation strategy through a landscape-scale approach, early integration of mitigation considerations in project planning and design, and consideration of the durability, transparency and consistency of mitigation measures.
  - Consistent with S.O. 3330, the BLM finalized its interim (June 2013) mitigation policy, incorporating the S.O. 3330 strategy and issuing a Mitigation Manual (MS-1794) and Mitigation Handbook (H-1794-1) in December 2016.
- The Report of the Executive Office of the President of June 2013, *The President's Climate Action Plan* contained three broad goals related to climate change mitigation, adaptation, and international leadership.
  - As directed by the Council on Environmental Quality Guidance that derived from this report and other executive actions, the BLM integrated a more quantitative approach to the consideration of greenhouse gases and climate change into its decision-making and planning processes. The BLM also manages public land to address wildfire, drought, and other issues that relate to adaptation.

### Current Status

- The BLM provided to the Deputy Secretary a list of all actions adopted or in the process of being developed on mitigation and climate change.
- The BLM identified all existing agency actions that potentially affect the development or utilization of domestic oil, natural gas, coal, and nuclear energy resources.
- The BLM is in the process of rescinding the final rule titled *Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands* and will replace it with a new proposed rule.
- The BLM is reviewing the final rule titled *Waste Prevention, Production Subject to Royalties, and Resource Conservation* to ensure its consistency with E.O. 13783.

Prepared by: Jamie Pool, BLM Legislative Affairs, 202-912-7138

Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Natural Gas Venting & Flaring

### Key Points

- The BLM finalized and published its *Waste Prevention, Production Subject to Royalties, and Resources Conservation* (Waste Prevention) rule on Nov. 15, 2016.
- The final rule addresses leak inspection and repair programs, equipment life-cycle management, storage tank leakage, beneficial use of gas, best practices for site management, and royalties for vented or flared gas.
- Specifically, the rule was intended to clarify the circumstances under which operators may flare, or in very limited situations vent, natural gas produced in the course of exploration, development, and production activities, and those situations in which flared or vented natural gas would be subject to royalties.
- In addition, the final rule provides the agency the flexibility to set lease royalty rates at or above 12.5 percent of the value of production.
- In February 2017, the White House issued a Statement of Administration Policy supporting H.R. Res. 41, which would nullify the final Waste Prevention Rule.

### Background

- In 2013, at least 98 billion cubic feet (Bcf) of natural gas was vented, flared, or leaked from oil and gas production on BLM-administered leases (leases on public and Indian lands). This is about 2.6 percent of the total natural gas production from these public resources. Oil and gas production is a source of methane emissions (23% of human-related methane emissions).
- Reports by both the Office of the Inspector General and the General Accountability Office have identified the need to reduce venting and flaring of natural gas from oil and gas activities overseen by the BLM.
- The final rule replaces BLM venting and flaring rules that were over 30 years old and revises the 1979 Notice to Lessees and Operators No. 4A (NTL-4A), which provided reporting requirements and approval process for flaring and/or venting of natural gas.

### Current Status

- The Administration remains committed to reducing the regulatory burdens on American businesses, supporting energy policies that lower costs for hardworking Americans, maximizing the use of American resources, and reducing our dependence on foreign oil.
- On March 29, 2017, Secretary Zinke issued Secretarial Order (S.O.) 3349, *American Energy Independence*, directing the BLM to review the final Waste Prevention rule to determine if it unnecessarily burdens the development or utilization of the Nation's energy resources.
- The BLM is reviewing the final rule titled *Waste Prevention, Production Subject to Royalties, and Resource Conservation* to ensure its consistency with E.O. 13783.
- On May 10, 2017, the Senate failed to proceed to vote on the disapproval resolution.

Prepared by: Meagan Gins, BLM Legislative Affairs, 202-912-7399  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Federal Land Transaction Facilitation Act (FLTFA)

### **Key Points**

- The FLTFA has been an important tool to facilitate the sale of difficult to manage Federal lands and acquisition from willing sellers of lands with exceptional environmental resources. The FLTFA authority offers the DOI an important alternative to discretionary Land and Water Conservation Fund (LWCF) appropriations funding.
- The FLTFA account currently has a zero balance.

### **Background**

- The FLTFA provided that revenues generated from the sale or exchange of public lands identified for disposal in an approved land use plan in effect prior to July 25, 2000, were retained in a special account in the U.S. Treasury and dedicated to the acquisition of certain lands, and for expenses necessary to carry out land disposals under the FLTFA.
- All funds in the FLTFA account when the law expired reverted to the LWCF account, which is subject to annual appropriations.
- The majority of the proceeds were used to acquire land from willing sellers within and/or adjacent to certain Federally-designated areas with exceptional resources managed by the National Park Service, the Fish and Wildlife Service, the Forest Service, and the BLM.
- During the FLTFA's 11-year history, 27,249 acres were sold and 18,093 acres of environmentally-sensitive/significant lands were acquired with this funding.
- Sens. Martin Heinrich (D-NM) and Dean Heller (R-NV) and Reps. Dan Newhouse (R-WA-4) and Cynthia Lummis (R-WY-At-large) introduced stand-alone FLTFA reauthorization bills legislation during the 114<sup>th</sup> Congress.
- While no hearings were held on the stand-alone reauthorization bills, FLTFA reauthorization language was included in two sportsmen's packages on which the DOI testified during the 114<sup>th</sup> Congress.

### **Current Status**

- No stand-alone FLTFA reauthorization bills have been introduced during the 115<sup>th</sup> Congress.
- In March 2015, the DOI testified in support of the goals of S. 556, the Bipartisan Sportsmen's Act, and in strong support of its FLTFA-related provisions. Nearly identical FLTFA-related provisions have been included in S. 733, the Sportsmen's Act, which Sens. Lisa Murkowski (R-AK), Heinrich, James Risch (R-ID), Joe Manchin (D-WV), and Heidi Heitkamp (D-ND) introduced on March 27, 2017.
- In May 2015, the DOI testified in support of many of the goals of a discussion draft of the Sportsmen's Heritage and Recreational Enhancement Act, and in support of most of the FLTFA-related provisions.

Prepared by: Jamie Pool, BLM Legislative Affairs, 202-912-7138  
Date: May 10, 2017

**BUREAU: Bureau of Land Management (BLM)**  
**MEMBER: General Interest**  
**ISSUE: Grazing Permit Renewal**

### **Key Points**

- Every year, an average of 1,800 grazing permits come up for renewal. Permit renewals, which involves environmental analysis, compliance with Endangered Species Act and public and tribal outreach, have become more complex as a result of changing conditions in the West including, extended drought, catastrophic fire, excess wild horses/burros, and invasive weed infestation.
- On January 31, 2017, the United States Forest Service and the BLM announced a decrease in the grazing fee to \$1.87 for 2017 from \$2.11 in 2016. These fees are shared with the States and fund range improvements.

### **Background**

- The BLM maintains and improves public land through vegetation treatments and livestock management, as set out in grazing permits which are issued for up to 10-year terms.
- The BLM administers nearly 18,000 grazing permits and leases for approximately 22,000 allotments on over 155 million acres of public rangelands, primarily in 10 western states.
- The grazing fee is determined annually by the U.S. Department of Agriculture starting with the 1966 base value of \$1.23 per animal unit month (AUM/HM) for livestock grazing on public lands in Western states and then calculating three factors – current private grazing land lease rates, beef cattle prices, and the cost of livestock production.
- Members of Congress have expressed concern regarding the BLM’s permit renewal backlog and the frequency of grazing permit litigation.
  - In FY 2017, 1,568 expiring permits are expected to add to a total of 6,776 unprocessed permits, leaving 8,344 permits to be processed as part of the grazing permit workload in addition to 700 to 900 transfers of grazing preference.
  - In December 2014, Congress amended FLPMA to provide for extension of terms and conditions in expired permits, use of a categorical exclusion for permit renewals when allotments meet specific criteria, and factors for the Secretary to consider when setting priorities for completing environmental analysis.

### **Current Status**

- In Idaho, litigation by the Western Watersheds Project resulted in a court-ordered deadline requiring the BLM to issue final grazing decisions for 68 permits by December 2013, many with significant reductions in AUMs. The grazing decisions were broken into six groups and all were appealed. Five of the six groups are currently under appeal to the Office of Hearings and Appeals. All appeals were dismissed for the decisions in the sixth group.
- As authorized by appropriations legislation and the grazing provisions in the FY 2015 National Defense Authorization Act, the BLM is implementing permit renewal provisions that extend terms and conditions in permits and allow grazing to continue until the permit is processed; require litigants to exhaust administrative review before filing in Federal court; and give the BLM discretion in conducting NEPA for livestock crossing and trailing permits.

Prepared by: Mark Brown, BLM Legislative Affairs, 202-912-7424

Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Wild Horse & Burro Management (WHB) - Overview

### **Key Points**

- As of March 2017, the WHB population on BLM-managed public lands was nearly 73,000 animals (with an additional 13,000 foals projected this spring), while the appropriate management level (AML) is 27,000. Most (82%) of the 177 herd management areas (HMAs) in 10 Western states are above AML.
- The BLM has two tools to control on range WHB population growth: animal removal and contraceptive vaccines, which are effective for one year unless animals are retreated annually.
- Due to fiscal constraints on caring for unadopted animals, the BLM has limited annual removals to about 3,500 per year (based on the number adopted and sold the previous year), and prioritizes removals in response to court orders, public health and safety concerns, private land encroachment, and emergencies where animals are imperiled due to inadequate forage or water.
- The BLM spent \$49 million in 2016 (more than 60 percent of the BLM's WHB Program annual budget) to maintain up to 47,000 unadopted WHBs in off-range facilities.

### **Background**

- Under the Wild Free-Roaming Horses and Burros Act of 1971, the BLM protects and manages WHBs in areas of western public rangelands. The Act requires the removal of excess WHBs and that they are made available for adoption or sale.
- The Act also requires that excess WHBs for which adoption demand by qualified individuals does not exist, be destroyed in the most humane way possible, and that animals more than ten years of age or that have been offered unsuccessfully at least three times be sold without any limitation.
- Annual appropriations riders from 1988 to 2004 and 2010 to present prevent the BLM from taking actions that result in the destruction of healthy animals or unrestricted sale.
- WHB overpopulations are negatively affecting rangeland conditions, wildlife habitat, and other land uses, such as grazing and hunting.
- Since 1971, the BLM has adopted out over 235,000 WHBs; however, adoption demand has steadily declined since 2002, while wild horse populations on the range increase by about 15-20 percent annually.
- Lifelong care for one unadopted wild horse in a corral costs the BLM nearly \$50,000. Due to declining demands, WHB adoptions and sales have decreased from about 7,800 in 2002 to about 3,100 per year.
- In FY 2016, the BLM removed 3,320 WHBs from the range and placed 3,116 into private care through adoptions and sales.
- In 2014, the BLM invested \$11 million in research, primarily to develop longer lasting fertility control methods.
- The President's BLM FY 2016 enacted budget was \$80.6 million for the WHB program.
- The President's BLM FY 2017 budget request for the WHB program was \$80.1 million.

### **Current Status**

- The program continues to be highly controversial.
- The BLM does not have resources to remove and care for more unadopted or unsold animals.

Prepared by: Mark Brown, Legislative Affairs, 202-912-7424

Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Abandoned Mine Lands (AML)

### **Key Points**

- The BLM has inventoried 100,500 abandoned mine features on public lands, over 10,000 of which pose some level of environmental threat.
- The BLM AML program estimates that there are 368,000 features yet to be discovered and added to the inventory in the states of California, Nevada, and Utah alone adding an average of 5,000 AML sites to the AML inventory each year.
- Between FY 2009 and FY 2016, the average appropriation provided to the BLM's AML program has been \$18.3 million, which is then divided among the state AML programs.
- A larger share of the AML budget is needed to conduct monitoring and maintenance on an expanding list of mitigated features.

### **Background**

- The BLM's AML inventory efforts began in the early 1990s.
- The BLM AML program was initiated in 1997 and first received AML program appropriations in FY 2000.
- The BLM AML program focuses on remediating environmental impacts and physical safety hazards from hardrock mines operated under the authority of the 1872 General Mining Law that were abandoned prior to Jan. 1, 1981 (the effective date of BLM's surface management regulations).
- The BLM competes for funding from the Department of the Interior's Central Hazardous Materials Fund (CHF) to provide resources for complex AML Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) response actions.
- The BLM leverages funds by partnering with government and non-government organizations. Many of the State AML programs that partner with the BLM AML program are funded by Surface Mining Control and Reclamation Act Title IV funds.

### **Current Status**

- In response to the Gold King Mine Incident in August 2015, the BLM is assessing the number and status of abandoned mines that impound water on public lands.
- The BLM is partnering with the Department of Energy to address defense related abandoned uranium mines located on public lands administered by the BLM.

Prepared by: Geoff Beyersdorf, BLM Legislative Affairs, 202-912-7430  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Western Oregon Forestry & Payments to Oregon and California (O&C) Counties

### **Key Points**

- On August 5, 2016, the BLM signed the Records of Decision (RODs) for the Resource Management plans (RMPs) of western Oregon. The new RMPs are a culmination of four years of planning, public input, technical analysis, collaboration, and consultation.
- Since the expiration of the Secure Rural Schools and Community Self-Determination Act (SRS) in 2015, payments to the 18 O&C counties will be made from western Oregon timber sale receipts in accordance with the 1937 O&C Act and 1939 Coos Bay Wagon Road Act.
- The payments to O&C counties in 2017 totaled nearly \$19 million whereas the payments in 2016 were \$35.6 million. At the full implementation level of offering and harvesting 278 million board feet annually, the 2016 RMPs projected that the 18 O&C counties would receive an estimated \$26 million annually.
- Annual timber sale receipts vary based upon multiple market factors, including housing starts, timber supply, fuel costs, export markets, as well as other variables.

### **Background**

- The Western Oregon RMPs maintain strong protections for the northern spotted owl, listed fish species, and water resources and offer predictable and sustainable outcomes for local communities by increasing job opportunities, tourism and recreation, and timber harvest.
- Out of 2.5 million acres in the planning area, approximately 80 percent are in reserves and are managed to meet conservation objectives for wildlife, fish, water, and other values, and 20 percent is managed for sustained yield timber production.
- Of the 278 million board feet estimated by the 2016 RMPs, 205 million is the declared annual capacity as required by the O&C Act. The remaining projected volume is a byproduct of habitat development, forest health, and fire resiliency treatments in reserves.
- From FY 2010-FY 2016, the BLM offered an average annual volume of 215 million board feet from O&C lands, with an average total budget of approximately \$116.5 million (\$110 million O&C budget plus \$6.5 million from the two permanent operating accounts).

### **Current Status**

- In FY 2017, the BLM anticipates offering 205 million board feet for sale.
- The BLM budget for O&C lands has recently ranged between \$107 and \$114 million.
- The FY 2018 President's budget request of \$89.9 million will allow the transition to the new RMPs timber harvest levels and to sell any remaining timber sales planned under the previous RMP.

Prepared by: Kimberly Finch, BLM Legislative Affairs, 202-912-7411

Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Federal Coal Management Program

**Key Points:**

- On March, 29, 2017, Secretary Zinke issued Secretarial Order (S.O.) 3348, which revoked the Federal Coal Moratorium and eliminated the development of the Programmatic Environmental Impact Statement, as was originally directed by Secretary Jewell's January 2016 S.O. 3338.
- The BLM is now processing coal leasing applications on public lands as provided by laws and regulations.
- From 2007 to 2016, 42 percent of domestic electricity was generated from coal, and over 40 percent of the nation's coal production came from Federal leases.
- From 2007 to 2016, the coal program provided revenues totaling \$10.68 billion.
- In FY 2016, during the S.O. 3338 moratorium, the BLM held no successful lease sales.

**Background:**

- The BLM is responsible for leasing the Federal coal mineral estate on approximately 570 million acres under the authority of the Mineral Leasing Act.
- The BLM coal program conducts lease sales and ensures the public receives fair market value (FMV); administers leases; inspects Federal and Indian use authorizations to ensure compliance with the terms and conditions of the leases; and provides pre-lease evaluations of mineral tracts when requested by the Bureau of Indian Affairs or Indian Tribes and Indian mineral owners.
- In response to the recent Office of Inspector General and Government Accountability Office recommendations, the BLM has completed 21 actions to implement reforms designed to improve and standardize the Federal coal program. All recommendations were implemented and both audits have been closed.
- The BLM made training courses available and has issued a new manual and handbook for determination of the pre-sale FMV of prospective coal lease sales and for inspection and enforcement of coal lease terms and conditions. Additionally, several Instruction Memoranda have been issued to clarify established policy and to provide more information.

**Current Status:**

- The BLM is continuing to work closely with the Office of Surface Mining Reclamation and Enforcement and the Office of Natural Resources Revenue to develop recommendations for program enhancements.
- The BLM looks forward to working together with leasing applicants and stakeholders to ensure leasing and development are done in an environmentally sound manner.

Prepared by: Geoff Beyersdorf, BLM Legislative Affairs, 202-912-7430  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Hunting, Fishing, & Recreational Shooting on Public Lands

### **Key Points**

- Recreational shooting, fishing, and hunting are popular and legitimate uses of public lands managed by the BLM under Federal Land Policy Management Act of 1976.
- More than 99 percent of the BLM's 245 million acres are open for hunting, fishing, and dispersed recreational shooting activities. Dozens of designated target ranges are in operation under leases or sale through the Recreation and Public Purposes Act.
- The BLM, along with the U.S. Forest Service, U.S. Fish and Wildlife Service, and the Army Corps of Engineers, participates in the Federal Lands Hunting, Fishing, and Shooting Sports Roundtable, which includes 42 non-governmental entities through a MOU.
- Under the MOU, organizations are invited to participate in all land use planning public engagement opportunities related to hunting, fishing, shooting and recreational access.
- The BLM occasionally restricts recreational shooting (temporarily or long-term) to protect public safety, prevent vandalism or damage to resources, or reduce wildfire risk approaching long-term shooting restrictions through its land use planning processes.
- Public and employee safety remains the top priority for the BLM; in the urbanizing west the number of safety-related incidents is increasing.

### **Background**

- Secretarial Order (S.O.) 3347, *Conservation Stewardship and Outdoor Recreation*, signed by Secretary Zinke on March 2, 2017, aims to enhance conservation stewardship, increase outdoor recreation, and improve management of game species and their habitat.
- Executive Order (E.O.) 13443, *Facilitation of Hunting Heritage and Wildlife Conservation*, issued by President George W. Bush on August 16, 2007, directed DOI "to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat."
- Participation in hunting activities on BLM lands remained largely steady between 2000 and 2016, with annual fluctuations between 4.8 million and 6.5 million visitor days.
- In the 114<sup>th</sup> Congress, Rep. Wittman (R-VA-1) introduced the Sportsmen's Heritage and Recreational Enhancement (SHARE) Act. In May 2015, the Department testified in support of many of the goals of a discussion draft of the SHARE Act before the House Natural Resources Subcommittees on Federal Lands and Water, Power and Oceans.

### **Current Status**

- In the 115<sup>th</sup> Congress, Sen. Murkowski (R-AK) introduced S. 733, Sportsmen's Act, to enhance opportunities for recreational hunting, fishing, and shooting. The bill was reported out of committee without a hearing.

Prepared by: Mark Brown, BLM Legislative Affairs, 202-912-7424  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Next Steps: BLM Planning 2.0 Repeal

### **Key Points**

- The BLM's Resource Management Planning rule "Planning 2.0" was published in the *Federal Register* on December 12, 2016, and became effective on January 11, 2017.
- Under the authority of the Congressional Review Act (CRA), both the House of Representatives (February 8, 2017) and Senate (March 6, 2017) passed House Joint Resolution 44, disapproving the rule.
- The President signed the joint resolution on March 27, 2017, which immediately nullified Planning 2.0.
- Following the measure's enactment, the BLM reverted to its existing planning rule, which was originally promulgated in 1983, and then modified in 2005.
- On March 27, 2017, Secretary Zinke directed the BLM to begin a focused effort to identify and implement results-oriented improvements to its land use planning and NEPA processes.
- A final report is due by September 27, 2017.

### **Background**

- The BLM launched the Planning 2.0 initiative in 2013 to revise the regulations that govern land use planning (43 CFR 1601 and 43 CFR 1610).
- The Planning 2.0 rule was the first significant update to the BLM's land use planning regulations in approximately 30 years.

### **Current Status**

- The BLM is considering other vehicles to make planning more effective, efficient, streamlined, and focused, in support of the Administration's priorities.
- The BLM has convened a team of planning experts from throughout the bureau to strategize and develop a suite of options and recommendations for consideration as part of the report due to the Secretary in September 2017.

Prepared by: Kimberly Finch, BLM Legislative Affairs, 202-912-7411  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Greater Sage-Grouse Plan Implementation

### **Key Points**

- The BLM is implementing the Greater Sage-Grouse (GRSG) plans in close cooperation with communities, Federal/state agencies, ranchers, and other stakeholders to conserve sagebrush ecosystems and ensure economic opportunities for local communities.
- The BLM's actions conserve the quality and quantity of forage for wildlife and livestock, minimize impacts to ranch operations, and provide jobs associated with restoration.
- Currently there are nine lawsuits challenging the plans. Two cases, involving the Idaho and Nevada plans, have been decided by the lower courts. However, these cases neither vacated nor enjoined implementation of the plans. The remaining cases are in the early stages of litigation.
- The President's FY 2018 budget request includes \$48.5 million to implement the plans. The BLM will continue to focus on restoration, fuels reduction, and monitoring, but at a reduced rate compared to 2016 and 2017.

### **Background**

- GRSG habitat covers 165 million acres, of which the BLM manages 67 million acres in 11 western states. Sage-Grouse is a state managed species, so the BLM's primary role in conserving GRSG populations is maintaining, improving and restoring the sagebrush ecosystem.
- Since the 1990s, a diverse coalition, including the BLM, other Federal agencies, Western Association of Fish & Wildlife Agencies, states, private landowners, and other stakeholders have worked to conserve the GRSG and sagebrush ecosystem.
- Building on these efforts, in September 2015, the BLM and the USFS amended or revised 98 land use plans to conserve, enhance, and restore GRSG habitat. On September 22, 2015, the FWS determined that the GRSG did not need protection under the Endangered Species Act.
- In FY 2016, Congress provided \$60 million to implement the GRSG plans. The BLM uses this funding to increase restoration of sagebrush ecosystems; improve monitoring to respond to habitat conditions; implement the National Seed Strategy, work with public and private partners; and support economic opportunities.

### **Current status**

- A primary focus is restoring rangelands to improve habitat and forage for wildlife and livestock. Healthy rangelands sustain the GRSG and more than 350 other species, as well as local communities, hunting, fishing and recreational opportunities, and ranch operations.
- In 2015 and 2016, the BLM reduced acres burned annually from 1 million to about 500,000. In 2017, the BLM plans to implement restoration actions on about 700,000 acres of sagebrush habitat.
- The significant matching contributions for conservation and restoration such as Utah's Watershed Restoration Initiative demonstrate partner engagement in plan implementation.
- The BLM is continuing to work with stakeholders to refine and clarify direction for plan implementation and is monitoring the effectiveness of the plans to enhance the sagebrush ecosystem.

Prepared by: Jamie Pool, BLM Legislative Affairs, 202-912-7138  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Renewable Energy Development on Public Lands

### **Key Points**

- The America First Energy Plan is an all-of-the-above plan that includes oil and gas, coal, strategic minerals, and renewable sources such as wind, solar, and geothermal.
- The BLM has a major role in addressing the Administration's goals in facilitating the development of large-scale production of solar, wind, and geothermal energy.
- To date, the BLM has approved 126 renewable energy projects (36 solar, 40 wind, and 50 geothermal) with the potential to provide nearly 18,000 megawatts (MWs) of generation capacity.
- Total capital investments for projects that have completed construction since 2011 are estimated at \$13.8 billion. Total potential future capital investments for projects that are pending construction are estimated at nearly \$30 billion. This represents a total estimated current and potential future capital investment at approximately \$44 billion.

### **Background**

- The BLM has focused on expediting the processing and permitting of environmentally responsible renewable energy development on public lands.
- The BLM currently has 50 geothermal projects in producing status, with combined total of over 2,200 MWs of generation capacity. The BLM has also approved 40 wind energy development projects on public lands with a total capacity of over 5,600 MWs, and 36 solar energy development projects on the public lands with a total capacity of over 10,000 MWs.
- The BLM held a successful competitive auction in a designated Solar Energy Zone in Nevada in June 2014, offering six parcels of BLM public land that generated \$5.8 million in bids.

### **Current Status:**

- In January 2017, the BLM finalized the Solar and Wind Rule, which established a competitive leasing process for solar and wind energy development on public lands.
- The BLM continues to process applications for new wind, solar, and geothermal projects while maintaining the appropriate oversight, inspection, and enforcement of approved projects.
- Rep. Goas (R-AZ-4) and Sen. Heller (R-NV) have introduced in the 115<sup>th</sup> Congress legislation that would expedite development of renewable energy projects on public lands.
- Construction is scheduled to begin in spring 2017 on the first 500 wind turbines for the Chokecherry Sierra Madre Wind Energy Project. These turbines represent Phase 1 of a two-phase project that would build up to 1,000 wind turbines on almost 220,000 acres south of Rawlins, Wyoming. When fully operational the project will be the largest proposed onshore wind energy facility in North America capable of generating up to 3,000 MWs.

Prepared by: Meagan Gins, Legislative Affairs 202-912-7399  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** National Petroleum Reserve – Alaska (NPR-A)

### Key Points

- Planning: On Feb. 21, 2013, former Secretary Salazar signed the Record of Decision (ROD) for the Integrated Activity Plan (IAP) for NPR-A. The IAP made 11.8 million acres available for oil and gas leasing, out of NPR-A's nearly 23 million acres. The IAP addresses oil and gas development, protection of habitat for birds, polar bears, and caribou, along with areas important for subsistence resources for over 40 northern and western Alaska Native villages.
- Lease Sales: The BLM holds annual lease sales for the NPR-A; the most recent sale took place on Dec. 14, 2016. High bids totaled approximately \$18.8 million (50% going to the State of Alaska) on 67 of the 145 tracts offered
- APD Processing: The BLM approved the Greater Mooses Tooth 1 (GMT) Application for Permit to Drill submitted by ConocoPhillips Alaska, Inc. (CPAI) on Oct. 22, 2015. Production at GMT1 will begin in 2018. APDs will be processed for 32 additional injection and production wells on the GMT1 pad, which access primarily Arctic Slope Regional Corporation subsurface resources, as well as BLM subsurface. The BLM received an APD from CPAI for the first GMT2 well on Aug. 25, 2015. The GMT2 pad is anticipated to hold 48 total production and injection wells. The BLM has approved four APDs on CPAI's Colville River Delta-5 (CD5) drill pad which is part of the state-managed Colville River Unit, but is utilizing Federal subsurface.

### Background

- Lease Sales: The BLM has held 12 lease sales in the NPR-A since 1999 and administers 183 Federal oil and gas leases, totaling over 1.3 million acres. 900 lease tracts, totaling 10.3 million acres, are available for comment and potential offer for the 2017 lease sale.
- Congressional Interest: Senator Murkowski (R-AK) has expressed interest in BLM's APD and review process.

### Current Status

- Planning: In 2014, the BLM established an NPR-A Working Group consisting of representatives of North Slope local governments, Native corporations, and tribal entities as directed in the 2013 NPR-A IAP ROD. The Working Group provides input on the full range of management issues and possible future development in the NPR-A.
- APD/ROW Processing: On August 25, 2015, BLM Alaska received an APD for GMT2. The GMT2 project would be a continuation of the development within the GMT Unit. A Notice of Intent to Prepare a Supplemental Environmental Impact Statement to begin the National Environmental Policy Act review process was published July 29, 2016. The GMT2 ROD release is estimated for May 2018. CPAI recently announced a major discovery called "Willow", which is located within the GMT and Bear Tooth Units. Current estimates of production from Willow are 100,000 barrels per day (total reservoir currently unknown). The BLM is in discussion with CPAI to prepare a Master Development Plan that will expedite the processing of APDs associated with the Willow discovery.

Prepared by: Meagan Gins, BLM Legislative Affairs, 202-912-7399  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** New Measurement Regulations (3173, 3174, 3175) Replacing Onshore Orders 3, 4, & 5

**Key Points:**

- In November, 2016, the BLM published final rules to update and replace Onshore Orders 3, 4, and 5 and to reflect current technology and management practices:
  - Site Security, Commingling, Off-lease Measurement, and FMPs (replaced Order 3) Provides for site security by identifying theft and loss and ensures production accountability.
  - Oil Measurement (replaced Order 4) Ensures that crude oil produced from Federal and Indian oil and gas leases is accurately accounted for and measured.
  - Gas Measurement (replaced Order 5) Ensures that gas produced from Federal and Indian oil and gas leases is accurately accounted for and measured.
- Updating the requirements of these Orders was prompted by external and internal oversight reviews that found many of the BLM's production measurement and accountability policies to be outdated and inconsistently applied.
- These rules also respond to concerns from the Government Accountability Office, the Department of the Interior's Office of Inspector General, and the Secretary's Subcommittee on Royalty Management with respect to the adequacy of BLM's previous Onshore Order requirements, and their effect on the calculation of the royalties due.
- Proper measurement and accounting is important because it ensures that the American public, Indian tribes and allottees, and states and local governments receive royalties due.

**Background:**

- Onshore Orders 3, 4, and 5 were more than 26 years old when the rules were proposed.
- Outreach on the proposed revisions began in 2011 with tribal consultation meetings, and continued through December 2015. In addition to formal outreach, the BLM held numerous meetings with industry trade associations and individual companies.
- The BLM concluded that none of the three rules has a significant impact on employment, as they largely codify existing industry practices.

**Current Status:**

- At this time, the BLM is engaged in the initial phases of implementing the three rules, which includes ongoing outreach and training efforts.
- Industry has generally expressed that the requirements in the rules are necessary for implementing the latest industry standards and keeping up with new technology.
- Industry has identified three areas where the BLM could make improvements to the rules:
  - 1) Eliminate or reduce immediate assessments, and clarify how they apply to purchasers and transporters;
  - 2) Lengthen the time (phase-in periods) for implementation;
  - and 3) Adjust some of the gas sampling requirements in the gas measurement rule.
- The BLM is reviewing the three rules to ensure consistency with E.O. 13783.

Prepared by: Meagan Gins, BLM Legislative Affairs, 202-912-7399  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Transmission on Public Lands

**Key Points:**

- In FY 2016, the BLM, in coordination with the U.S. Forest Service (USFS) and Department of Energy (DOE), initiated the first of six planned regional reviews of energy corridors. This review will focus on high-voltage transmission power lines and oil, gas, and hydrogen pipelines.
- The BLM review focuses on future transmission and pipeline utilization needs, existing congestion or other constraints on use, as well as conflicts with resources based on new information.
- Changes to existing corridors can be made through subsequent land use planning processes.
- The energy corridor reviews should better position the BLM to strategically provide for long-term infrastructure needs and to respond to increased demand for improved pipeline and transmission line capacity and electrical grid reliability throughout the West.

**Background:**

- The Energy Policy Act of 2005 (EPA) directed the BLM, the USFS, and the DOE to identify energy corridors (commonly referred to as “west-wide” or “Section 368” energy corridors) for oil, gas, and hydrogen pipelines, and electricity transmission and distribution facilities.
- Establishing west-wide energy corridors requires strategic planning to improve the energy corridors by taking into consideration the linear infrastructure and electrical interconnection and pipeline needs for oil, natural gas, wind, solar, geothermal, and hydropower projects.
- In January 2009, the BLM designated approximately 5,000 miles (and the USFS designated approximately 1,000 miles) of west-wide energy corridors on Federal lands in 11 contiguous western states through a Record of Decision and associated Resource Management Plan amendments.
- The EPA established a process for ongoing corridor reviews, corridor modifications, and identification of new corridors. As a result of a 2009 lawsuit filed by various non-governmental organizations, the BLM, USFS, and DOE prepared a plan to review corridors in six regions.

**Current Status:**

- The desert southwest Region 1 review is scheduled for completion in late FY 2017.
- The review was funded with \$5 million in FY 2016 with an additional \$5 million in FY 2017.
- All regional reviews will be completed within three years by early FY 2020.

Prepared by: Meagan Gins, BLM Legislative Affairs, 202-912-7399  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** National Conservation Lands

### **Key Points**

- The President's proposed 2018 funding levels will support priorities for all National Conservation Lands units, including public access for hunting, fishing, and other recreation; public safety; travel management; wildlife habitat conservation and restoration; cultural resource protection and critical facilities maintenance; and inventory of unit resources and objects.
- Other uses are allowed that are consistent with maintaining the resources and objects identified in the law or proclamation for each designation.
- National Conservation Lands supported approximately 7,100 jobs (non-Federal) in 2016 (e.g., service and tourism industry jobs, small businesses) and generated \$630 million in economic activity to local communities.

### **Background**

- National Conservation Lands include 876 units covering about 36 million acres of BLM-administered lands (14.6 percent of all BLM lands). These lands help to meet the BLM's multiple use mission.
- Specific BLM designations include:
  - Designated wilderness: 224 units, 8.8 million acres;
  - National Monuments: 27 units, 9.5 million acres;
  - National Conservation Areas (NCAs) and similar designations: 21 units, 4.1 million acres;
  - Wilderness Study Areas (WSAs): 517 units, 12.6 million acres;
  - Wild & Scenic Rivers: 69 rivers, 2,423 miles; and
  - National Scenic & Historic Trails: 18 trails, 5,761 miles.
- Nearly 15 million recreational visits are made annually to National Conservation Lands (about one-quarter of all recreational visits to BLM lands).
- Recent national monument designations or expansions on BLM lands include California Coastal (2017), Cascade-Siskiyou in Oregon and California (2017), Gold Butte in Nevada (2016), Bears Ears in Utah (2016), and Mojave Trails and Sand to Snow in California (2016).

### **Current Status:**

- The National Conservation Lands are managed under BLM's multiple-use mission. Other uses are permitted when they are consistent with maintaining the resources and objects identified in the law or proclamation for each designation.
- The National Conservation Lands are places to explore, hike, hunt, fish, and enjoy the splendor of the American West. Ninety-nine percent of these acres are open to fishing and hunting.
- 2018 marks the 50<sup>th</sup> anniversaries of the Wild and Scenic Rivers and National Trails System Acts.

Prepared by: Jamie Pool, BLM Legislative Affairs, 202-912-7138

Date: May 10, 2017

**BUREAU: Bureau of Land Management (BLM)**  
**MEMBER: General Interest**  
**ISSUE: Oil & Gas Development on Public Lands**

### **Key Points**

- The BLM manages the Federal government's onshore oil and gas program with the goals of facilitating safe and responsible energy development, while providing a fair return for the American taxpayer.
- The President's BLM FY 2018 budget request reflects the agency's commitment to facilitating increased energy development opportunities on public lands in accordance with its multiple use mandate.
- The BLM generates revenue from approximately 94,000 active wells on Federal lands.
- During FY 2016, the BLM held 20 lease sales 415,223 acres received bids, generating over \$196 million in bonus bid revenue shared with states.
- In 2016, the BLM finalized three rules pertaining to site security and measurement and accountability of oil and gas on which royalty is due.
- These rules replaced three onshore orders that were issued in 1989, and a Notice to Lessees that was issued in 1980.

### **Background**

- Currently, more than 27 million acres of Federal land is under lease.
- The BLM approved 2,575 Applications for Permit to Drill (APDs) on Federal lands in FY 2016, and operators drilled 1,042 wells on Federal lands.
- The BLM held five online oil and gas lease sales under new statutory and regulatory authority in 2016 and five sales to date in 2017.
- The BLM received protests on 56% of the parcels posted in the lease sale notices in FY 2016. The BLM issued 521 new leases covering 578,804 acres in 2016.
- In 2015 and 2016, the BLM completed 100% of the required high-priority production inspections.
- In September 2016, the BLM New Mexico State Office held the largest revenue generating lease sale, which brought in more than \$145 million in bonus bids on 36 parcels covering 13,876 acres in part of the Permian Basin.

### **Current Status**

- The BLM had an estimated 2,802 APDs pending in early 2017, with an estimated 1,800 expected to be received. In compliance with Secretary Zinke's Secretarial Order 3349, the BLM is working to reduce the numbers of pending APDs in the field offices, resulting in an average reduction in pending APDs by 17% in major oil and gas states in the last 60 days.
- The BLM deployed a new electronic APD processing system (AFMSS 2) in 2016.
- The BLM is developing the National Fluids Lease Sale System (NFLSS) to automate many lease sale functions and to provide additional transparency to the public and nominators on expression of interests. Building on the success of the previous online lease sales, the BLM plans to hold 21 additional online sales throughout 2017.

Prepared by: Meagan Gins, BLM Legislative Affairs, 202-912-7399  
Date: May 10, 2017

*Note: The figures in this memo do not include statistics for Indian lands.*

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Alaska Land Conveyance Program

### **Key Points**

- The Alaska Land Conveyance program conveys land from the Federal government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska.
- To date, the BLM has completed final patent of:
  - 98 percent of parcels for Native allotment programs (16,818 cases closed);
  - 79 percent of Alaska Native Claims Settlement Act (ANCSA) Corporation entitlements (nearly 36 million acres); and
  - 63 percent of State of Alaska entitlements (nearly 66 million acres).
- To date, the BLM has completed interim conveyance or tentative approval of:
  - 96 percent of ANCSA entitlements; and
  - 95 percent of State of Alaska entitlements.

### **Background**

- The Alaska Land Conveyance program is the transfer of land title from the Federal government to individual Alaska Natives, Alaska Native Corporations, and the State of Alaska under four laws: the 1906 Native Allotment Act; Alaska Native Veterans Allotment Act of 1998; Alaska Native Claims Settlement Act of 1971; and the Alaska Statehood Act of 1959.
- The Alaska Land Transfer Acceleration Act of 2004 resolves conflicts between the conveyance laws, and establishes deadlines for Alaska Native corporations and the State of Alaska to file final selection priorities.
- The Alaska Native Village CEO Association (ANVCA) has expressed concerns to the Alaska Congressional delegation about contaminated sites on conveyed lands. Requirements for reporting on the contaminated sites were included in a report accompanying the FY 2015 Department of the Interior Appropriations Act.

### **Current Status**

- The BLM is pursuing a new, less costly and more efficient approach to on-the-ground survey work for lands that were conveyed to the State of Alaska by tentative approval. The approach will reduce the estimated cost of cadastral surveys by at least \$200 million over thirty years, accelerate timeframes for the final patenting of lands to the State, provide a superior product of electronic data sets, and reduce the need for monument markers, while meeting title obligations under the Alaska Statehood Act.
- The State and Alaska Congressional delegation have expressed concerns related to the costs associated with the surveys.
- In the next five years, the BLM plans to substantially complete outstanding surveys required to meet State of Alaska entitlements as a result of the new survey method for State lands, unless challenged by the State. The BLM will focus its ANCSA conveyance efforts on providing final patents to close out ANCSA village and region entitlements.

Prepared by: Geoff Beyersdorf, BLM Legislative Affairs, 202-912-7430  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Law Enforcement & Employee Safety

### **Key Points**

- Wide-ranging threats (e.g., vandalism, civil disobedience, and violence) have the potential to disrupt routine BLM functions and adversely affect bureau employees and facilities.
- Anti-government extremism represents a growing concern and poses a significant threat to the operational safety of Federal land management employees, many of whom work in rural and remote settings.

### **Background**

- Nationwide, the BLM has approximately 285 law enforcement officers and support personnel tasked with enforcing a wide range of laws and regulations in the prevention, detection, and investigation of crimes on public lands.
- Section 303(c)(1) and (2) of the Federal Land Policy and Management Act of 1976 (FLPMA) provides that the Secretary may authorize Federal personnel or appropriate local officials to enforce Federal laws and regulation with respect to the public lands and their resources.
  - Section 303(c) authorizes Federal personnel or appropriate local officials to carry firearms, execute warrants, and make arrests.
  - Section 303(a) authorizes regulations with respect to the management, use and protection of the public lands and states that knowing and willful violation of such regulations are punishable as a criminal offense.
  - Section 303(g) states that use, occupancy, or development of public lands contrary to any regulation of the Secretary or other responsible authority is unlawful and prohibited.
- The BLM manages more than 245 million acres of public land (more than any other DOI bureau), yet has one of the Department's smallest law enforcement components. The BLM has roughly one law enforcement officer for every one million acres of public land.
- In order to enhance the security of its personnel and facilities, the BLM has taken the following steps, among others:
  - Developed a "*Threat Response Protocol*" to facilitate a consistent bureau-wide approach to preparation and response actions in the event the bureau anticipates or receives credible threats to its employees or facilities.
  - Completed physical security assessments for over 250 BLM facilities to identify needed security enhancements. Funding for critical enhancements was provided, and installation is underway. Improvements include closed circuit television, intrusion/duress alarms, restricting access to employee workspaces, among others.

### **Current Status**

- The BLM law enforcement program continues to allocate significant resources in support of BLM employee safety and security efforts; most recently by deploying law enforcement officers to support Operation Reclaim Our Arizona Monuments (ROAM) to secure our southern border and keep employees safe while working on resource projects.

Prepared by: Jamie Pool, BLM Legislative Affairs, 202-912-7138  
Date: May 10, 2017

**BUREAU:** Bureau of Land Management (BLM)  
**MEMBER:** General Interest  
**ISSUE:** Legacy Wells – National Petroleum Reserve – Alaska (NPR-A)

### **Key Points**

- The Helium Stewardship Act of 2013 made \$50 million available to the Department of the Interior (DOI) (\$10 million in FY 2014, \$36 million in FY 2015, and \$4 million in FY 2019), without further appropriation, to remediate, reclaim, and close legacy wells in the NPR-A.
- Between 2002 and 2015, approximately \$90 million was spent on the remediation of 18 legacy wells between the BLM and the U.S. Army Corps of Engineers (USACE).
- Contracts have been awarded to two Alaska Native owned companies to perform remediation work with the remaining \$37.4 million through individual task orders (\$2.6 million has been permanently sequestered).

### **Background**

- In September 2013, the BLM released its *2013 Legacy Wells Strategic Plan*, which outlined priorities and actions it will take in the near-term to plug and clean up what are referred to as “legacy wells” in the NPR-A.
- Of these 136 legacy wells and core tests drilled by the U.S. Navy and U.S. Geological Service (USGS) between 1944 and 1982, half require no further action because they have been remediated or pose no threat to the public or the environment. 18 wells remain in use by the USGS, 50 wells require various levels of additional cleanup work, and 20 of these wells have been identified for priority plugging and/or surface clean-up.
- Although the BLM has made significant progress in addressing the highest priority legacy wells, the Alaska Congressional delegation continues to express concern about the BLM’s pace in remediating wells.
- Total current estimated Federal spending between the BLM (approximately \$79 million) and U.S. Army Corps of Engineers (approximately \$ 17.5 million) on legacy well cleanup is approximately \$96.5 million.

### **Current Status**

- Within the past year, Olgoonik Construction Services and Marsh Creek successfully completed the plugging and abandonment of six additional legacy wells. After completion of the existing contracts, 25 legacy wells will have been remediated with an additional 25 legacy wells still requiring remediation as identified in the Strategic Plan.
- The BLM is actively coordinating with the USACE to determine whether the NPR-A and/or specific well sites are eligible for environmental remediation by the USACE as Formerly Used Defense Sites.
- The 2017 Interior, Environment, and Related Agencies Appropriation bill, directed the BLM to develop a long-term strategy to fund its responsibility to cleanup legacy wells.
- The BLM is working to identify additional funding streams as approximately \$90 million will be needed to complete the remaining legacy wells.

Prepared by: Geoff Beyersdorf, BLM Legislative Affairs, 202-912-7430

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