First Look: Bureau of Land Management's Order to Expedite Oil and Gas Leases

Overtorns a number of Obama administration environmental regulations concerning oil and gas extraction on Bureau of Land Management lands.

Updated last February 15, 2018

WHAT IT DOES

On January 31, 2018, the Bureau of Land Management (BLM) issued an instruction memorandum entitled “Updating Oil and Gas Leasing Reform – Land Use Planning and Lease Parcel Reviews.” The memo revises BLM procedures for the management of BLM lands and for issuing leases to private entities, which are typically fossil fuel producers. The revisions are generally aimed at shortening BLM review timelines, weakening the ability of public protests to delay lease issuances, and allowing BLM officials to waive certain review requirements.

In particular, BLM will now have a maximum of six months to review a lease request to ensure it complies with BLM’s Resource Management Plans. If the parcel is the subject of a public protest, a lease on the parcel can still be sold while the protest is addressed procedurally; however, the lease cannot actually be issued until the protest is resolved. At their discretion, BLM state and field office officials may now determine whether a parcel under review has already been adequately analyzed in a prior National Environmental Policy Act (NEPA) review. If such a determination is made, they may decide that no further public comment is necessary.

The memo also ends an Obama-era program known as Master Leasing Plans (MLPs), which provided for additional review of leasing in environmentally or culturally sensitive areas, typically those close to national parks or popular recreation areas. MLPs take a “landscape-level” approach to resource management meant to consider the diverse potential uses of a geographic area and ensure that any one land use (like oil and gas exploration) does not get in the way of other land uses, such as recreation or wildlife protection.

STATUS

The guidelines in the instruction memo went into effect on January 31, 2018.

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