



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

August 26, 2022

Dear Tribal Leaders,

The U.S. Department of the Interior (DOI) is seeking your feedback and recommendations on a draft document entitled “BIPARTISAN INFRASTRUCTURE LAW SEC. 40601 ORPHANED WELL PROGRAM, Tribal Grant Guidance, Fiscal Year 2023,” which can be found here: [Tribal Orphaned Well Grants](#). To collect this feedback, DOI’s Office of Environmental Policy and Compliance (OEPC) and Bureau of Indian Affairs (BIA) are hosting Tribal Consultation sessions on Tuesday, September 27, 2022, and Thursday, September 29, 2022, from 1 pm – 3 pm EST. Registration for this consultation is required. You may register to attend the virtual meeting on September 27, 2022 [here](#). You may register to attend the virtual meeting on September 29, 2022 [here](#).

The Tribal Grant Guidance was developed with input gathered over the last year from Tribal leaders, OEPC, and BIA’s Indian Energy Service Center (IESC). This effort also included a formal Tribal Consultation on the BIL generally (January 2022), and Tribal listening sessions specific to the Orphaned Well Grant Program (February 2022). Other partners instrumental in the development of this document includes the Bureau of Land Management, the DOI Office of the Solicitor, and the Interior Business Center. These entities are fully committed to working with Federally-recognized Tribal governments on a government-to-government basis and strongly support and respect Tribal sovereignty and self-determination for Tribal governments in the U.S.

OEPC and BIA are hosting this Consultation to receive input from Federally-recognized Tribes on this draft Tribal Grant Guidance. The guidance will be used in the administration and distribution of the first round of funding, with up to \$50 million available for Tribal projects in FY2023. Section 40601(d) of the Bipartisan Infrastructure Law (BIL) creates an orphaned well plugging, remediation, and reclamation grant program within the DOI to address orphaned wells and well sites on Tribal lands.

Specific questions on which we invite your feedback are listed below:

1. What recommendations do you have for partnering with Tribes to conduct activities described in the BIL and this grant program?
2. How might DOI improve communication with Tribes regarding orphaned well plugging, remediation, and reclamation?
3. What additional support, including specific types of technical assistance, might be useful to your Tribe in order to submit a grant application, manage a plugging program, and meet the administrative and reporting requirements of this program?
4. The BIL Section 40601 appropriation for Tribal grants totals \$150 million. Allocation of not more than \$50.0 million, total, in year one, and not more than

\$1.0 million per Tribe for capacity-building in year one are recommended to make sure that Tribes are able to conduct orphaned well inventories, and plan a plugging program, over a period of time. Do these recommended caps support your Tribe's needs?

These and other topics will be open for discussion at the Tribal Consultation. For those who would like to send written remarks, they may be provided by email to ECRP@ios.doi.gov or by mail to:

US Department of the Interior
Office of Environmental Policy and Compliance 1849 C Street NW, Room 2624
Washington, DC 20240

On your correspondence, please note your Tribal affiliation and include "Tribal Orphaned Well Grant Guidance" in the header or subject line to identify the subject matter. Keep in mind that all relevant comments, including personal information if provided as part of your comments, may be posted publicly without change.

Sincerely,



Bryan Newland
Assistant Secretary - Indian Affairs



Eric Werwa
Deputy Assistant Secretary – Policy and Environmental Management